



Department  
for Environment  
Food & Rural Affairs

## Extended Producer Responsibility for Packaging:

Summary of consultation responses

23<sup>rd</sup> July 2021





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# Executive Summary

## Introduction

In 2019, in a consultation document titled 'Reforming the UK Packaging Producer Responsibility System', Government set out the case for significant reforms to the current system of producer responsibility, which has been in place since 1997. Proposed reforms included:

- making producers responsible for the full net cost of managing packaging once it becomes waste;
- setting more ambitious packaging waste recycling targets for producers; and
- introducing clear and consistent labelling on packaging for recyclability.

In the consultation, Government sought to recognise that the reforms must result in a packaging producer responsibility system that has a positive long-term impact, and works well for all stakeholders, for the UK and for all parts of the UK. Given the integrated nature of the packaging value chain and that many manufacturers and retailers operate across the UK, the proposals were based on the continuation of a UK-wide approach to producer responsibility. The powers necessary to implement Extended Producer Responsibility (EPR) are provided by the Environment Act.

Since the 2019 consultation, the Environment Act has received Royal Assent, and Defra and the Devolved Administrations have also undertaken an additional review of consultation responses, evidence development and stakeholder engagement to develop proposals further.

In 2021, a consultation on the updated proposals was launched, building on the 2019 consultation. In this consultation, Government confirmed its preferred approach to many key elements of the reforms and sought views on the specific details of implementing its preferred approaches. The findings of this consultation will contribute to the finalising of the EPR for Packaging proposals and inform the regulations to implement them. In addition, in some areas where Government used the 2021 consultation to seek more views on broad options, it will lay out its position soon after the consultation to allow the focus to shift to legislating.

The consultation opened on 24th March 2021 and ran until midnight on 4th June 2021. 1,241 responses were received to the consultation. This report summarises those responses. It describes the principal suggestions, concerns and expressions of support given by respondents in their responses, as well as all answers to closed questions.

In parallel to the EPR for Packaging consultation, a consultation was run on Defra, Welsh Government and DAERA's proposals for a deposit return scheme (DRS). On 7th May 2021, Defra also opened a consultation on Consistency in Household and Business Recycling in England, which ran until 4th July 2021.

## Crosscutting themes

Throughout the qualitative consultation responses, a number of common themes emerge. In many cases, respondents would like to see more detail on proposals overall or on specific aspects of the proposals before commenting further.



Respondents often discuss the current context, such as the waste and recycling infrastructure and regulatory system, expressing concerns that this may not be fit for purpose or requires investment to support the proposed scheme. The variation between local areas and local authorities is an issue many respondents raise, suggesting that the scheme would be operating in a complex and varied environment. Alongside this, respondents frequently point towards underlying principles such as simplicity and fairness that they feel should characterise any new system.

Respondents raise a number of other common themes, including avoiding unintended economic or environmental consequences, avoiding loopholes or the ability for the system to be abused, data collection and consistency, harmonising the new system with other new or existing regulations, and keeping stakeholders involved, for example in the governance of the Scheme Administrator.

### Packaging waste recycling targets

Around three-quarters of respondents support the proposed framework for setting packaging targets. Some respondents say that it will help increase the pressure on producers to re-use materials and tackle waste at source. Some feel that clear long-term targets will allow stability and clear accountability in managing waste. Some respondents suggest the targets could be more ambitious.

The respondents who express concerns about the proposed framework cite issues such as inadequate testing for recycled content, risks of false claims from producers, difficulty with re-using more complex packaging types, fees becoming a barrier to scheme take-up and the financial impacts of reporting.

Nearly eight out of ten respondents agree that business packaging waste recycling targets set for 2022 should be rolled over to the calendar year 2023, primarily because it will help to ease the transition from the current producer responsibility system to the new EPR system.

### *Proposed targets for specific materials*

Respondents express a range of levels of support or suggestions for the proposed 2030 targets for different materials:

- More than four out of ten respondents agree that the recycling target to be met by 2030 for aluminium could be higher than the proposed rate of 30%.
- Nearly half of respondents agree with the proposed minimum target to be met by 2030 for glass (81%).
- Three out of ten respondents agree with the proposed minimum target to be met by 2030 for plastic (56%).
- Just over two out of ten respondents think a higher recycling target should be set for wood in 2030 than the proposed minimum rate (39%).
- Nearly three out of ten respondents agree that if higher recycling targets are to be set for 2030, a sub-target should be set that encourages long term end markets for recycled wood.
- Four out of ten respondents agree with the proposed minimum target to be met by 2030 for steel (92%).
- More than six out of ten respondents agree with the proposed minimum target to be



met by 2030 for paper / card (85%).

- Four out of ten respondents agree with the proposal to set recycling targets for fibre-based composites.
- Four out of ten respondents agree that there may be a need for closed loop recycling targets for plastics, in addition to the Plastics Packaging Tax.

Many respondents stated they neither agreed nor disagreed with the proposals for targets in each case. Respondents expressing concern about proposed targets focus on a range of issues, including lack of clarity or detail around the proposals and surrounding context (e.g. other regulations yet to be finalised), potential unintended consequences or creation of loopholes, challenges with current infrastructure and achievability, economic impact, and over-ambition or under-ambition.

### *Reuse systems*

On the question of funding, more than one third of respondents agree that the Scheme Administrator should proactively fund the development and commercialisation of reuse systems, citing the promotion of waste prevention in line with the EPR's **core objectives**. Four out of ten respondents disagree, expressing concerns over issues such as disruption of commercial activity and the diversion of funds away from recycling and recovery.

Respondents also share mixed views on whether the Scheme Administrator should look to use modulated fees to incentivise the adoption of reuse and refill packaging systems. The four out of ten expressing support point towards benefits such as better environmental performance of packaging and incentivisation of reuse and refilling systems. The nearly four out of ten disagreeing cite issues such as this being beyond the scope of the scheme or the Scheme Administrator's function, or that this could be anticompetitive and costly.

### *Other topics*

Other questions asked of respondents on this topic focus on setting a glass re-melt target for 2030 for non-bottle packaging, suggesting other packaging materials that could benefit from closed loop targets, and selecting a suitable definition of reusable packaging that could be applied to possible future reuse/refill targets or obligations. Respondents also provided wider views on proposed or alternative approaches for setting reuse and refill targets and obligations.

### *Producer obligations for full net cost payments and reporting*

Nearly six out of ten respondents agree that brand owners are best placed to respond effectively and quickly to incentives that are provided through the scheme. Around a fifth disagree; the remainder neither agree nor disagree. Respondents expressing support say that this is an effective and suitable approach since brand owners can control product design and react quickly to incentives. Those disagreeing comment on issues such as potential economic impacts particularly for brand owners, and the difficulty sharing the financial burden with customers given the need to stay competitive.

Respondents discuss potential situations where the proposed approach to imports would result in packaging being imported into the UK which does not pick up an obligation. Concerns focus on issues like the complexity of the system, the risk of misinterpretation of producer type categories, and lack of clarity over responsibility.



Respondents share their views on options for capturing more packaging in the system and ensuring the smallest businesses are protected from excessive burden, focusing on the issues of cost burden, fairness, and practical implementation, while ensuring as much packaging is covered as possible. More than half of respondents agree there is a strong case to also reduce the de-minimis threshold to £1 million and 25 tonnes to include more businesses, with concerns focusing on the burden this would place on smaller businesses.

#### *Online marketplaces*

On the question of whether online marketplaces should be obligated for unfilled packaging in addition to filled packaging, more than three-quarters of respondents agree. Those respondents expressing concerns focus on the potential for multiple obligations where the online marketplace is also the brand owner, alongside various concerns about the scope and definitions of this proposal.

Respondents also discuss a range of potential issues with online marketplaces not being obligated for packaging sold through their platforms by UK-based businesses, and barriers to online marketplaces developing a methodology in time for the start of the 2022 reporting year.

#### *Omissions*

More than six out of ten respondents were unsure whether there is any packaging that would not be reported by the obligation as proposed. Respondents identified potential omissions as DRS materials and compostable packaging, alongside suggesting a number of specific inclusions such as free-issue packaging and loaned packaging. Nearly six out of ten respondents agree that the allocation method should be removed under the new scheme.

#### *Producer disposable cups takeback obligation*

Seven out of ten respondents agree that a mandatory, producer-led takeback obligation should be placed on sellers of filled disposable paper cups; nearly one in ten respondents disagree and the remainder neither agree nor disagree. Respondents expressing concerns say that cups should not be prioritised over other disposable packaging, that proposals may normalise the use of disposable cups and that current facilities may be ill-equipped to handle the volume of material that the proposals aim to capture.

Half of respondents agree with the proposed phased approach to introducing the takeback obligation, for example saying that this allows time for the EPR payments to be established and enables smaller businesses to utilise takeback structures already established by larger businesses. Nearly three out of ten respondents disagree, many of whom say the timescale is too long given current voluntary take back activity, and a few of whom say it is too short, particularly for small businesses.

#### *Modulated fees & labelling*

##### *Modulated fees*

Around half of respondents say that they think the proposed strategic frameworks will result in a fair and effective system to modulate producer fees being established, pointing towards incentivisation for better packaging design choices and the focus on recyclability. One sixth of respondents disagree, with many expressing concerns about the



effectiveness of the proposed modulated fee system, as well as the potential for data manipulation and the economic impact on firms who may not be able to avoid the use of 'unrecyclable' packaging.

Nearly three-quarters of respondents agree that the Scheme Administrator should decide what measures should be taken to adjust fees if a producer has been unable to self-assess or provides inaccurate information. The one in ten respondents disagreeing frequently cite the potential for a chaotic system and a "race to the bottom" for recycling quality.

### *Labelling*

Respondents express mixed views on several specific aspects of the proposed labelling requirements, including:

- Government's preferred approach to implementing mandatory labelling – more than half of respondents agree and over one third disagree.
- Whether the timescales proposed provide sufficient time to implement the new labelling requirements – nearly one third of respondents agree and nearly four out of ten disagree.
- Whether the labelling requirement should be placed on businesses who sell unfilled packaging directly to small businesses – around four out of ten respondents agree and over one quarter disagree.

Respondents tend to focus on the principles of flexibility, simplicity, clarity, achievability, and avoiding additional costs in support of their responses.

The proposal that all producers could be required to use the same 'do not recycle' label receives stronger support, with more than eight out of ten respondents agreeing. Those who disagree (one in ten) express concern about issues such as potential confusion with compostable packaging labelled 'do not recycle' and alignment with international standards.

More than half of respondents say it would be useful to have enhancements on labels, such as including 'in the UK' and making them digitally enabled, citing a range of benefits from consumer education through to traceability. Just over one third are unsure. The one in ten disagreeing with this suggestion frequently return to issues of complexity, cost and other implementation issues.

### *Plastic films*

On the topic of plastic films, nearly two-thirds of respondents agree that local authorities across the UK who do not currently collect plastic films in their collection services should adopt the collection of this material no later than end of financial year 2026/27. One fifth of respondents disagree, for example because this may be difficult for local authorities (LAs) to carry out, lead to added costs, or may be an inefficient investment including given potential for contamination and uncertain contribution to overall recycling rates.

There are mixed views on whether collections of plastic films and flexibles from business premises across the UK could be achieved by end of financial year 2024/5 – more than half of respondents say they think this is achievable, more than one quarter are unsure, and the remainder do not think it is achievable (for example due to lack of appropriate infrastructure).





### *Biodegradable and compostable packaging*

When asked specifically whether there should be an exemption from the 'do not recycle' label for biodegradable/compostable packaging filled and consumed in closed loop situations where reuse or recycling options are unavailable, more than half of respondents say no, while just under one third say there should be.

Respondents also discuss the potential for unintended consequences arising as a result of the proposed approach to modulated fees for compostable and biodegradable plastic packaging. More than four in ten respondents say there could be unintended consequences such as discouraging the development of the biodegradables market.

### *Payments for managing packaging waste*

#### *Necessary costs*

More than half of respondents disagree with the proposed definition and scope of necessary costs, with many saying that there may be unfairness about littering costs being borne by producers or an overall negative economic impact. Around one third of respondents agree with the proposals, for example citing fairness and comprehensiveness as supporting arguments.

#### *Waste from households*

Three-quarters of respondents agree that payments for managing packaging waste from households should be based on good practice, efficient and effective system costs, and relevant peer benchmarks. Nearly one fifth of respondents disagree, often citing lack of detail in the proposals or variability in local authority contexts.

Respondents comment on specific aspects of the proposed payment arrangements with varying degrees of support. Respondents tend to express more support than disagreement with most of these aspects, including proposals for:

- Per tonne payments to LAs for packaging materials being net of an average price per tonne for each material collected.
- The Scheme Administrator having the ability to apply incentive adjustments to local authority payments to drive performance and quality in the system.
- Local authorities being given reasonable time and support to move to efficient and effective systems before incentive adjustments to payments are applied.
- Incentive adjustments or rewards to encourage LAs to exceed their modelled recycling benchmarks.
- Unallocated payments being used to help local authorities meet their recycling performance targets, and for wider investment and innovation.
- Residual payments calculated using modelled costs of efficient and effective systems based on the average composition of packaging waste within the residual stream.

The one aspect receiving more disagreement than agreement is the question of local authorities being guaranteed a minimum proportion of their waste management cost regardless of performance. Many respondents express concerns, for example, that a



minimum payment may reward potential underperformance by local authorities or provide limited incentive to improve.

#### *Waste from businesses*

Nearly two-thirds of respondents agree that a Disposal Authority within a two-tier authority area (England only) should receive the disposal element of the residual waste payment directly, while the majority of other respondents neither agree nor disagree.

Respondents have mixed views on whether there remains a strong rationale for making producers responsible for the costs of managing packaging waste produced by businesses, with those respondents expressing a view being split approximately 50:50. Respondents supporting this approach say they feel this will help encourage corporate responsibility or add caveats such as the need to ensure fair and accurate cost calculations. Respondents express a range of concerns, for example that the costs for businesses may now exceed those of households on a per tonne basis, or that this removes the impetus for businesses to manage packaging waste efficiently.

Around three-quarters of respondents agree that all commercial and industrial packaging should be in scope of the producer payment requirements except where a producer has the necessary evidence that they have paid for its management directly.

Respondents discuss different options for business waste payment systems including variations of a 'per tonne' approach and a 'free bin' approach. More than half of respondents say they do not know enough to provide a view. Of those expressing a clear view, nearly half express a preference for a compliance scheme led, producer funded, business packaging waste management cost rebate system.

Nearly half of respondents say they think there will be issues with not having either Packaging Recovery Notes/Packaging Export Recovery Notes or the business payment mechanism in place for a short period of time. These respondents tend to focus on delays to improvements due to lack of incentive and investment.

#### *Data and reporting requirements*

Almost three-quarters of respondents agree with the proposal to introduce a sampling regime for packaging as an amendment to the material facility (MF) regulations in England, Wales and Scotland and incorporation into new or existing regulations in Northern Ireland. Respondents expressing concerns tend to raise the issue of lack of supporting infrastructure and regulatory rigour, and are uncertain how a sampling regime will be implemented.

