

Advisory Committee on Packaging (ACP) – Minutes

Advisory Committee on Packaging Meeting	<i>July 26th 2022, 1pm</i>
At Heanor, Derbyshire and by Teams	
<i>Attendees</i>	<i>Apologies for absences</i>
<p><u>Members:</u> Deep Sagar - Chair Adrian Hawkes – Compliance schemes Andy Barnetson- Paper Emma Cook – Filler/Manufacturer Graham Fox – Filler/Manufacturer James Bull – Retailer John Dye – Wood Joseph Doherty – Waste Management Karen Graley -- Retailer Matthew Demmon - Glass Mike Baxter - Plastic Robert Fell – Steel Robbie Staniforth – Compliance schemes Stuart Hayward-Higham – Waste Management Andrew Bird – Local Authorities (UK) Emma Beal – Local Authorities (England)</p> <p><u>Officials:</u> Linda Crichton – Defra Ian Atkinson – Defra Olive McMahan – Defra (Secretariat) Vicky Burt – Defra Lyn McLean – Environment Agency (EA) Pete Spink - EA Alex Hamilton – Welsh Government (WG) John Kirkham – Welsh Government John Davies - Natural Resources Wales Lesley Roberts – Northern Ireland (NI) Department of Agriculture, Environment and Rural Affairs (DAERA) Charmaine Beer – DAERA Simon McKernan - DAERA Allison Townley – NI DAERA Bernard Gaffney- Scottish Environment Protection Agency (SEPA) Nat Chalamanda – SEPA</p>	Diane Carlisle – NIEA Andrew Williams – Welsh Gov Rob McLaughlin – DAERA Charles Holmes- Scottish Government (SG) Tirion Rees-Davies (SG) Tim Walker – Local Authorities (Northern Ireland) Helen Little – Environment Agency

Items	Agenda Item	Actions arising
1.	<p>Welcome, introductions, minutes of April 2022 meeting</p> <p>Chair welcomed all to the meeting and Peter Spink in particular. He thanked Mike Baxter for hosting the meeting and for the tour of the plastics recycling plant.</p> <p>Minutes of April meeting were approved as accurate.</p> <p>Previous meetings' Actions:</p> <ul style="list-style-type: none"> • MB to provide some lessons learned from silage wrap voluntary collection scheme – MB provided update • KG and JB to provide note on progress through front of store flexible plastic collections – JB summarised difficulties with the initiative and present risks. <p>Members flagged that councils will soon be required to collect lower grade plastic packaging materials and agreed this is an important topic to revisit with some solutions and recommendations – work is underway but in its early stages.</p>	
2.	<p>Chair's report</p> <p>The Chair's written report was noted.</p> <p>Helen Little is moving to Defra to take on the role of team leader on Deposit Return Scheme.</p> <p>Quick wins concept: Chair discussed the previous Defra Minister's interest in quick wins. After discussion, it was agreed that keeping to the agreed work plan and focusing on advising on the present policy reforms and transition arrangements should be the priority given the extent of these proposals.</p> <p>Scottish Government Circular Economy: volunteers to coordinate the the ACP response to contact Chair after the meeting.</p>	
3.	<p>Defra update</p> <p>Defra provided an update on EPR priorities including work on the Statutory Instruments, engagement with producers on the establishment of the Scheme Administrator, and preparation of guidance on data reporting / producer obligations.</p> <p>Work is on-going on the preparation of the Government Responses to the DRS and consistency consultations; Defra understands the importance of getting these responses published.</p>	