Respondents comment on specific aspects of the proposed regime with varying degrees of support, including:

- Requiring all First Points of Consolidation to be responsible for sampling and reporting – seven out of ten respondents agree.
- Removing or changing existing MF Regulations' de-minimis threshold of facilities that receive 1000 tonnes or more per annum of mixed waste material to capture all First Points of Consolidation – just under three-quarters of respondents agree.
- Implementing more rigorous sampling arrangements within 6-12 months of the regulations being in place – four out of ten respondents agree.



- Introducing visual detection technology from 2025 to further enhance the sampling regime – six out of ten respondents agree.
- Setting minimum output material quality standards for sorted packaging materials at a material facility – nearly eight out of ten respondents agree.
- Material facilities that undertake sorting prior to sending the material to a reprocessor or exporter being required to meet minimum standards in addition to assessing and reporting against them – nearly eight out of ten respondents agree.

Basing manual sampling protocol on the list of materials and packaging formats provided in the consultation document received a mixed response, with just under half of respondents agreeing and just under a third disagreeing – for example because they feel it may be difficult to measure the effectiveness of modulated fees.

More than two-thirds of respondents say that existing packaging proportion protocols used by reprocessors would provide a robust and proportionate system to estimate the packaging content of source segregated materials – either as they are or with some refinement. Concerns include existing packaging proportion protocols being out of date and not reflective of current practices.

Two-thirds of respondents are unsure whether any existing industry grades and standards could be used as minimal output material quality standards. Some respondents feel this could depend on the material in question or suggest existing standards need to be reviewed before a decision can be taken.

#### *Reporting and payment cycles*

Seven out of ten respondents agree that local authority payments should be made quarterly, on a financial year basis. Less than one in twenty disagree, raising issues about the feasibility of a January submission deadline and the complexity of administration.

Around three-quarters of respondents agree that household and business packaging waste management payments should be based on previous year's data, for example because this would provide greater cost certainty to producers, and ensures time for due diligence to be carried out to verify the robustness of the data. Some respondents say they only support this approach for household waste, while those expressing concerns cite issues such as effectiveness, responsiveness and first-year waste collection financing.

#### *Litter payments*

On the question of whether costs of litter management should be borne by the producers of commonly littered items based on their prevalence in the litter waste stream, half of respondents agree, while four out of ten disagree. Respondents expressing support focus on this being the most pragmatic option, providing incentives for products not to be littered. Those in opposition say this option does not tackle consumer responsibility and express concern about the overall effectiveness of the proposal.

Respondents express mixed views over whether full net cost payments for managing littered packaging should also be received (as well as by local authorities) by other duty bodies, litter authorities, statutory undertakers, none of these, or other bodies.

Over half of respondents disagree that producers should contribute to the costs of litter prevention and management activities on other land, expressing concerns about



producers bearing responsibility for the costs of litter prevention and management on other land, rather litter droppers or landowners.

More than six out of ten respondents agree that local authority litter payments should be linked to improved data reporting. Some add that the process for collecting data must be clear and that there should be support for areas such as those with high deprivation.

More than half of respondents agree that payments should be linked to standards of local cleanliness over time, for example saying that this would incentivise councils to improve cleanliness and potentially reduce future littering. Nearly one fifth disagree, citing concerns about the extent of local authority control or the economic impact on LAs.

#### Scheme administration and governance

Eight out of ten respondents agree that the functions relating to the management of producer obligations in respect of household packaging waste and litter, including the distribution of payments to LAs, should be managed by a single organisation. Around a third of respondents support the option for a single management organisation / Scheme Administrator to undertake all management and oversight of packaging EPR, while more than half of respondents support the option for a Scheme Administrator supported by compliance schemes.

On the question of how in-year cost uncertainty to producers could be managed, nearly seven out of ten of those who express a preference support a reserve fund, with one in ten selecting in-year adjustments to fees and around a fifth selecting flexibility of choice for individual producers. More than half of respondents to this question, however, say they need more information to decide, or have no preference.

Respondents provide further input on the proposed initial contract length of 8-10 years for the Scheme Administrator, including suggestions for a performance management framework, options for extension and termination, and various views on whether the timescale is about right, too long or too short. Around half of respondents agree with the timeline proposed for the appointment of the Scheme Administrator, while around a fifth disagree – many of these respondents express concern that there is not sufficient time for the Scheme Administrator to get up to speed. Indeed, half of respondents say the Administrator would not have sufficient time to mobilise in order to make payments to LAs from October 2023.

Nearly three-quarters of respondents agree with the approval criteria proposed for compliance schemes, while just over one fifth neither agree nor disagree. Respondents' concerns tend to focus on effectiveness of the proposals, for example due to their complexity. Eight out of ten respondents say Government should consider introducing both a Compliance Scheme Code of Practice and a 'fit and proper person' or operator competence test.

Respondents express similar levels of support for the proposed reporting requirements for the single management organisation and compliance scheme approaches – with more than three-quarters stating support in each case.

#### Reprocessors and exporters

Nine out of ten respondents agree with the proposal that all reprocessors and exporters



handling packaging waste will be required to register with a regulator, with supporting arguments including consistency of standards and reduction of opportunities for illegal and low-quality exports. Respondents expressing concern raise issues such as administrative cost for the industry and the need to avoid disincentives for constructive participation in the system or investment in the reprocessing market.

Nine out of ten respondents agree that all reprocessors and exporters should report on the quality and quantity of packaging waste received.

Respondents discuss a range of challenges for reporting on the quality and quantity of packaging waste received at the point of reprocessing and/or export, citing issues such as traceability, contamination, accurate and complete data reporting, costly sampling, lack of regulatory expertise, and the potential for misreporting or fraud. There are a range of views on the suitability of contractual arrangements between reprocessors and material facilities or with waste collectors and carriers to facilitate data flows.

Nine out of ten respondents agree that exporters should be required to provide evidence that exported waste has been received and processed by an overseas reprocessor, although some respondents suggest it may be difficult for overseas reprocessors to provide the required evidence, or the process may be open to fraud.

Six out of ten respondents agree that only packaging waste that has achieved end of waste status should be able to be exported and count towards the achievement of recycling targets. Just over one in ten respondents disagree, raising concerns over potential complications for metals or potential abuse of the guidelines.

Eight out of ten respondents agree there should be a mandatory requirement for exporters to submit fully completed Annex VII forms, contracts and other audit documentation as part of the supporting information when reporting on the export of packaging waste.

Nearly nine out of ten respondents agree that regulators should seek to undertake additional inspections of receiving sites, via third party operators.

#### Compliance and enforcement

Around three-quarters of respondents agree with the proposed approach to regulating the packaging EPR system, sometimes emphasising specific aspects such as the importance of transparency and adequate resources. Those respondents expressing concern highlight the need for effective and consistent enforcement and cite potential challenges with funding and capacity of the regulators.

Respondents make several suggestions on what environmental regulators should include in their monitoring and inspection plans, including publishing monitoring criteria, working with export bodies, and enhancing data collection and analysis. Some respondents discuss the wider context for inspection and enforcement, including funding and regulatory powers, and physical recycling infrastructure.

Respondents express a range of views on whether regulator fees and charges should be used for enforcement, ranging from overall support to concern over aspects such as fairness, outcomes focus, transparency and avoidance of unintended negative consequences (e.g. to local authority funding). Similarly, there are a range of views on the types of sanctions, including monetary penalties, prosecution, and suggestions such as education and warnings prior to penalties, or 'naming and shaming' offenders.



## Implementation timeline

Nearly half of respondents agree with the proposed activities that the Scheme Administrator would need to undertake in order to make initial payments to LAs from 2023. Around one quarter of respondents disagree, with particular concerns about the feasibility of the timescale and specific aspects of implementation.

More than half of respondents say they do not think a phased approach to the implementation of packaging EPR, starting in 2023 is feasible and practical. These respondents mention various issues contributing to a sense of overambition, such as the complexity of the Scheme Administrator's task, the potential for delays and the amount of detail still to be developed. More than half of respondents say they prefer later implementation.

Of the options presented for reporting of packaging data for 2022, more than three-quarters of respondent say they prefer the option for obligated producers to report all packaging, including transit and industrial.

On the question of whether there are other datasets required to be reported by producers in order for the Scheme Administrator to determine the costs to be paid by them in 2023, nearly nine out of ten respondents say they are unsure, while some make specific suggestions. Respondents stress the need for practicality and proportionality, as well as the potential for overlap with the current Packaging Recovery Notes system. Many express concern about the current lack of detail in the proposals.



# 1. How to read this report

## 1.1. Narrative

This report summarises all the comments made in consultation responses. These are summarised by question. Within each question summary, comments summaries are grouped into categories indicating the sentiment of the comments. For most questions, these categories are expressions of support, concerns and suggestions. Within each category, this report summarises the comments made.

To indicate the weight of sentiment behind each summarised comment, relative to the other comments made in response to that question, the following quantifiers have been used. These have been used on a per-question basis and are not directly comparable between questions:

- many
  - some
  - a few
- 

Many of the responses received used very similar text in some parts of their answers, suggesting that the response text had been coordinated between multiple respondents. This co-ordinated text constituted a significant proportion of the responses, and therefore of this report.

The number of respondents who answered each question is given at the beginning of the question summary. For the closed question graphs, the figure caption includes the base number indicated as n = [number]. For single select questions, the base is the number of respondents who answered the question. For multi-select questions, the base is the number who responded to the consultation.

For full context to the information presented in the report, including information discussed in the responses, please refer to the full consultation document, available on the Defra website.

This document summarises the responses submitted to the consultation. Traverse have read and analysed all comments, and this report encompasses all these comments, with the only exception being those which were wholly unrelated to the consultation and the broader topic area. As such, comments which do not answer the question being asked but which do address the broader area of producer responsibility, packaging, waste and recycling have been included for the sake of transparency. It is important to note that Traverse have not attempted to judge the factual accuracy of statements made by respondents, and what is written by respondents, and therefore summarised in this report, should be taken as opinion, not necessarily fact.

The work contained herein is principally that of Traverse. Defra have amended the wording in places to provide greater clarity on how the wording of responses relates to the specific technical details of what was proposed in the consultation; and also to ensure terminology in the report is consistent with its usage in industry and legislation. Defra did not make any changes that affected the meaning of what respondents said in response to the consultation.



## 1.2. Coding tables

As stated in the Methodology, Traverse's analysis process involves reading every word in every response and assigning 'codes' to sections of responses to capture their meaning. In each question of this report a code table has been included, showing the five codes which were used the most when capturing the meaning of the answers to the question. The 'All' column shows the percentage of consultation respondents that had the code applied to their answer to the question. The following five columns show the percentage of respondents from each stakeholder group which had the code applied to their answer to the question. This is used to illustrate which groups raised each suggestion, concern or positive comment the most. Stakeholder classification was based on the answer given to the consultation question 'Which best describes you?'. Stakeholders were then grouped into five groups as specified by Defra:

Stakeholder Group 1 (159 respondents)	Stakeholder Group 2 (277 respondents)	Stakeholder Group 3 (229 respondents)	Stakeholder Group 4 (238 respondents)	Stakeholder Group 5 (69 respondents)
Charity or social enterprise	Local Government	Packaging designer/ manufacturer/ converter	Product designer/ manufacturer/ pack filler	Exporter
Community group		Distributor	Retailer (including Online Marketplaces)	Operator / reprocessor
Non-Governmental Organisation				Waste management company
Consultancy				
Academic or research				
Individual				

A respondent whose answer to this question was not one of the stakeholder groups above is not included in one of the stakeholder columns, but is included in the column titled "All".

It is important to note that all responses were read, reported on and treated equally in the narrative and the graphs. Analysts were not able to see who each response had come from when analysing it, eliminating any possible bias. It is also important to note that the percentages shown in the table are of the number of respondents in each stakeholder category. If there is only a small number of stakeholders in a category, then the percentage shown may be high even if only a small number had the code applied to their answer. Further, it is important to note that the coding per question cannot reflect what was written by respondents in response to other questions. For example, a respondent who is concerned about carbon emissions may raise this concern in many, but not all, questions, and their concern will only be shown in the questions in which they raised it.





## 2. Methodology

For the data processing, coding and reporting of the consultation responses, Defra commissioned Traverse, an independent employee-owned organisation specialising in public consultation and engagement, with a focus on positive social impact and democratic decision making (<https://traverse.ltd/>).

### 2.1. Responses and response channels

Responses could be submitted to the consultation via three channels:

- Defra created an online form, hosted by Citizen Space, to which respondents could submit responses. A link to the online form was provided on the consultation page on Defra's website.
- Defra also provided an email address, [packaging@defra.gov.uk](mailto:packaging@defra.gov.uk), to which respondents could submit responses via email.
- Defra also provided an address for any postal responses. However, no postal responses were received.

All responses imported from Citizen Space into Traverse's database, Magpie, passed immediately to the coding stage of Traverse's work. Emails and their attachments were processed into the Magpie database such that email answers to questions could be analysed alongside answers from the online form, creating consistency of analysis. Email data processing went through a quality assurance process, with the lead data processor checking the work of individuals to ensure all text was accurately entered before coding began. Any responses to the DRS consultation which were marked for the EPR consultation were moved to the appropriate database so that all relevant answers were reviewed together.

### 2.2. Coding

Coding was managed by a dedicated lead. Thematic coding was used to capture all the comments made in all consultation responses. Coding involved reading every answer given to a consultation question and assigning codes to sections of text. Codes are designed to capture the meaning of the text, where all text assigned to the same code has approximately the same meaning. Codes continued to be added until all text was covered.

The codes formed part of a coding framework – a means of structuring all the codes used. Each consultation question was given a theme in the coding framework, within which sub-themes captured the sentiment of the coded text, which was primarily divided into reasons given for support, expressions of concern and suggestions. Within each sub-theme was a set of codes which captured the details of the text. The coding framework began with the lead coder reading a sample of responses and creating the initial sub-themes and codes. The coding framework then evolved, with new issues being given new codes. For a consultation of this size, a large team of coders was required, who were brought on board gradually in order to maintain quality control. The lead coder briefed each individual and managed the team.

To ensure quality and consistency of coding, the lead reviewed an early sample of each individual coder's work. Findings of this review were logged and discussed with the



individual. If the coding was confirmed to be of high quality, there was an ongoing check of a smaller portion of the individual's work throughout the consultation. If the coding was not of sufficient quality, the lead coder corrected the work and reviewed a much higher proportion of the work until the quality had improved. By managing both the coding team, including team meetings and discussions regarding the coding, as well as the coding framework, the lead ensured quality and consistency of the coding throughout the consultation. Traverse's Magpie database has a series of checks in place which ensures that all words are processed, coded and reported on.

### 2.3. Reporting

This report was developed in two stages:

- The ideas captured within each code were summarised, so that there was a set of summaries for each question. These summaries were based on the coded data – a table of all text captured by each code, so that they were true to the original responses.
- Once this was complete, for each question, its set of summaries was edited together to form a coherent narrative describing the main points made by respondents. Themes in the coding framework are reflected using sub-sections in the report. Within each sub-section, thematically similar points are grouped together, to make for a readable narrative. Any points in the narrative which appeared unclear were re-checked against the original data in the responses.

The report then went through a quality assurance process, where it was read through and thoroughly checked for quality and consistency, with updates and changes made where necessary.

In this document, each table of responses to open questions is set up in a similar manner. The tables from section 4 list the codes most commonly applied to all responses to the question. These include those that express positive comments, express concerns or make suggestions about the proposals.

The tables show:

- All respondents – the respondents who had the corresponding code applied as a percentage of all respondents to the consultation; and
- Group 1/2/3/4/5 – the respondents in that group who had the corresponding code applied as a percentage of all respondents in that group.



### 3. Participation

The consultation received 1,241 responses. The following shows the breakdown of how those responses were sent and how many were from each stakeholder group (respondents self-identified their stakeholder category).

#### 3.1. Number of responses received by channel

	Number of responses	Percentage
Citizen Space	982	79.1%
Email	259	20.9%

#### 3.2. Number of responses received by stakeholder type

Stakeholder Type	Number of responses	Percent
Academic or research	4	0.3%
Business representative organisation/trade body	140	11.3%
Charity or social enterprise	7	0.6%
Community group	10	0.8%
Consultancy	21	1.7%
Distributor	80	6.4%
Exporter	10	0.8%
Individual	109	8.8%
Local government	227	18.3%
Non-governmental organisation	8	0.6%
Operator/reprocessor	24	1.9%
Other	105	8.5%
Packaging designer/manufacture/converter	149	12.0%
Product designer/manufacture/pack filler	187	15.1%



Retailer including Online Marketplace	51	4.1%
Waste management company	35	2.8%
Not answered / blank	74	6.0%



## 4. What we want to achieve: packaging waste recycling targets Question 6

### 4.1.1. Do you agree or disagree with the proposed framework for setting packaging targets?

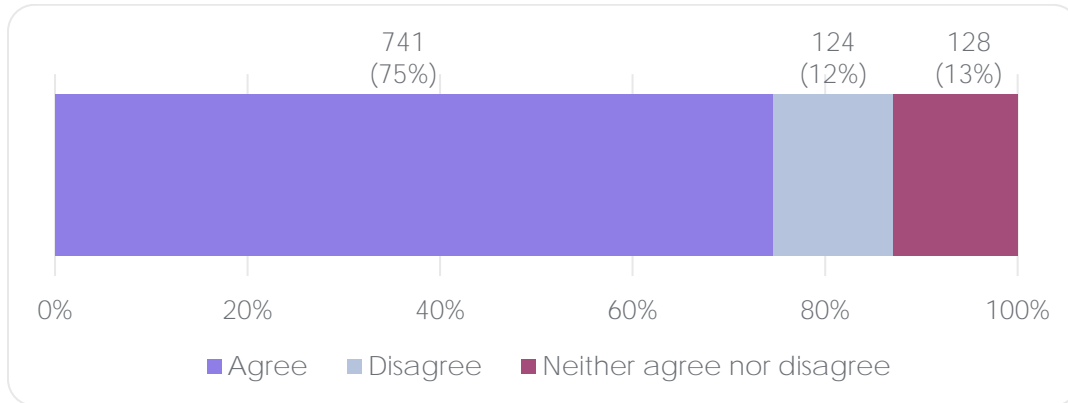


Figure 1 Question 6, (n=993)

### 4.1.2. If you disagree, please provide the reason for your response.

This question was answered by 384 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
6: Proposed framework for setting packaging targets   Support   general	8%	1%	21%	3%	5%	9%
6: Proposed framework for setting packaging targets   Concern   economic impact	7%	2%	22%	2%	6%	4%
6: Proposed framework for setting packaging targets   Concern   re-usable/re-fillable packaging	7%	7%	14%	7%	3%	6%
6: Proposed framework for setting packaging targets   Concern   effectiveness	7%	6%	10%	4%	5%	10%
6: Proposed framework for setting packaging targets   Suggestion   targets	6%	5%	9%	3%	4%	7%

#### Support

Some respondents express general support for the proposed framework, commenting that they think it will help increase the pressure on producers to re-use materials, as well as tackle waste at source at the level of the individual producer, rather than further down the supply chain with the retailer or household.

Some respondents express positive comments towards closed-loop recycling targets as a positive step forward for their respective industries. They feel that clear long-term targets will allow stability and clear accountability in managing waste.



## Concerns

Whilst not a part of this consultation, many respondents took the opportunity to express concerns about the feasibility of the tax on plastic packaging where the recycled content is below 30%. They feel that there is a lack of adequate tests which are able to confirm the recycled percentage of packaging, forcing a reliance on producer self-declaration. They worry that this may be open to abuse from producers who may make false claims.

Some respondents express concern that fees associated with recycling could be a significant barrier towards take-up of the scheme.

Some respondents express concern about the potential economic impact of the proposals. They are concerned about the cost to businesses of having to report separately to devolved administrations, which comes in the context of business costs which have already risen recently due to the Covid-19 pandemic. Respondents go on to comment that there is a high potential for these costs to be passed onto the end consumer.

Some respondents express concern about the potential for reuse targets, suggesting these are unfeasible for firms who make packaging that is not as simple to reuse. These include:

- most metal packaging including aerosols; and
- 
- cosmetic products.

There is also further concern that the reuse targets may unfairly impact firms who re-purpose packaging rather than reuse it.

A few respondents express concerns about areas where they feel there is a lack of clarity in the proposed targets. This includes concerns about there being a large number of targets which may result in a lack of clarity on which are the relevant targets, particularly when factoring in having to report data for England, Wales, Scotland and Northern Ireland.

Other areas where respondents feel details are unclear include:

- if chemical recycling will contribute to the proposed targets;
- how reliable packaging data for 2023 could be generated;
- how targets will apply in Northern Ireland given the lack of a Materials Recycling Facility (MRF) code of conduct and uncertainty over future collections systems; and
- consideration of different types of plastic packaging.

A few respondents express concern about the lack of consideration of environmental outcomes within targets encouraging counter-productive behaviours amongst waste producers. Consequently, the potential for collection targets to create 'parallel markets' for inefficient waste streams is also highlighted as a key area of concern.

A few respondents express concern about the perceived lack of integration of infrastructure development to support such a comprehensive approach. They feel the proposals could lead to an infrastructure bottleneck, and the lack of UK-wide reprocessing capacity may thwart progress towards nation-level targets. They express concern that there may be a gap between what is currently possible and what would need to be put in place to make these targets achievable, such as a current lack of collection for flexible plastic packaging in comparison to heavier, rigid plastic packaging.



A few respondents express concern about a perceived lack of influence producers have over the implementation of the new system, and that the burden of responsibility for meeting statutory targets is ultimately down to the operation of the Scheme Administrator. Others feel there is a lack of consideration to individual household and consumer responsibility in the proposals.

A few respondents express concern that the targets are not ambitious enough. In particular, respondents agreed that there should be a specific target for glass remelt.

A few respondents express concern that the proposed implementation of the framework is too slow, and targets should be accelerated where possible.

### Suggestions

Some respondents suggest that some of the in-industry closed-loop targets, such as in the glass industry, could be more ambitious. Others suggest that tougher stances should be taken against products like single-use coffee cups.

Some respondents make various suggestions about how to implement the proposals. These include:

- the costs of diverting material to closed loop recycling end markets should be paid to LAs;
- kerbside collections should be made an essential element of EPR for waste categories;
- ensuring there is transparency over the costs of and benefits of reaching the targets;
- targets are integrated into a holistic UK wide system;
- targets should go beyond weight-based targets;
- tailoring targets to ensure there is no contamination of waste streams; and
- introducing a shorter timescale for the adoption of the framework.

## 4.2. Question 7

### 4.2.1. Do you agree or disagree that the business packaging waste recycling targets set for 2022 should be rolled over to the calendar year 2023?

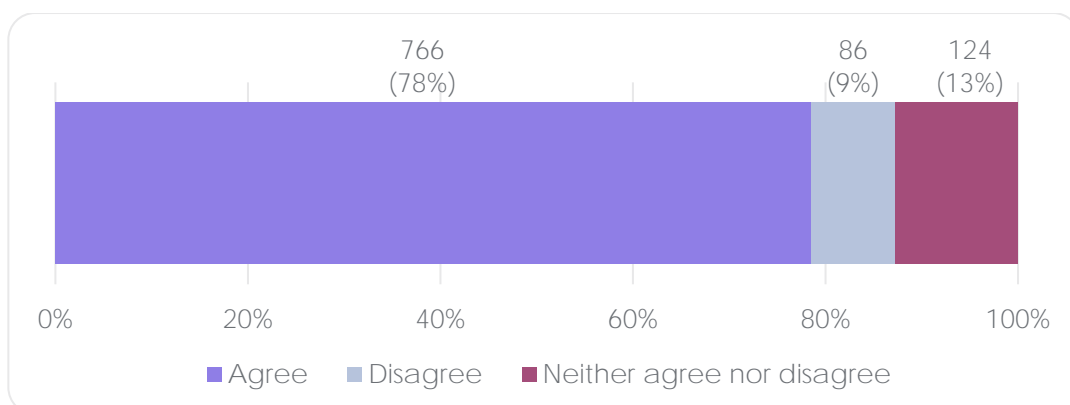


Figure 2: Question 7, (n=976)

### 4.2.2. If you disagree, please provide the reason for your response.

This question was answered by 234 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5



7: Business packaging waste recycling targets set for 2022 should be rolled over to the calendar year 2023?   Support   general	8%	3%	26%	2%	7%	3%
7: Business packaging waste recycling targets set for 2022 should be rolled over to the calendar year 2023?   Concern   effectiveness	6%	8%	4%	3%	7%	4%
7: Business packaging waste recycling targets set for 2022 should be rolled over to the calendar year 2023?   Suggestion   targets	5%	8%	0%	2%	8%	7%
7: Business packaging waste recycling targets set for 2022 should be rolled over to the calendar year 2023?   Concern   lack of detail	2%	3%	1%	0%	3%	1%
7: Business packaging waste recycling targets set for 2022 should be rolled over to the calendar year 2023?   Concern   targets unambitious	2%	6%	0%	1%	1%	0%

## Support

Some respondents express positive comments towards the proposed approach since it appears to give businesses impacted some level of consistency during the change from the current producer responsibility system to the new EPR system. Some respondents express support for rolling over the targets since this seems to simplify the transition and allows space for the recycling market to ensure there is sufficient capacity in the system.

## Concerns

Some respondents express concern about the impact of the Scottish DRS, due to be implemented in Summer 2022, on the weight and type of plastic available for inclusion in the Packaging Recovery Notes system. Some express concern that recycling rates need to be continually stimulated, and not changing targets may impact ongoing investment in recycling, which may reduce recycling rates or disincentivise larger projects.

Some respondents express concern about a lack of detail in the proposals. Areas commented on include:

- the possible launch of the Scottish deposit return scheme in 2022 means the magnitude of exempt packaging is unknown;
- current datasets may not provide sufficient information to shift to new targets whilst a period of implementation is expected;
- the limited detail on costs and liabilities; and
- the rationale for rolling over targets.

A few respondents express concern that more progress is needed and that the targets are too low. They feel there should be higher targets, specifically for wood packaging recycling.

A few respondents express concern that rolling over targets from 2022 to 2023 would allow businesses to avoid meeting the new targets. They feel waste reduction targets should not





be put on the 'back burner' due to Covid-19 but pushed through urgently.

A few respondents express concern over businesses lagging behind in achieving recycling targets and that it can be demotivating to change or move the goal posts further away; the disposal of packaging waste should be considered urgent. These respondents also express concern that these targets were supposed to be brought about in 2021, and since Covid-19 has caused waste production to increase, rolling over should not be the solution; things should be sped up instead.

A few respondents express concern that the scheme is being rushed through by Government, with the timing being too soon to start collecting data in 2022 and reporting in 2023, and suggest implementation should be moved further into the future.

### Suggestions

Many respondents suggest that if the DRS is implemented as planned then the targets should be adjusted accordingly, or the targets should be continuously reviewed and updated.

Some respondents suggest raising the targets as an incentive for industries to create the necessary infrastructure and to reflect the expectations for 2025.

Some respondents suggest that Government should review the projected impact of the Scottish DRS on UK's recycling as a whole prior to implementing the proposed freeze on targets for 2023. Some respondents suggest pursuing a phased approach for implementing the packaging EPR, since 2023 will be a transition year for many businesses who will have to report data from existing Packaging Regulations and the new EPR.

Some respondents suggest that the targets should be rolled over to 2024 or 2025 when some of the systemic issues may have been better addressed and the food industry has had the chance to recover from major event disruptions and Covid-19 restrictions.

## 4.3. Question 8

### 4.3.1. Do you agree or disagree that the recycling target to be met by 2030 for aluminium could be higher than the rate in Table 3?

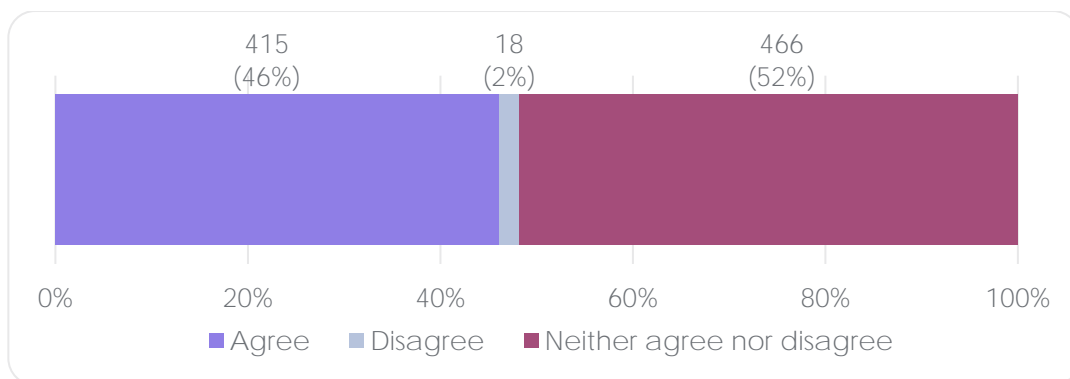


Figure 3: Question 8, (n=899)

### 4.3.2. If you disagree, please provide the reason for your response.

This question was answered by 215 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5



8: Aluminium   Concern   lack of detail	5%	1%	24%	0%	1%	1%
8: Aluminium   Suggestion   targets	4%	2%	15%	0%	3%	6%
8: Aluminium   Concern   DRS	3%	0%	16%	0%	1%	0%
8: Aluminium   Suggestion   implementation	3%	3%	7%	1%	2%	3%
8: Aluminium   Concern   targets unambitious	3%	6%	4%	1%	2%	6%

## Support

A few respondents express their general support for Government recycling targets, especially in the case of aluminium, given its high level of recyclability and the public's pre-existing knowledge on how to recycle it.

## Concerns

Many respondents express concern regarding an apparent lack of detail in the proposals. Respondents seek clarity on:

- the extent to which the DRS proposals might impact aluminium recycling rates;
- the proposed timescale for implementation;
- what infrastructure needs to be put in place to facilitate the proposals; and
- what constitutes aluminium packaging.

Many respondents express concern about how data for aluminium recycling can be accurately assessed considering a lot of aluminium would be captured in the DRS.

Some respondents express concern that the target proposed might not be sufficiently ambitious. They feel that aluminium has a high carbon footprint but is easy to recycle so the target should be higher.

Conversely a few respondents express concern that the target proposed might be too high to be achievable.

A few respondents express concern about several challenges to meeting the proposed recycling targets. These include:

- difficulty in recycling aluminium in the current recycling protocols;
- whether or not current UK reprocessing capacity would be able to accommodate a large-scale increase in the recycling of aerosols and foil; and
- the impact of co-mingled collections where aluminium recycling leads to the incineration of other components.