	<p>Defra provided a summary of the Dual Regulatory Regime proposals under the Northern Ireland Protocol Bill and sought feedback from members on how this may impact their organisations. Comments were raised by members regarding EU regulations and questioned where responsibility for meeting the requirements lies.</p> <p>Defra noted that a revised EU Packaging and Packaging Waste Directive (or Regulation), is expected to be published before the end of 2022. It was also noted that France, Spain and Netherlands have all recently introduced new requirements for access to market. Members were invited to share any insights or issues in relation to these proposals with Defra.</p>	
4.	<p>2022 Compliance update</p> <p>Defra presented the quarter 2 data.</p> <p>EA presented the year-to-date figures at 25th July 2022. 316 drop-offs compared to 2021. This equates to a potential missing obligation of ~490,000 tonnes compared to 2021 with four producers accounting for a significant proportion of this missing tonnage. EA is continuing to follow up on 'drop offs' and will take appropriate action to bring producers into compliance. They noted that most late registrants do end up complying.</p> <p>Members expressed concern regarding the number of late registrations and raised the impact this can have on the PRN market by under-estimating the total obligation by material. They want to see a more robust approach being taken with late registering producers and don't want to see the limitations of the current system being compounded in the new regime.</p>	
5.	<p>Work plan</p> <p>Chemical recycling: EC will chair the working group and those wanting to participate should contact EC.</p> <p>Flexible plastics were discussed – members mentioned the renewable transport fuel obligation and the interest in using flexible plastics to make diesel and kerosene. Members anticipate this material being diverted for energy because of the way BEIS classifies the energy usage</p> <p>Members suggested more thinking is required about the desired outcomes from each workstream. There is an opportunity to tie some of the workstreams together. Member questioned whether we can monitor the EU legislation review closely?</p> <p>Reusable and refillable packaging: KG to chair the working group.</p> <p>Members discussed the need for consumer and public education.</p>	<p>KG to circulate a note on reuse /refill initiatives</p>
6.	<p>Updates were discussed by exception. Written updates from members were noted.</p>	

	<p>WG: Nothing to report</p> <p>DAERA: continuing to work alongside DEFRA and devolved administrations on packaging reforms. Working is starting on new Waste Management Strategy for Northern Ireland with a public consultation expected early next year and the Strategy to be published by the end of 2023.</p> <p>SEPA: BG noted that compliance monitoring in Q2 involved both desk-based activity and site visits. 1 plastics exporter had been accredited.</p> <p>EA: Provided update. On accreditations in 2022 compared to 2021 there were 8 more plastic reproprocessors, 8 fewer aluminium reproprocessors and 4 fewer steel reproprocessors. 3 accreditations had been revoked (plastic).</p> <p>They also provided an update on actions on producer non-compliance for 2021. Members raised the difference between a warning letter and specific types of civil sanction that are punitive rather than just warnings</p> <p>NRW: JD - no issues to report</p> <p>NIEA: SM provided an update reported 50 'drop offs' compared to last year</p> <p>Plastics: MB provided update</p> <p>Wood: JD provided update.</p> <p>Glass: MD provided update</p> <p>Paper: AB provided update. Confederation of Paper Industries about to go live with a new tool which facilitates self-assessment of recyclability of packaging</p> <p>Metals: RF provided update.</p> <p>Manufacturers/Retailers: EC; GF; JB; KG provide updates highlighting cost of living pressures; and concerns about the timeline for businesses to prepare for EPR; a lack of clarity on the treatment of VAT on DRS deposits and different DRS across the nations as key issues for producers; and increasing cost of recycled plastic compared to virgin plastic which could mean some producers reducing recycled content in some packaging.</p> <p>Local authorities: EB: provided an update. Impact for local authorities' centres around the consultation response to consistency not being published (EPR and not consistency_and concerns about not having sufficient time to implement required service changes.</p> <p>Waste companies: SSH highlighted that increased labour costs, inflation and the potential for further strikes over the winter were anticipated to be present challenges.</p>	
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	Compliance schemes: AH/RS: re-iterated that they were receiving lots of questions from their members on the new EPR arrangements including on data collection timelines and wider timelines/definitions.	
7.	Any other business Next ACP meeting: Tuesday 1st November 2022 1-4pm; at Regen Newry, Northern Ireland with site tour from 10:30 and update from DAERA at the meeting.	