## Suggestions

Many respondents have various suggestions for how targets should be set. These include:

- undertaking further discussion with relevant parties to establish a realistic but stretching target;
- setting a lower target initially, with the intention of gradually increasing it; and
- setting the target as high as possible to stimulate investment in recycling.

Many respondents make various suggestions regarding the implementation of the proposals, these include:

- progressing with EPR first and then critically assessing it before implementing a DRS;
- setting a comparatively low target for 2025 and then re-assessing it for 2030 once better data is available;
- setting higher recycling targets alongside higher EPR modulated fees to stimulate end markets and encourage aluminium recyclers to take on additional packaging waste streams;
- improving kerbside services;
- ensuring best practice at sorting plants; and
- recovering the remainder from incinerator bottom ash.

A few respondents have some suggestions regarding whose responsibility the proposed targets should be. They feel that retailers have limited scope for achieving the recycling targets since it is ultimately the consumer who decides whether or not to recycle packaging, suggesting that there should therefore be a significant focus on communicating with and educating consumers through behaviour change campaigns.

### 4.4. Question 9

#### 4.4.1. Do you agree or disagree with the proposed minimum target to be met by 2030 for glass set out in table 3?

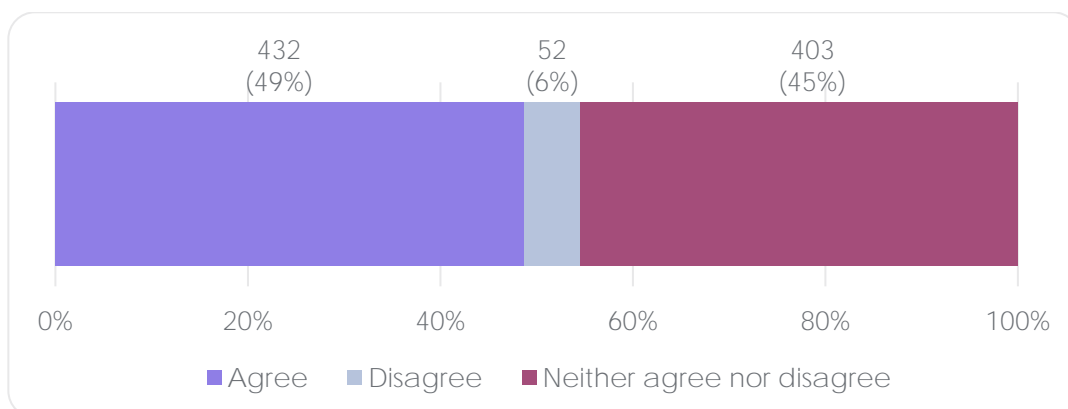


Figure 4: Question 9, (n=887)

#### 4.4.2. If you disagree, please provide the reason for your response.

This question was answered by 217 respondents.



	All	Group 1	Group 2	Group 3	Group 4	Group 5
9: Proposed minimum target to be met by 2030 for glass   Suggestion   target	5%	6%	12%	3%	3%	3%
9: Proposed minimum target to be met by 2030 for glass   Support   general	5%	0%	21%	2%	0%	3%
9: Proposed minimum target to be met by 2030 for glass   Concern   effectiveness	4%	1%	11%	0%	2%	3%
9: Proposed minimum target to be met by 2030 for glass   Suggestion   infrastructure	2%	2%	4%	1%	1%	1%
9: Proposed minimum target to be met by 2030 for glass   Concern   targets unambitious	1%	6%	1%	0%	1%	1%

## Support

Many respondents express positive comments towards these proposals. They believe that the targets are inline with targets proposed by the Glass industry, and may be achievable because LAs already collect high volumes of glass.

## Concerns

Some respondents express concerns that the target may be difficult to achieve. Many of these respondents believe that a change in consumer behaviour will be needed, and some glass collected from households may be contaminated. Some respondents expressing this concern feel the DRS may remove glass from local authority collection schemes or make it difficult to differentiate between EPR and the DRS glass.

Some respondents feel there needs to be more data provided on the expectations of the recycling of glass packaging within the scope of EPR.

A few respondents express concerns about impact of the DRS on EPR targets. They believe more clarity about how much glass will be diverted under the DRS is needed. Others also feel that the consultation's impact assessment data is inconsistent with data from other sources, such as British Glass and the Valpak PackFlow Covid report<sup>1</sup>.

A few respondents express concerns that the proposed target is unambitious. They believe glass is easily recycled and a higher target may incentivise better recycling infrastructure and resulting recycling rates.

Finally, a few respondents express concerns that the timescale to implement the proposals is too short and believe that further discussion about a realistic target for 2030 is needed.

## Suggestions

Many respondents suggest various targets are set for glass recycling. These include:

<sup>1</sup> Note: the Packflow report referred to was published after the consultation Impact Assessment had been completed.



- over 75% of glass to be recycled, so the UK would be in-line with the European Union's corresponding target;
- over 90% of glass to be recycled;
- a closed loop remelt target; and
- targets that have been discussed with appropriate stakeholders such as producers and LAs.

A few respondents suggest that the quality of waste glass may need to improve for targets to be reached, and reuse should be prioritised over recycling. Other respondents believe that the DRS should only be introduced if EPR is under-performing, and that the 2030 target may depend on the introduction of Defra's Consistency in Household and Business Recycling proposals for England, which may make recycling easier.

#### 4.5. Question 10

##### 4.5.1. What should the glass re-melt target for 2030 for non-bottle packaging be set at? Please provide the reason for your response.

This question was answered by 682 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
10: Glass re-melt target for non-bottle packaging   Suggestion   target (number)	17%	34%	6%	8%	25%	12%
10: Glass re-melt target for non-bottle packaging   Suggestion   target (approach)	10%	9%	33%	3%	3%	4%
10: Glass re-melt target for non-bottle packaging   Concern   economic impact	3%	0%	17%	0%	1%	0%
10: Glass re-melt target for non-bottle packaging   Suggestion   implementation	3%	1%	9%	0%	3%	6%
10: Glass re-melt target for non-bottle packaging   Concern   lack of detail	3%	1%	11%	0%	1%	1%

#### Support

A few respondents express positive comments towards the proposed target of 72% as they consider it is achievable, while some think the target could be higher or as high as is practicable. They also feel having a re-melt target would encourage better quality glass and provide environmental benefits.

#### Concerns

Many respondents express concern about the economic impact on producers of this proposal. They question when the re-melt target discussions will take place as businesses will need time to plan and prepare. Others express concerns about the infrastructure



required for the collection and processing systems.

Some respondents express concerns about how the EPR targets will be met, particularly the re-melt target and what the driver will be to meet these targets. Other respondents feel that the target is not ambitious enough. Respondents feel that Government will have to address any barriers to achieving higher recycling rates.

A few respondents express concerns that there is insufficient information to answer this question as it is unclear if the target only refers to jars or whether it applies to bottles as well. They feel that more data is required if they are to respond fully to the proposals.

A few respondents express concerns that not all glass bottles will be in the scope of the DRS and therefore may be in the scope of EPR. Respondents feel there is a lack of clarity about how any targets will interact with the DRS and that the success of EPR targets may depend on how well other systems are implemented and the behaviour changes as a result.

A few respondents question how environmentally friendly the process of re-melting is, suggesting this target may not be the best measure to drive positive environmental action.

## Suggestions

Many respondents suggest a high target should be set without specifying what that level should be. They feel that the target should be high enough to discourage applications not involving re-melt and comply with closed loop recycling principles. They also suggest that the re-melt target for non-bottle packaging should be at a similar level to the target for bottle glass.

Many respondents suggest the specific targets that should be set, these include:

- between 70% - 80%;
- 80%;
- 85%; and
- 90%.

Some respondents suggest that organised systems be put in place to encourage people to recycle properly at home and at work, such as clear labelling or a DRS. They also suggest that there should be a target for encouraging glass re-use to save on the energy costs of re-melting.

Some respondents suggest that any re-melt target should be in line with the recycling target for glass containers within the DRS. They suggest that targets should be based on the examination of actual market data and the evaluation of future market trends. Many respondents feel that LAs should be part of discussions around re-melt targets. A few respondents say it is vital that a large particle size (greater than 10 mm) is retained through the collection and sorting process.

A few respondents suggest putting in place single stream collections to avoid mingling low quality glass with other glass, thus preventing it from being remelted.

## 4.6. Question 11

### 4.6.1. Do you agree or disagree with the proposed minimum target to be met by 2030 for plastic set out in table 3?

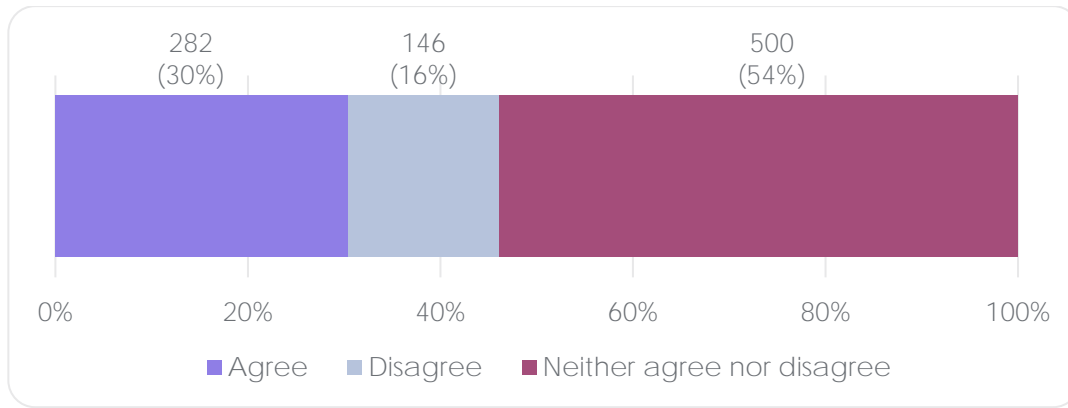


Figure 5: Question 11, (n=928)

#### 4.6.2. If you disagree, please provide the reason for your response.

This question was answered by 443 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
11: Plastic   Concern   lack of detail	11%	6%	19%	15%	9%	7%
11: Plastic   Concern   infrastructure	8%	1%	33%	2%	4%	6%
11: Plastic   Concern   targets unambitious	7%	11%	11%	5%	5%	9%
11: Plastic   Suggestion   implementation	5%	3%	11%	2%	4%	7%
11: Plastic   Concern   effectiveness	5%	6%	5%	4%	6%	1%

#### Support

A few respondents express positive comments towards the proposed target as they feel it is ambitious but achievable, and in line with the European Commission's target. Respondents feel that a high target for recycling plastic is positive, so long as the infrastructure is in place.

#### Concerns

Many respondents express concern that the detail of the proposals may not have been properly considered as the arrangements for the DRS have not been finalised. They feel therefore that further discussions may be needed before a target is set. Some respondents feel that there is still 'grey areas' around the role of LAs and market administrators. Others are unsure about the arrangements for the collection and recycling of flexible plastics, as they are yet to be confirmed as a core item in kerbside collection.



Many respondents express concern that the target is too low if Government wants to lead on environmental issues and incentivise businesses and consumers to change the way they produce and use plastic packaging. Some respondents suggest that the target should be in line with WRAP's UK Plastics Pact, which commits to 70% of plastics packaging being recycled, re-used or composted by 2025.

Many respondents express concern about the sorting and end market capacity for films and flexibles in the short and medium terms. A few state that the target should not be set until it is known how efficiently the money raised by EPR will be spent. They feel that, at present, there may not be sufficient end market capacity, so it may be difficult to understand whether the target is achievable.

A few respondents express concern that the target may be too high as significant quantities of plastic packaging may be diverted to the proposed DRS.

Some respondents express concern about the likelihood of the levels of increases predicted in the consultation, particularly in relation to the DRS figures. Others feel that the targets may be highly dependent on the effects of the DRS and how effective proposals to increase the recycling of plastic films and flexibles will be in the future.

Many respondents express concern that an increase in the recycling rate of plastics through kerbside and household collections could undermine the quality of other collected materials if the collection systems are not designed correctly, as there may be cross contamination. They also express concerns that the target may not be viable as many plastics are difficult to recycle and are not collected kerbside, making it hard for consumers to recycle effectively.

A few respondents express concerns that additional work may be needed to stimulate demand for recycled flexible plastics. The targets may be severely affected if there is further delay in the collection and recycling of plastic films and flexibles. Some respondents state that Government needs to acknowledge that the recycling rates may be more difficult in some sectors or locations where recycling capacity is limited, and therefore adjust their specific targets.

A few respondents express concerns around additional litter that may occur from the kerbside collection of films. They feel that any degradation of flexible plastics could prevent them from being processed for recycling and could end up as unnecessary contaminants.

## Suggestions

Many respondents suggest that further discussions should be undertaken to agree a suitable target. A few suggest that further business sector analysis may be required, rather than one target for a whole economy. Some respondents suggest that greater collaboration between all stakeholders may be required, without specifying anything in further detail.

Many respondents suggest that Government must insist that LAs undertake dual stream collection, with fibre-based materials in separate containers to other packaging to prevent contamination of these materials. They suggest that collection systems need to be designed correctly and delivered consistently to avoid the risk of flexible plastics





contaminating the paper stream.

Some respondents suggest that the targets for 2024 and 2030 should be higher, with suggested targets ranging from 50% to 90%, with 70% being the most common suggestion. Others suggest that a clear understanding of which plastics can be recycled is essential, and a digital system with unique codes compatible with those used for a potential DRS could increase the circularity of the system.

Some respondents suggest that there should be measures in place to prevent LAs from using technical reasons to avoid the necessary separation of different types of plastics. They feel this could be achieved through a combination of system safeguards and auditing, through the consultation on Consistent Collections (Consistency). A few suggest that companies that do not meet the target should be fined or producers should incur fees for using non-recyclable plastics.

#### 4.7. Question 12

##### 4.7.1. Do you think a higher recycling target should be set for wood in 2030 than the minimum rate shown in Table 3?

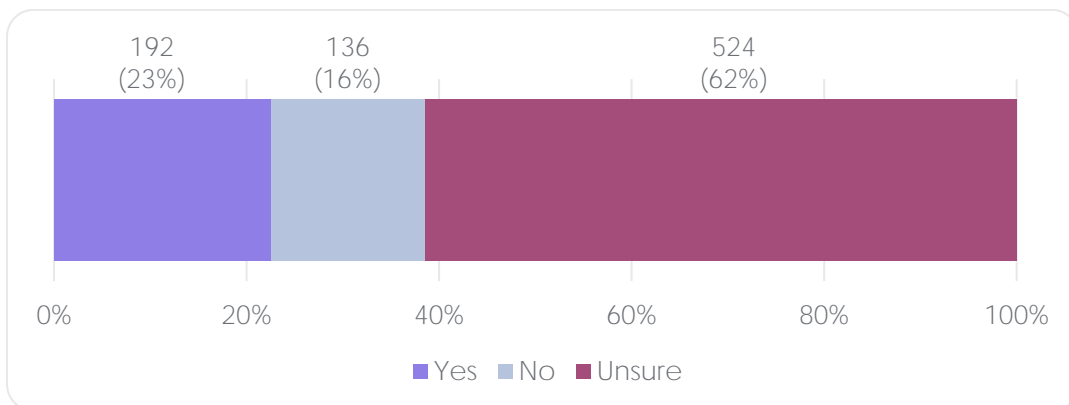


Figure 6: Question 12, (n=852)

##### 4.7.2. Please provide the reason for your response.

This question was answered by 450 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
12: Higher recycling target for wood?   Concern   effectiveness	12%	4%	37%	2%	8%	9%
12: Higher recycling target for wood?   Suggestion   implementation	10%	11%	27%	3%	4%	6%
12: Higher recycling target for wood?   Concern   targets unambitious	6%	11%	1%	6%	5%	17%
12: Higher recycling target for wood?   Suggestion   target	3%	6%	9%	0%	1%	4%



12: Higher recycling target for wood?   Concern   targets too high	3%	1%	14%	0%	0%	0%
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## Support

Respondents expressing support for the wood target offer a mix of views, including supporting the proposed 2030 target, as well as suggesting the target should be higher.

Some respondents express support for the proposed 2030 wood recycling target of 39%. Some respondents express support for other aspects of the proposals, such as Government's caution towards inadvertently disincentivising reuse by increasing recycling targets and Government's engagement with a cross sector working group.

A few respondents express support for higher recycling targets for wood because they believe that wood can easily be identified and recycled, for example into MDF. They feel that the UK's markets for recycled wood waste are well established. Some respondents think that reuse should also be encouraged, especially for items which lend themselves to reuse, such as pallets.

## Concerns

Many respondents express concerns that increasing wood recycling targets may have unintended negative consequences. Some respondents believe that, as outlined in the consultation document, prioritising recycling may disincentivise reuse or targets may only be achieved by redirecting wood waste away from biomass, rather than through increasing how much wood waste is captured. Other respondents think that diverting wood away from uses such as biomass and MDF production may mean more virgin wood is harvested to meet demand for the material. On the other hand, some respondents are concerned that targets may be too low for recycling to be prioritised over energy uses.

Some respondents express concerns that the proposals lack detail and believe the following areas should be clarified:

- how packaging wood is defined, for example whether wood pallets and crates are included;
- how LAs are expected to contribute to meeting targets;
- whether Government's priority for wood is biomass or recycling;
- how much wood waste may be directed to biomass;
- how Government plans to encourage the changes in consumer behaviour that may be needed to reach the targets; and
- what wood packaging could/would be recycled into.

Many respondents express concern that the proposed targets are too low. They believe that higher targets are necessary for recycling to be prioritised over energy generation, which may have better environmental outcomes, and be better aligned with the waste hierarchy and circular economy principles. Many respondents think that a 1% increase in targets over six years is unambitious, especially compared to the targets for other materials.

Conversely, some respondents express concern that higher targets could draw material



away from other markets and have a negative impact on reuse rates, as stated in the consultation document. Some respondents believe targets should be lower, and another respondent comments that compared to the EU recycling target of 30%, a UK target of 39% may be difficult to achieve.

A few respondents express concern that it is unreasonable to set higher wood recycling targets without introducing better recycling infrastructure and nationwide collection of wood waste from households. A few respondents comment that recycling treatments for wood are not available to all LAs, and some LAs collect wood with general waste. Others think that low recycling targets may disincentivise innovation and investment in sustainable infrastructure, or that targets intended for producers may be placed on LAs, who they believe should be prioritising waste reduction over recycling.

### Suggestions

Many respondents make suggestions for how the proposals could be implemented, including:

- incentivising reuse, for example by introducing a sub-target for reuse;
- introducing a carbon tax on wood burning for energy generation;
- conducting further research into what targets are feasible;
- introducing a verification scheme for recycled wood;
- providing financial support to the waste industry to aid the reprocessing of wood;
- making the data used by Government to set targets publicly available in an impact assessment;
- giving further consideration to multi-material products that contain wood; and
- marking different wood types with UV colours to aid sorting.

A few respondents suggest alternative wood recycling targets, such as maintaining the 2020 target of 48% and reviewing it after 5 years or increasing it to 50% by 2030. Other suggestions include setting the target at 69% or above 90%.

## 4.8. Question 13

### 4.8.1. If higher recycling targets are to be set for 2030, should a sub-target be set that encourages long term end markets for recycled wood?

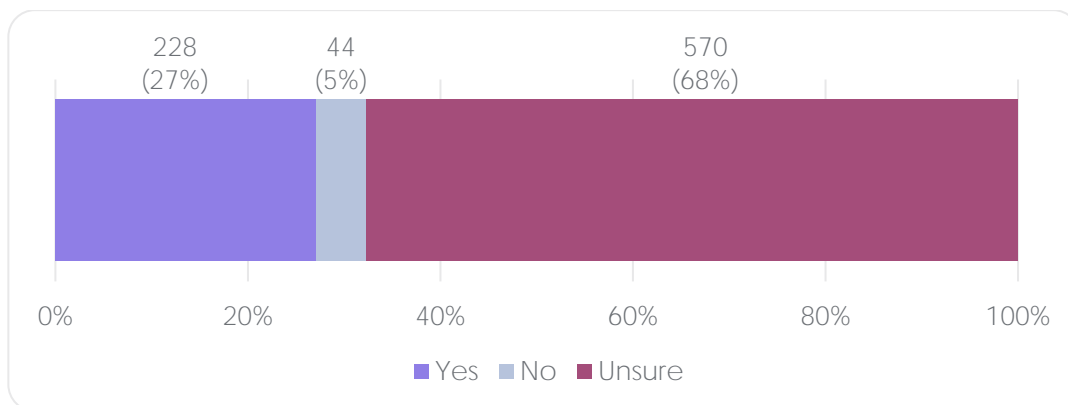


Figure 7: Question 13, (n=842)

### 4.8.2. Please provide the reason for your response.



This question was answered by 363 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
13: Sub-target to encourage end markets for recycled wood?   Support   general	7%	7%	18%	1%	4%	4%
13: Sub-target to encourage end markets for recycled wood?   Suggestion   implementation	5%	1%	23%	0%	2%	0%
13: Sub-target to encourage end markets for recycled wood?   Concern   effectiveness	4%	1%	7%	0%	2%	16%
13: Sub-target to encourage end markets for recycled wood?   Concern   lack of detail	3%	2%	9%	0%	1%	3%
13: Sub-target to encourage end markets for recycled wood?   Support   effectiveness	2%	3%	1%	2%	3%	0%

### Support

Many respondents express positive comments towards these proposals and believe this is aligned with waste prevention principles. Many respondents think that setting targets for end markets may encourage investment in recycling infrastructure, incentivise recycling, and help to develop these markets. Some respondents suggest also introducing reuse targets.

Some respondents express positive comments towards these proposals because they may encourage the development of a circular economy, support sustainability and reduce the number of trees being harvested.

Some of these respondents believe that the proposals may generate demand for recycled wood, which may develop the UK economy and make recycling targets easier to achieve. Others think that the proposals could incentivise the development of new recycling technologies.

### Concerns

Many respondents express concerns about the proposal to set sub-targets including:

- setting sub-targets will not necessarily ensure a market;
- that proposed sub-targets may be unfeasible
- adding sub-targets may compromise the clarity and stability provided by general targets; and
- promoting reuse should be prioritised over establishing end markets for recycled wood.

Some respondents express concerns that the proposals lack detail and would like more information on the following:

- why pallets have been included in the proposals;



- how the proposals account for wood that has been chemically treated;
- the level the sub-target might be set at;
- the outputs from the cross sector working group; and
- how long-term end markets could be established.

A few respondents express concerns that the proposals may create a loophole that could allow companies to avoid meeting targets. Other respondents believe voluntary compliance with the proposals should be encouraged because businesses are generally resistant to change.

A few respondents express concern that the proposals may lead to unwanted environmental consequences. They believe that higher wood targets may lead to wood recycling being prioritised over the recycling of more harmful materials such as plastic.

A few respondents express concerns that better recycling infrastructure, including more widely available collection points for wood, may be needed for targets to be reached. They feel that targets may only be met if methods for recycling hazardous wood waste are improved through changes in legislation and more specialised recycling facilities.

### Suggestions

Many respondents suggest that the proposals may need further work after EPR is in place, adding that Packaging Recovery Notes (PRN) prices have previously influenced end markets but that under the new EPR system these will no longer exist.

Some respondents believe that reuse and waste prevention should be encouraged, with a few believing it should be incentivised, possibly through a tax incentive to promote the use of recycled wood.

Some respondents believe that upcycling wood into paper or cellulose should be encouraged.

## 4.9. Question 14

### 4.9.1. Do you agree or disagree with the proposed minimum target to be met by 2030 for steel set out in table 3?

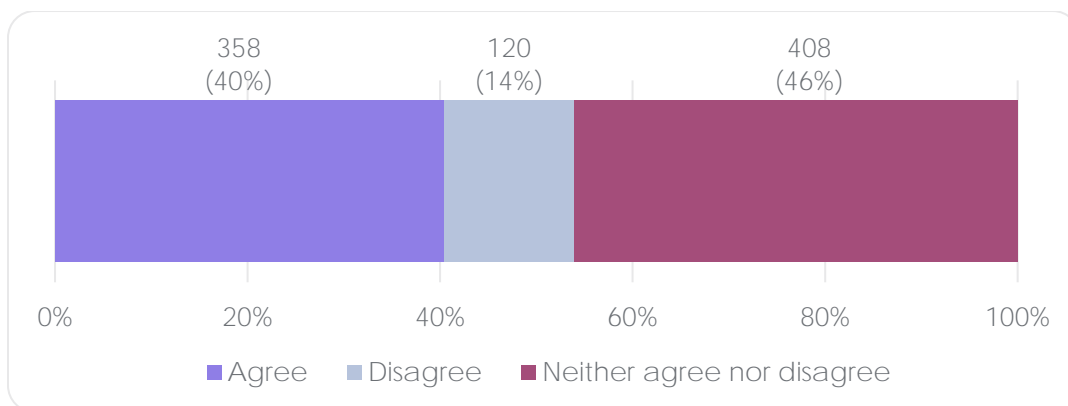


Figure 8: Question 14, (n=886)

### 4.9.2. If you disagree, please provide the reason for your response.

This question was answered by 296 respondents.



	All	Group 1	Group 2	Group 3	Group 4	Group 5
14: Steel   Concern   targets too high	8%	6%	2%	11%	12%	3%
14: Steel   Concern   effectiveness	7%	1%	30%	1%	3%	3%
14: Steel   Concern   lack of detail	4%	0%	21%	0%	0%	0%
14: Steel   Concern   targets unambitious	2%	3%	6%	0%	0%	1%
14: Steel   Suggestion   targets	2%	4%	2%	0%	3%	1%

## Support

A few respondents express general support for the targets, which they believe are ambitious and necessary.

## Concerns

Many respondents express concern that the target of 92% of steel to be recycled by 2030 may be too high. They feel that consumers may reuse steel packaging for a number of years after purchase.

Some respondents feel that the UK's steel recycling infrastructure is already mature, meaning that significant increases in the recycling rate may be very dependent on changes in consumer behaviour, which would require extensive communications campaigns that are not accounted for in the current proposals. Some respondents also comment that material leakage for example as incinerator bottom ash or data leakage - through small scrap merchants who do not report recycling data - may put a limit on targets.

Conversely, a few respondents express concern that they feel that the targets are unambitious. They believe higher targets may encourage innovation and deliver better environmental outcomes.

A few respondents express concerns over whether the proposed steel recycling targets have accounted for the impact of the DRS. They question whether this scheme may make an increase in recycling rates less likely, as steel that is currently recycled domestically may be diverted to the DRS, potentially reducing the proportion of non-DRS materials in favour of exports.

Some respondents express concerns that the proposals lack detail about several aspects. These include:

- whether Incinerator bottom ash metals can contribute to the targets;



- how tonnage will be calculated; and
- how LAs will receive EPR payments.

### Suggestions

Some respondents suggest that long-term targets should be broken down into annual increments. These respondents suggest alternative targets ranging from 90% to 100%, or introducing a target for the proportion of recycled steel that does not come from incinerator bottom ash.

## 4.10. Question 15

### 4.10.1. Do you agree or disagree with the proposed minimum target to be met by 2030 for paper/card set out in table 3?

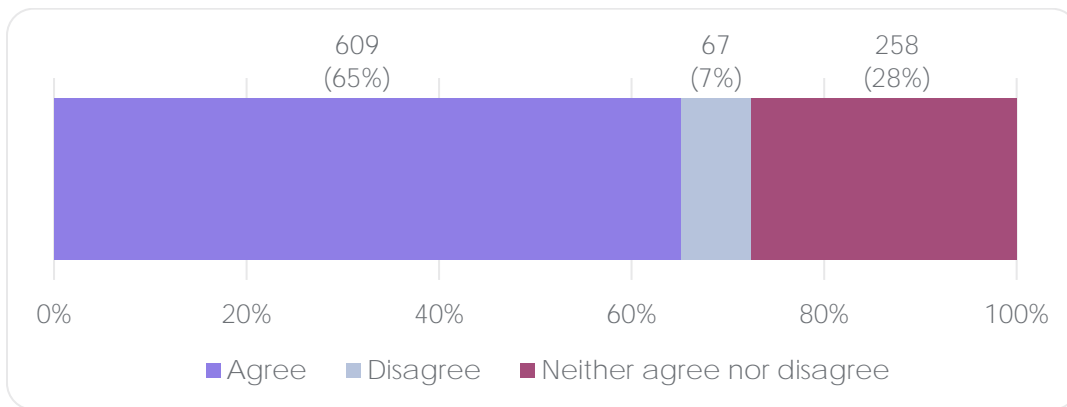


Figure 9: Question 15, (n=934)

### 4.10.2. If you disagree, please provide the reason for your response.

This question was answered by 303 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
15: Paper/Card   Concern   infrastructure	9%	17%	7%	11%	4%	3%
15: Paper/Card   Concern   effectiveness	5%	2%	10%	6%	3%	1%
15: Paper/Card   Suggestion   implementation	4%	1%	17%	0%	2%	1%
15: Paper/Card   Support   general	4%	3%	6%	4%	3%	1%
15: Paper/Card   Suggestion   target	3%	8%	3%	2%	2%	1%



## Support

Some respondents express support for the proposed paper/card packaging recycling target of 85% by 2030 as they feel it should be achievable if fibre-based composites are not included in this category.

## Concerns

Many respondents express concerns that the achievement of the target may be dependent upon the implementation of appropriate collection systems and the necessary infrastructure to support the sorting of paper and card. They feel that it may be difficult to meet the proposed targets if plastic flexibles are collected co-mingled with paper and card.

Many respondents express concerns about the likelihood of reaching the 85% target. Some feel that paper and card may only be recycled a finite number of times, making this target unlikely to be manageable.

Some respondents express concerns that the target is simply too high to achieve within the proposed timeframe. They feel the challenge may be even greater due to the pandemic, which has led to an increase in online home deliveries and may be dependent on the consumer making the right decisions on how they dispose of their waste.

Conversely a few respondents express concerns felt that the target is unambitious, representing an average annual increase of less than 2%.

Other concerns expressed by a few respondents include:

- it may be expensive for producers to meet the target; and
- that the targets given in the Impact Assessment appear to be higher than those in Table 3 of the consultation document.

## Suggestions

Some respondents suggest that any changes may require better communication from Government. They feel that any target setting should be based on the examination of the actual market data and the evaluation of future market trends. It is suggested that it should acknowledge the potential introduction of any fibre based composite targets within household collections.

Some respondents suggest that separate collection systems are required for paper and card, without specifying further.

Some respondents suggest higher targets, either without specifying what these targets should be, or suggesting a target at 90% or more.

A few respondents suggest that there should be an emphasis on paper reduction in business use. A few respondents further suggest that waste paper must be collected in a way that cuts contamination from other materials as packaging made from recycled fibres requires quality raw materials that are not contaminated with plastics and other materials.

### 4.11. Question 16

#### 4.11.1. Do you agree or disagree with the proposal to set recycling targets for





### fibre-based composites?

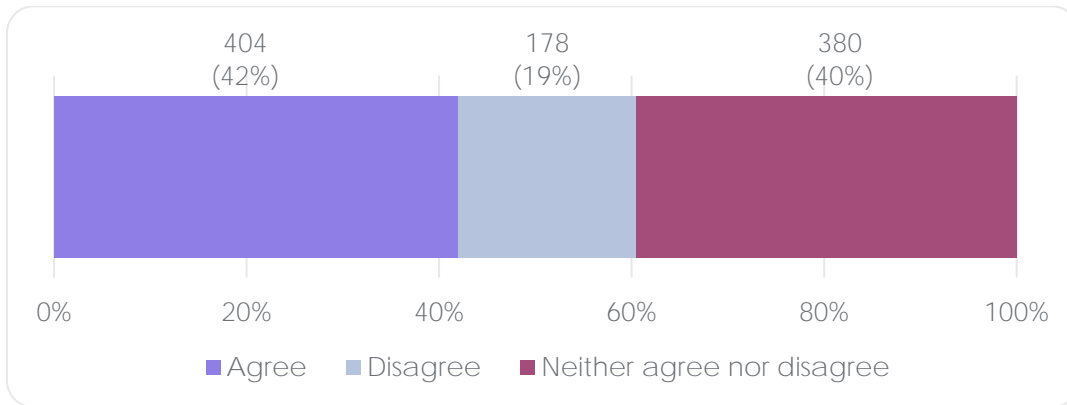


Figure 10: Question 16, (n=962)

#### 4.11.2. If you disagree, please provide the reason for your response.

This question was answered by 437 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
16: Fibre-based composites   Concern   lack of detail	15%	10%	21%	17%	13%	14%
16: Fibre-based composites   Suggestion   implementation	12%	18%	18%	9%	8%	13%
16: Fibre-based composites   Suggestion   target	11%	27%	3%	15%	6%	17%
16: Fibre-based composites   Concern   effectiveness	10%	24%	10%	11%	3%	9%
16: Fibre-based composites   Support   general	6%	6%	11%	3%	4%	9%

#### Support

Some respondents express support for targets to be set for fibre-based composite packaging as it should stimulate and enable more effective recycling and incentivise producers to use less new material. These respondents express support for a separate target for food and drink cartons, which should be separately collected and reprocessed.

#### Concerns

Many respondents express concerns that a wide-ranging target for all fibre-based composites may be unnecessary as other fibre-based composites may fall within the proposed modulation system. Many respondents also express concern that the target may not be based on reliable data, as data for 2020 may be very different from other



years due to the impact of Covid-19.

Many respondents express concern that measuring this target may be problematic as the majority of composite materials already pass into and through the existing system.

Some respondents express concerns that if the targets are introduced too early, it could create a public expectation that all LAs will collect all fibre-based composites for recycling. Respondents feel this may not be the case and could damage public confidence in recycling. Some of these respondents express concern that there is a lack of infrastructure to recycle this packaging properly, including the required collection and reprocessing facilities.

A few respondents express concern that composites are complex materials which are not easily recycled. Therefore, it may be redundant to set targets for materials which should be removed from the recycling system.

Many respondents express concerns that the definition of 'fibre-based composites' is unclear and may be open to interpretation. They feel that further clarification is needed in legislation and guidance before targets are set.

## Suggestions

Many respondents suggest that data should be gathered in 2022, whilst continuing to encourage the industry promoted collection schemes and clarifying the position of compostable and 'plastic-free' cups. They suggest that future targets should be based on this data and set in conjunction with the industry. Many respondents suggest that the target should be estimated after sampling under a revised protocol, as the majority of composite materials are already passing into the existing system.

Many respondents suggest that fibre-based composite packaging should not be included in a core set of materials that LAs would be obliged to collect, as it may create an unrealistic expectation to the public that all councils will collect them from recycling.

Many respondents suggest that a separate target be proposed for non-fibre composites as a specialist recycling process is required to recycle them. Some of these respondents suggest that such a target should be set in later years when the treatment options for these materials are more available.

A few respondents suggest that a wide-ranging target for all fibre-based composites may be unnecessary and potentially undermine EPR. They suggest that a food and drink carton target could align better with the Consistency in Household and Business Recycling proposals. They also suggest that targets should be specific for the individual types of composite fibre-based packaging.

## 4.12. Question 17

### 4.12.1. Do you agree or disagree that there may be a need for closed loop recycling targets for plastics, in addition to the Plastics Packaging Tax?

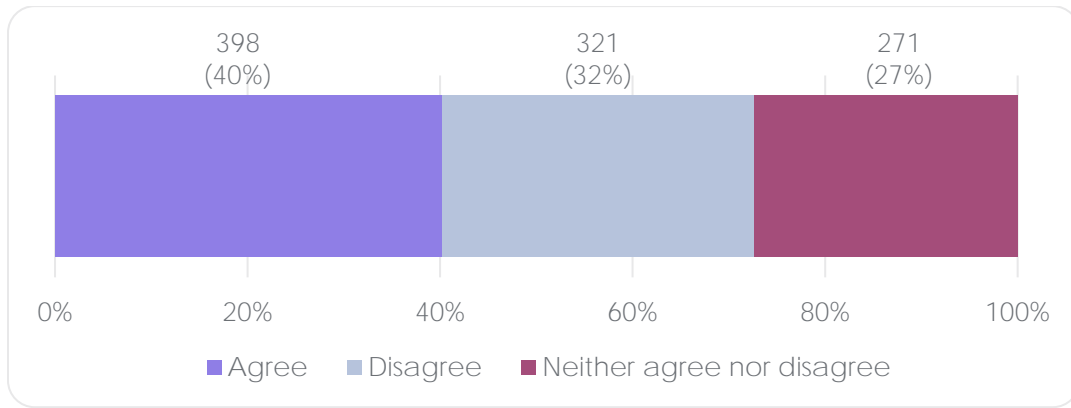


Figure 11: Question 17, (n=990)

#### 4.12.2. Please provide the reason for your response.

This question was answered by 655 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
17: 'Closed loop' recycling targets for plastics   Suggestion   implementation	18%	23%	21%	9%	17%	25%
17: 'Closed loop' recycling targets for plastics   Concern   effectiveness	15%	14%	16%	9%	16%	20%
17: 'Closed loop' recycling targets for plastics   Suggestion   timescale	12%	18%	6%	6%	16%	17%
17: 'Closed loop' recycling targets for plastics   Support   general	9%	5%	30%	2%	5%	6%
17: 'Closed loop' recycling targets for plastics   Concern   infrastructure	8%	2%	23%	3%	8%	6%

#### Support

Some respondents express broad, general support for closed loop recycling targets on plastics without specifying further. Some respondents also suggest implementing these targets alongside investment in the necessary collections and receiving infrastructure for plastics. They consider this to be a policy priority in light of the climate emergency.

Some respondents express support for closed loop targets for plastics as an effective mechanism through which to galvanise support and funding for necessary investments into plastic recycling and reuse infrastructure. They also feel that there would be potential benefits of closed loop targets on industry decision-making and the long-term demand for reusable plastics packaging.

A few respondents feel that closed loop targets add structure and potential long-term direction to the plastic packaging tax while encouraging innovation in reducing waste-. They suggest that this will help to promote a more holistic circular economy.



## Concerns

Many respondents express concern that the addition of closed loop recycling targets for plastics, in addition to the plastic packaging tax, may add unnecessary layers of complexity. They feel that the differing forms of plastics will be an additional challenge for recycling and that closed loop targets for plastics may ignore the global nature of the supply chain for plastic products.

Many respondents express concern regarding the infrastructure to support plastic recycling capacity. This includes inadequate kerbside collection infrastructure and a reliance on the export of material for recycling. They feel this reduces the potential for closed loop recycling targets for plastics to be effective within the UK.

A few respondents express concern that closed loop targets may not be practical or beneficial in all contexts and may impact upon the ability of obligated industries to make independent business decisions.

In line with responses to other questions, some respondents express concern that there is a lack of detail regarding the differing applications of plastics and plastic packaging within the consultation. These respondents feel that the potential environmental benefits of closed loop targets on plastics are untested, that environmentally beneficial end markets that may not be classified as closed loop should not be disincentivised, and that “closed loop” needs clearer definition.

## Suggestions

Many respondents suggest that the impact of the Plastics Packaging Tax on firms should be analysed before implementation of further closed loop targets.

Many respondents suggest that 2025 is the most feasible date for a decision to be made on a closed loop recycling target for plastics. These respondents also suggest that a long-term impact assessment of the Plastic Packaging Tax should be incorporated into the timescale.

Some respondents suggest that closed loop targets are not always the most economically or environmentally effective solutions and propose more flexible and packaging-specific targets instead. These respondents also suggest special consideration be given to designing closed loop targets for food-grade packaging, in line with concerns about food contact restrictions.

A few respondents suggest that the focus of any targets must be on assessments of overall environmental impact of plastics applications, with an emphasis on reduction or elimination where possible.

A few respondents suggest that the integration of targets is best left to the future Scheme Administrator, in full consultation with the relevant obligated industries.

### 4.13. Question 18

#### 4.13.1. Please indicate other packaging material that may benefit from closed loop targets

This question was answered by 725 respondents.



	All	Group 1	Group 2	Group 3	Group 4	Group 5
18: Other 'closed loop' targets for packaging material   Suggestion   specific material/product	19%	36%	29%	19%	13%	16%
18: Other 'closed loop' targets for packaging material   Suggestion   implementation	11%	16%	9%	13%	8%	13%
18: Other 'closed loop' targets for packaging material   Concern   effectiveness	6%	6%	3%	11%	3%	0%
18: Other 'closed loop' targets for packaging material   Concern   economic impact	4%	2%	18%	1%	0%	0%
18: Other 'closed loop' targets for packaging material   Concern   general	3%	1%	4%	1%	1%	3%

## Support

A few respondents express general support for closed loop targets.

A few respondents express general support for closed loop targets since they can be effective in driving material away from incineration.

## Concerns

Some respondents express concern that a closed loop application is not always the most desirable outcome for packaging since it oversimplifies the flow of material and may inadvertently undermine wider objectives.

Some respondents express concern about the increased collection costs associated with separating coloured glass, which the increased income from closed loop end markets may not necessarily cover.

A few respondents express concern that closed loop targets are unnecessary and materials should not be subject to closed loop targets/sub-targets. A few respondents feel closed loop targets should not be considered at this stage as they may prevent new reprocessing technologies, such as chemical recycling for 'hard to recycle' plastics from being developed.

## Suggestions

Many respondents suggest various materials that may benefit from closed loop targets. These include:

- aluminium;
- cardboard;
- compostable materials;
- glass;
- metal;
- plastic;



- steel; and
- wood.

Many respondents suggest that the benefits for each packaging type and material will need to be assessed; with decisions based on resource efficiency, environmental benefits and circular economy practices. They feel those materials with the highest environmental and economic value applications should be prioritised.

A few respondents suggest that all materials would benefit from closed loop systems when there are adequate systems in place, or it is the most sustainable option.

#### 4.14. Question 101

##### 4.14.1. Which of the definitions listed below most accurately defines reusable packaging that could be applied to possible future reuse/refill targets or obligations in regulations?

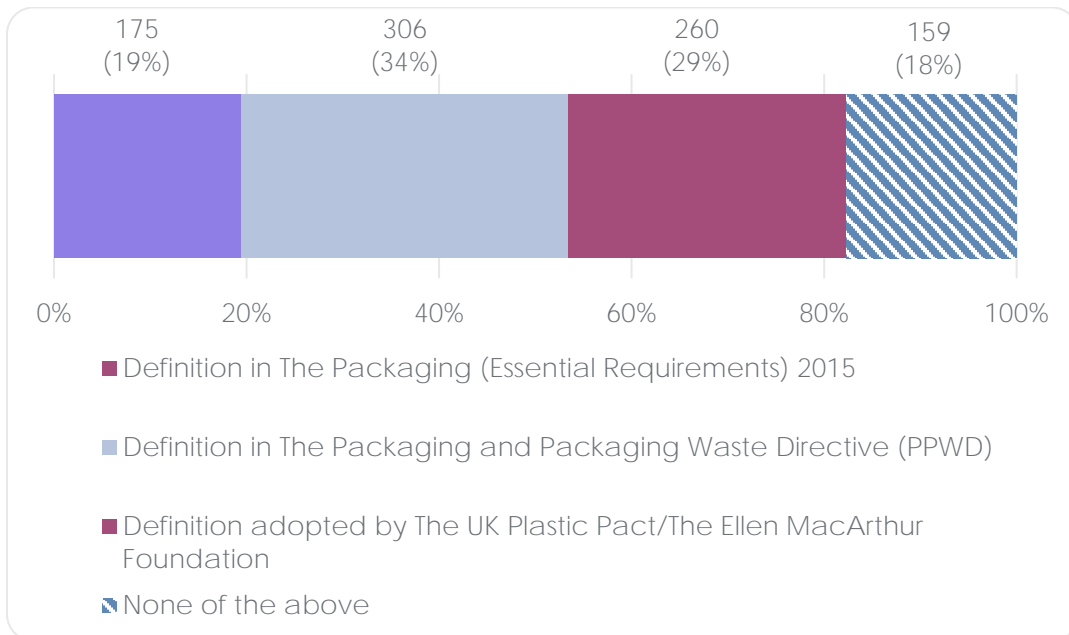


Figure 12: question 101, (n=900)

##### 4.14.2. If you selected 'none of the above', please provide the reason for your response, including any suggestions of alternative definitions for us to consider.

This question was answered by 286 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
101: Definitions of reusable packaging   Concern   effectiveness	8%	16%	3%	13%	2%	13%
101: Definitions of reusable packaging   Support   The UK Plastics Pact   general	4%	1%	16%	1%	3%	3%
101: Definitions of reusable packaging   Concern   environmental impact	4%	8%	0%	6%	3%	9%



101: Definitions of reusable packaging   Support   The European Packaging and Packaging Waste Directive (PPWD)   general	4%	4%	5%	4%	4%	0%
101: Definitions of reusable packaging   Suggestion   alternative definition	3%	3%	12%	0%	2%	1%

## Support

Some respondents express support for the UK Plastics Pact definition as they feel it will enable UK businesses to use one definition when reporting on their obligations. Some respondents feel that none of the definitions fully encompass re-usable packaging but feel that the UK Plastics Pact is the most comprehensive.

Some respondents express support for all the definitions for reuse and refill as they feel they all have very similar definitions and seem reasonable.

Some respondents express support for the definition in the Packaging and Packaging Waste Directive as they feel it is the simplest and clearest, especially as the EU is still the destination of many products that are exported.

A few respondents express support for the Packaging (Essential Requirements) Regulations 2015 definition as it is known to manufacturers, and is practical.

## Concerns

Many respondents express concerns that a life cycle analysis approach may be unreliable. They also feel that single use packaging in a quick-service restaurant (QSR) environment may have a lower carbon footprint compared to reusable products, and that most reusable plastic packaging may be made from a heavier weight of plastic.

Some respondents express concerns that the carbon and public health benefits of reusable packaging are not proven, so any assumption that re-use is a better option may be unfounded.

A small number of respondents express other concerns about the use of the definitions outlined, these include:

- how they would incorporate packaging of industrial hazardous chemicals as this packaging should be washed between use and may only have a certain 'life' of use;
- if essential requirements regulations will be enforced; and
- that the definitions do not state that material becomes waste after its last use.

## Suggestions

Some respondents suggest that a new definition should state that a product should be considered reusable as long as:

- it is conceived and designed to be re-used;
- its characteristics allow it to be used several times; and
- consumers perceive it to be reusable.



Other suggestions by some respondents include:

- ensuring clear principles that prevent excess use of materials in producing and transporting products; and
- any implementation and definition should be aligned to the Waste Prevention Programme Consultation findings.

#### 4.15. Question 102

##### 4.15.1. Do you have any views on any of the listed approaches, or any alternative approaches, for setting reuse and refill targets and obligations? Please provide evidence where possible to support your views.

This question was answered by 747 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
102: Listed approaches for setting reuse and refill targets and obligations   Suggestion   implementation	17%	26%	26%	18%	11%	14%
102: Listed approaches for setting reuse and refill targets and obligations   Concern   effectiveness	16%	33%	13%	18%	8%	25%
102: Listed approaches for setting reuse and refill targets and obligations   Concern   waste/environmental impact	7%	12%	2%	8%	6%	4%
102: Listed approaches for setting reuse and refill targets and obligations   Suggestion   alternative approaches	6%	4%	17%	2%	3%	6%
102: Listed approaches for setting reuse and refill targets and obligations   Support   re-use targets	6%	3%	16%	2%	4%	4%

#### Support

Many respondents express general support for the first approach, whereby a certain percentage of packaging that producers place on the market each year must be reusable. These respondents think this option may reduce the overall amount of packaging on the market, be the most practical and effective, and minimise the administrative and financial burden placed on businesses.

Many respondents express general support for a packaging reduction target. Some of these respondents believe this option is best aligned with waste hierarchy principles and may have the greatest contribution to carbon reduction targets. Some respondents also express support for adjusting annual targets by taking the average share of reusable sales packaging into account, which they believe may be the best approach once EPR is implemented.

Some respondents express general support for requiring reusable or refillable packaging for certain products. Respondents believe this option would provide a clear call to action for consumers, reduce pressure on retailers, and avoid creating cheaper non-reusable alternatives to products in reusable packaging.





Some respondents express support for measures that incentivise the use of refillable and reusable packaging, and for setting reuse targets because they may, for example, encourage investment into infrastructure.

## Concerns

Many respondents express concern that the first approach may not be suitable to materials such as metal, which is 100% and infinitely recyclable. Some of these respondents believe this option may fail to provide data on how much packaging is reused, or it may increase the amount of heavier reusable packaging being placed on the market without guaranteeing that consumers will reuse it.

A few respondents express concern that a packaging reduction target may fail to measure how much an item has been reused. Some of these respondents thought such a target may be ineffective, because if reusable packaging replaces single-use packaging, the total amount of packaging may remain the same.

Some respondents express general concerns about the third option, which they believe is overly complicated and may not bring additional benefits compared with the other suggested approaches.

Some respondents express concern that the fourth option may make it difficult to measure how often packaging is reused.

Many respondents express general concerns about the proposals without specifying which of the options they are referring to. Reasons respondents give include:

- the arguments against each approach that are outlined in the consultation document;
- the proposals may not be monitored after implementation;
- businesses will incur significant start-up costs;
- there is a lack of evidence about the benefits of re-use;
- consumer behaviour is the most important factor in reuse rates;
- a ban on disposable packaging may be necessary;
- re-use should not be encouraged for easily recycled metals;
- targets may not indicate how often an item is reused; and
- further analysis is needed.

Some respondents express concerns regarding health and safety considerations as they believe reusable packaging may result in contamination, poor hygiene, and issues with labelling for products such as food, cosmetics, and toys, which are subject to safety and labelling regulations.

Some respondents express concerns that the use of reusable packaging may have negative environmental consequences, for example through the production of heavier packaging. Some respondents believe that increased demand for reusable and refillable packaging may impede carbon reduction by supporting the oil industry.

## Suggestions

Many respondents suggest that the first approach should only be applied where a reuse and refill model is feasible. Some of these respondents also suggest that reuse targets should be material specific and set informed by a life cycle assessment approach.



Some respondents suggest that in addition to a packaging reduction target, the proposals should include criteria to prove re-use and plans to incentivise re-use. A few respondents suggest investing a proportion of EPR fees into re-use infrastructure.

Some respondents suggest supplementing the fourth approach with weight-based targets to account for more durable packaging being heavier. Other suggestions made by some respondents include setting targets for how much refillable product is dispensed in-store, introducing a phase-out date for disposable packaging, and introducing a tax on single-use items.

Some respondents suggest alternative approaches to those listed, including:

- assess how reusable packaging is disposed of at the end of its life;
- incentivise reusable packaging that is also recyclable;
- measure how much single use packaging the proposals avoid;
- mandate that all packaging is low-carbon, recyclable or reusable, with no further requirements;
- standardise reusable packaging formats;
- introduce a carbon tax on packaging;
- keep the EPR scheme's focus on recycling rather than re-use;
- focus on changing consumer behaviour before setting targets;
- adjust recycling targets to account for reuse; and
- introduce closed loop recycling targets to promote a circular economy.

Some respondents make suggestions for the implementation of the proposals that include:

- require that reusable packaging is reused a minimum number of times;
- align targets with the Waste Prevention Programme (in England) and UK Plastics Pact targets;
- exempt packaging composed of at least 30% recycled material;
- prioritise reuse/refill systems that have the most environmental benefit;
- decide targets after EPR has been implemented; and
- consider the role of disposable refill pouches in reuse/refill systems, since although these are not recyclable, they are components of many reuse systems and enable material savings.

A few respondents suggest that entire supply chains should be held responsible for implementing the proposals and reaching targets, instead of responsibility falling only on producers.

A few respondents suggest that re-use targets should be modulated by product type and that EPR costs should be reduced for businesses that use reuse/refill models, and that the proposals should consider how reduced quantities of disposable packaging will affect current collection systems.

## 4.16. Question 103.

### 4.16.1. Do you agree or disagree that the Scheme Administrator should proactively fund the development and commercialisation of reuse systems?

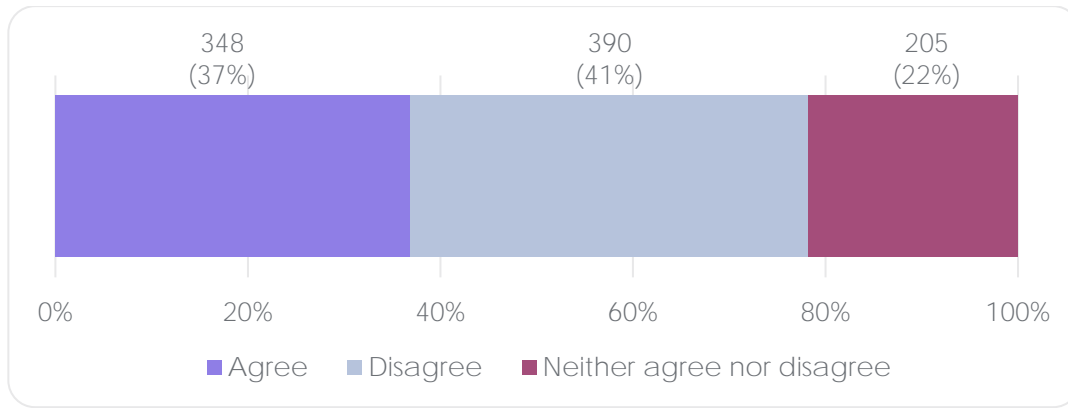


Figure 13: Question 103, (n=943)

#### 4.16.2. Please provide the reason for your response.

This question was answered by 638 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
103: SA fund development and commercialisation of reuse systems?   Support   effectiveness	6%	2%	23%	1%	3%	1%
103: SA fund development and commercialisation of reuse systems?   Concern   lack of detail	3%	3%	2%	4%	2%	4%
103: SA fund development and commercialisation of reuse systems?   Concern   funding	3%	2%	0%	4%	3%	7%
103: SA fund development and commercialisation of reuse systems?   Suggestion   infrastructure	1%	1%	1%	0%	1%	3%
103: SA fund development and commercialisation of reuse systems?   Concern   implementation	1%	0%	1%	0%	0%	0%

#### Support

Many respondents have positive comments towards this proposal as it would ensure re-use systems increase. Other respondents feel the Scheme Administrator should also actively promote waste prevention and reuse systems.

Many respondents support prioritising re-use systems to avoid recycling as otherwise it could lead to increased packaging in the economy, contrary to the EPR's core objectives.

#### Concerns

Many respondents express concern that funding re-use systems could disrupt the commercial activity of the marketplace. These respondents also express concern that this should not be the Scheme Administrator's top priority.

Many respondents express concern over expecting commercial organisations, whose businesses are founded largely on providing 'single use packaging', to support the promotion of 'multi-trip packaging' when its benefits are unproven.



Some respondents express that fees should only be used for the purposes set out in the consultation (cost of packaging waste management). Some of these respondents also feel that funding should not be diverted from recycling/recovery, suggesting that re-use systems should be funded outside of EPR.

A few respondents express concern that the waste industry may just take the money and continue shipping waste abroad rather than investing in reuse systems.

Some respondents express concern that as re-use systems are still developing more data and evidence is required to ensure that when they are in place, they deliver the best environmental outcomes. Some respondents feel more work needs to be done before decisions are made.

### Suggestions

Many respondents suggest that those contributing to the system should have a say about how money is spent, repeating that these funds should be used only for the purpose set out in the consultation. A few suggest financial support or lower EPR fees may provide incentives for manufacturers to switch to re-usable packaging.

Some respondents suggest Government should set out its desired outcomes and leave businesses with the opportunity to see how these can be achieved. Some of these respondents suggest re-usable packaging should be promoted where there is overall environmental and climate benefit, as well as logistical feasibility.

A few respondents suggest that the funds should be invested in shared infrastructure. Some of these suggest the private/public sector should invest in infrastructure, i.e. a shared regional washing and logistics infrastructure. They suggest using commercial companies to drive the expansion (of washing/logistics facilities), enlisting some public support to plug the gaps.

## 4.17. Question 104

### 4.17.1. Do you agree or disagree that the Scheme Administrator should look to use modulated fees to incentivise the adoption of reuse and refill packaging systems?

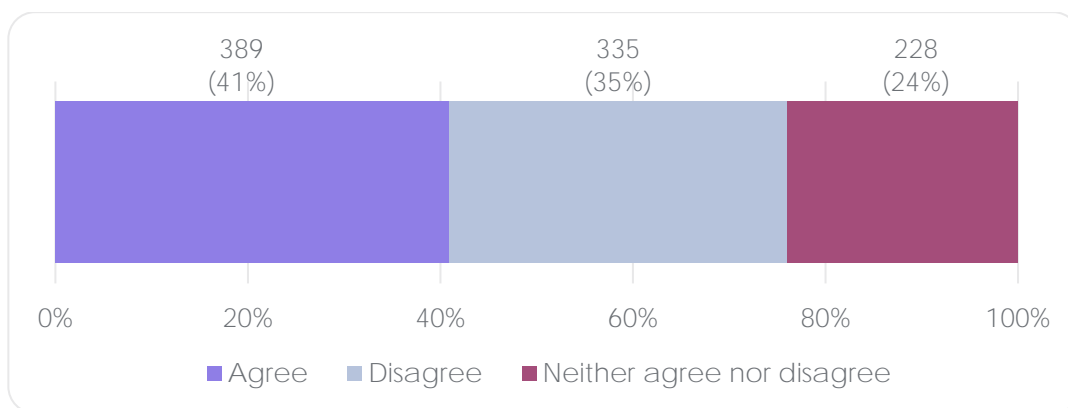


Figure 14: Question 104, (n=952)

### 4.17.2. Please provide the reason for your response.

This question was answered by 571 respondents.



	All	Group 1	Group 2	Group 3	Group 4	Group 5
104: SA use modulated fees to incentivise adoption of reuse and refill packaging systems   Suggestion   implementation	14%	13%	30%	14%	10%	9%
104: SA use modulated fees to incentivise adoption of reuse and refill packaging systems   Concern   lack of detail/evidence	11%	8%	14%	7%	11%	3%
104: SA use modulated fees to incentivise adoption of reuse and refill packaging systems   Concern   effectiveness	10%	21%	1%	12%	8%	14%
104: SA use modulated fees to incentivise adoption of reuse and refill packaging systems   Support   general	9%	4%	21%	9%	7%	7%
104: SA use modulated fees to incentivise adoption of reuse and refill packaging systems   Support   effectiveness	8%	4%	29%	1%	5%	1%

## Support

Some respondents support modulated fees since they may drive better environmental performance of packaging and could incentivise the adoption of re-use and refilling systems. Some respondents support the use of fees because they encourage behaviour change or drive forward innovation.

Some respondents support the concept of modulated fees as the fairest approach for recovering costs from producers for managing packaging waste.

## Concerns

A few respondents express general concerns that the scheme is about recycling and should focus on that.

Many respondents express concern that this proposal is beyond the scope of the Scheme Administrator's functions. They feel that implementation requires analysis of complex issues such as hygiene, investment requirements and environmental impacts and the Scheme Administrator should not decide on this.

Some respondents express concern that the proposal raises competition issues, specifically market manipulation and could be anti-competitive. They feel that requiring the packaging supply chain to promote a packaging system that undermines the business of the majority of its constituents is 'perverse'.

A few respondents express concern over the large and costly administrative burden that may result from having the Scheme Administrator use modulated fees as an incentive for reuse/refill systems.

A few respondents express concern that the system may incentivise packaging materials that may end up being single use and have more damaging environmental impacts than easily recyclable materials. A few respondents express concern that the fees should not be for re-use options until there are clear environmental benefits established.



Some respondents express concern that there should be consideration of a lower modulated fee, and the purpose of further incentives needs to be better understood before proceeding. Some of these respondents express concern that there is not currently enough detail to assess modulated fees and their impact.

### Suggestions

Many respondents suggest EPR funds should be used to actively communicate the benefits of reusable/refillable packaging to the consumer to drive behaviour change and increase demand. Some of these respondents suggest that the modulated fee should be considered in line with the UK Plastic Pact's proposal to introduce refill/ reuse targets.

Some respondents suggest that a modulated fees system should be used to disincentivise harder to recycle materials and optimise the recyclability of single use packaging. Other respondents suggest the Scheme Administrator use modulated fees to incentivise environmental outcomes, so recycling systems could benefit as well as reuse/refill systems.

Respondents suggest that incentivising the adoption of reusable and refillable packaging systems should be left up to individual businesses. Some respondents also suggest that producers should be given room to consider re-use and refill approaches as part of their response to EPR.

Respondents suggest that EPR fees should only be used for the purposes set out in the consultation, i.e. the cost of packaging waste management/developing recycling infrastructure and to ensure efficient operation of systems dealing with packaging at end of life.



## 5. Producer obligations for full net cost payments and reporting

### 5.1. Question 19

#### 5.1.1. Do you agree or disagree that Brand Owners are best placed to respond effectively and quickly to incentives that are provided through the scheme?

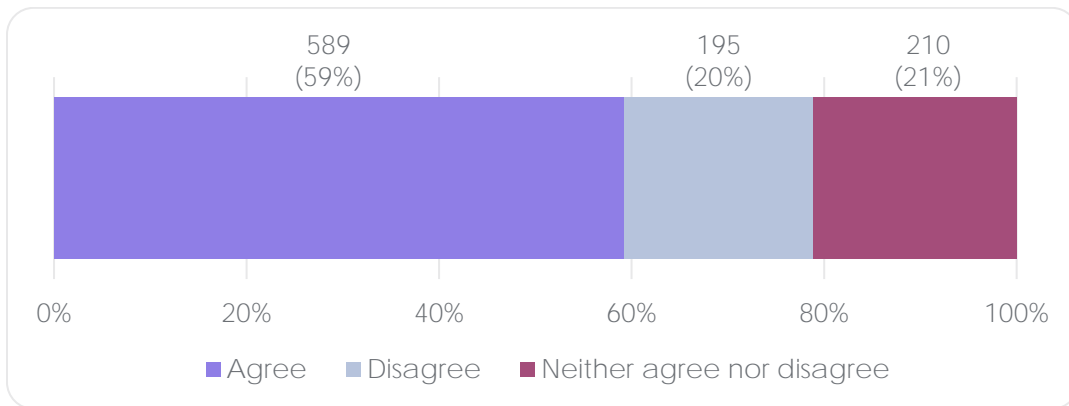


Figure 155: Question 19, (n=994)

143 respondents who responded by email provided comments to Question 23, even though it was a closed question.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
19: Do you agree or disagree that Brand Owners are best placed to respond effectively and quickly to incentives that are provided through the scheme?   Support   effectiveness	6%	1%	21%	1%	3%	6%
19: Do you agree or disagree that Brand Owners are best placed to respond effectively and quickly to incentives that are provided through the scheme?   Concern   economic impact	4%	1%	0%	4%	8%	1%
19: Do you agree or disagree that Brand Owners are best placed to respond effectively and quickly to incentives that are provided through the scheme?   Concern   effectiveness	4%	1%	0%	3%	8%	1%
19: Do you agree or disagree that Brand Owners are best placed to respond effectively and quickly to incentives that are provided through the scheme?   Suggestion   alternative approach	2%	0%	1%	0%	1%	0%



19: Do you agree or disagree that Brand Owners are best placed to respond effectively and quickly to incentives that are provided through the scheme?   Suggestion   implementation	2%	1%	3%	0%	2%	0%
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## Support

Many respondents express positive comments towards these proposals based on their view that placing responsibility in the hands of Brand Owners would be the most suitable and effective course of action as they are best equipped to control product design. Many respondents also feel that Brand Owners may have a vested interest in reacting quickly to incentives, since doing so could help them avoid any potential costs that could be incurred in failing to do so.

## Concerns

Many respondents express concern regarding the economic impact of the proposal. These respondents feel that costs will rise across the board. Some of these respondents feel there is a need to first consider the financial impact that this reform might have on Brand Owners as they could incur significant costs as a result of these changes. Some respondents suggest the competitiveness of the UK market would make it difficult for suppliers to share the financial burden with customers, due to the need to keep prices competitive.

Some respondents express concerns about obligations that will be placed on Brand Owners. Respondents comment that Brand Owners may have limited control over packaging, and that retailers have a much bigger influence over packaging and are best placed to take responsibility for it as well as for the data requirements.

Some respondents express concerns that when implementing the proposed reforms, there might be debate over who exactly is considered the Brand Owner in certain cases. These respondents request a clear definition that covers all packaging situations to avoid any confusion that may otherwise arise. Some respondents question the proposal's claim that Brand Owners would be able to react quickly and effectively. They feel that this might not be the case due to the large array of products contained in packaging.

A few respondents express concern that the proposed timescale is too long. They question why, if Brand Owners are best placed to respond quickly, targets should be set six to seven years in the future.

## Suggestions

A few respondents have various suggestions for alternative approaches, these include:

- retaining shared responsibility;
- sharing financial responsibility more broadly across critical stakeholders, including consumers and LAs; and
- considering whether retailers or producers may be even better placed than Brand Owners to take up responsibilities.





A few respondents have various suggestions regarding how best to implement the proposals, including:

- reviewing the scheme as soon after implementation as is practicable;
- ensuring regulators are properly resourced; and
- allowing Brand Owners (if appointed the single point of compliance) a proportionate role in the governance of EPR.

## 5.2. Question 20

### 5.2.1. Are there any situations where the proposed approach to imports would result in packaging being imported into the UK which does not pick up an obligation (except if the importer or first-owner is below the de-minimis, or if the packaging is subsequently exported)? Where available, please share evidence to support your view.

This question was answered by 654 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
20: Any situations where approach to imports would result in packaging imported into UK which does not pick up an obligation   Support   general	11%	7%	15%	16%	11%	12%
20: Any situations where approach to imports would result in packaging imported into UK which does not pick up an obligation   Suggestion   source of obligation less packaging	6%	7%	1%	3%	9%	3%
20: Any situations where approach to imports would result in packaging imported into UK which does not pick up an obligation   Concern   compliance/misuse	4%	7%	0%	7%	3%	3%
20: Any situations where approach to imports would result in packaging imported into UK which does not pick up an obligation   Suggestion   responsibility	4%	5%	6%	3%	5%	1%
20: Any situations where approach to imports would result in packaging imported into UK which does not pick up an obligation   Concern   implementation	4%	6%	3%	1%	6%	1%

## Support

Many respondents express positive comments towards the proposed approach to imports because they do not foresee any situations where packaging would be imported to the UK which does not pick up an obligation.

Many respondents feel that Brand Owners have the greatest influence on primary



packaging and as such they are best placed to ensure compliance with the system. Many respondents also comment that the obligation should be placed on the first organisation to take ownership when the packaging enters the UK.

## Concerns

Many respondents express concern about the complexity of the system and feel that there should be a degree of flexibility in how it is implemented to allow markets to adjust to the new system.

Whilst many respondents believe all imported packaging will be captured under the proposals there is some concern that the proposals risk becoming over complicated. They feel the shift to six producer types will result in challenges over the correct interpretation of which category a particular business may fall into, and a lack of clarity over responsibility in comparison to the current shared responsibility.

Some respondents express concern about where responsibility will rest in grey areas such as when an importer brings goods into the UK, and those goods are owned by the non-UK arm of a multi-national brand that also has a UK-base. They feel Government needs to work with regulators to ensure obligations on imported packaging are picked up by producers.

Some respondents express concern about whether enforcement will be strict enough. They feel that there need to be strong regulations in place to ensure that distant sellers are included in the scheme.

Another concern some respondents express is the proposed de-minimis arrangement and the potential for importers to be dishonest about whether they are above the de-minimis limit or not. Some respondents also express concern that there could be a loophole for anonymous and unbranded packaging where importers do not come under any obligation.

A few respondents express concern about an increase of costs to comply with the scheme, particularly for UK-based unfilled packaging manufacturers and SMEs in the supply chain. A few respondents also suggest EPR must be compliant with World Trade Organisation (WTO) rules.

Some respondents feel there is a lack of detail in the proposals and express concern that further guidance is needed on several aspects, including:

- where the obligations would fall within supply chains;
- how this could impact end consumer prices; and
- clarity on the distinctions between primary and secondary packaging.

There is also a concern that products seized by customs controls could be a source of imports that do not pick up any obligation.

## Suggestions

Many respondents voiced suggestions about how the scheme should be implemented to allocate responsibility to an individual party. These include:

- Online Marketplaces should contribute to waste management cost obligations;
- regulators should develop guidance on identifying 'first owners'; and



- Brand Owners should be responsible for overseas products packaged overseas.

Many respondents suggest Government works with regulators to ensure obligations on imported packaging will be picked up by the producer and to ensure distance selling is captured for foreign based businesses.

### 5.3. Question 21

#### 5.3.1. Of Options 2 and 3, which do you think would be most effective at both capturing more packaging in the system and ensuring the smallest businesses are protected from excessive burden?

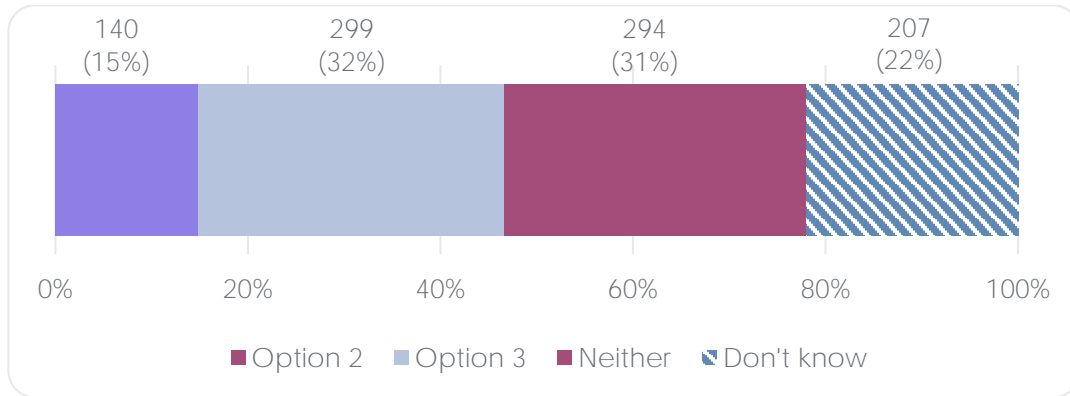


Figure 16: Question 21, (n=940)

#### 5.3.2. If you answered 'neither', please provide the reason for your response and describe any suggestions for alternative approaches to small businesses.

This question was answered by 426 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
21: Options 2 and 3 - which is most effective at capturing packaging in system and ensuring smallest businesses are protected from excessive burden?   Suggestion   responsibility	9%	11%	0%	19%	7%	3%
21: Options 2 and 3 - which is most effective at capturing packaging in system and ensuring smallest businesses are protected from excessive burden?   Concern   responsibility	9%	9%	0%	17%	5%	6%
21: Options 2 and 3 - which is most effective at capturing packaging in system and ensuring smallest businesses are protected from excessive burden?   Suggestion   remove de minimis	7%	14%	0%	10%	5%	1%



21: Options 2 and 3 - which is most effective at capturing packaging in system and ensuring smallest businesses are protected from excessive burden?   Support   option 3   general	5%	3%	15%	1%	4%	1%
21: Options 2 and 3 - which is most effective at capturing packaging in system and ensuring smallest businesses are protected from excessive burden?   Suggestion   alternative approach	5%	16%	3%	2%	3%	7%

## Support

Some respondents express positive comments towards the principle of applying producer responsibility obligations to as much of the packaging placed on the market as possible, which is identified in the consultation document as motivating all three options. They support it because they feel it spreads the increased costs across the industry.

Some respondents express general support for lowering the de-minimis threshold because it includes more businesses in the scope of EPR, which they feel will help avoid creating an unregulated group of businesses.

Some respondents express support for Option 2 as they support the principle of obligating those who sell unfilled packaging to businesses, preventing this packaging from falling outside the scope of EPR. They also feel that distributors can be supported by the proposed compliance schemes and the Scheme Administrator, which will help lower the de-minimis. Some respondents also feel that Option 2 will reduce bureaucracy.

Conversely many respondents express support for Option 3 because they feel it will drive packaging improvements and capture the most packaging, whilst being the least burdensome option, particularly for small businesses.

## Concerns

Many respondents express concerns about the cost burdens and perceived fairness of the proposals on different types of businesses, with multiple concerns regarding a perceived unfairness of the system, placing a disproportionate burden on some types of businesses, including:

- that the proposals may give a competitive advantage to manufacturers over distributors and wholesalers, due to a disproportionate cost burden on these businesses;
- the cost to small businesses, which is seen by some respondents as disproportionate, with the added concern that small businesses may be exploited by the new system; and
- in contrast to the above, the cost to large businesses which may be obligated to take on small businesses' costs, giving a competitive advantage for small businesses.

Some respondents also express concern about 'free-riders', without specifying further.

Some respondents express concern about practical implications of the proposals,



including:

- fillers' knowledge of bulk-purchased packaging's final use or destination;
- manufacturers' knowledge of who the final seller of their products is and which UK nation they are based in;
- manufacturers of components not knowing the recyclability of final items; and
- manufacturers selling to wholesalers not knowing the size of the final seller.

Some respondents express more general concerns about the distribution of responsibility, particularly the burdens on importers, manufacturers and distributors.

Some respondents express concerns about the complexity of tracking packaging, including:

- the ability of packaging components manufacturers to accurately label the recyclability of the completed packaging, especially as it is not standard practice to label the packaging prior to it being filled;
- the ability of distributors to identify if their customers are obligated; and
- the burden of monitoring and reporting on the obligated businesses.

Other concerns expressed by a few respondents are:

- that small businesses may struggle to provide the required digital records;
- that small businesses may conceal turnover in order to make it appear that they are below the de-minimis threshold and therefore avoid payments;
- a perceived lack of information about the costs of changing from the de-minimis approach, and the potential for confusion with the term 'distributors'; and
- the potential for confusion and further administrative burden due to perceived inconsistencies between the de-minimis proposals and other Government policies, such as the Plastic Packaging Tax.

## Suggestions

Many respondents make suggestions about which businesses should bear responsibility for packaging, including:

- the obligation should fall on the supplier to the de-minimis producers, whether they are the manufacturer or a wholesaler;
- there should be a reliable system for identifying businesses under the threshold;
- all businesses placing packaging on the market should be obligated; and
- labelling obligations should remain with the Brand Owner; and
- more research should be carried out into potential options, with decisions then made by the Scheme Administrator.

Some respondents also comment that the most informed part of the supply chain on packaging use and destination is the filler, after orders have been received.

Many respondents suggest that the financial burden on small businesses could be reduced by charging only a small, fixed fee, possibly in combination with further reductions in the de-minimis threshold after EPR is introduced. Many respondents suggest conducting more research into how best to implement the reforms and keeping the system under review.



Some respondents suggest various alternative approaches, these include:

- combining Options 2 and 3 to obligate either the wholesaler or supplier;
- keeping the labelling requirement with Brand Owners, including small companies;
- reducing the de-minimis;
- amending the term 'distributor' to 'packaging wholesaler' or 'merchant' if Option 2 is adopted; and
- removing the de-minimis, as is done with some equivalent European schemes, to capture all packaging and producers and to meet targets.

Finally, a few respondents make additional suggestions, often without specifying further details, these include:

- combining all three options;
- keeping the de-minimis threshold at the current level; and
- removing the de-minimis and having no exemptions.

## 5.4. Question 22

### 5.4.1. If either Option 2 or 3 is implemented, do you consider there to be a strong case to also reduce the de-minimis threshold as set out in Option 1?

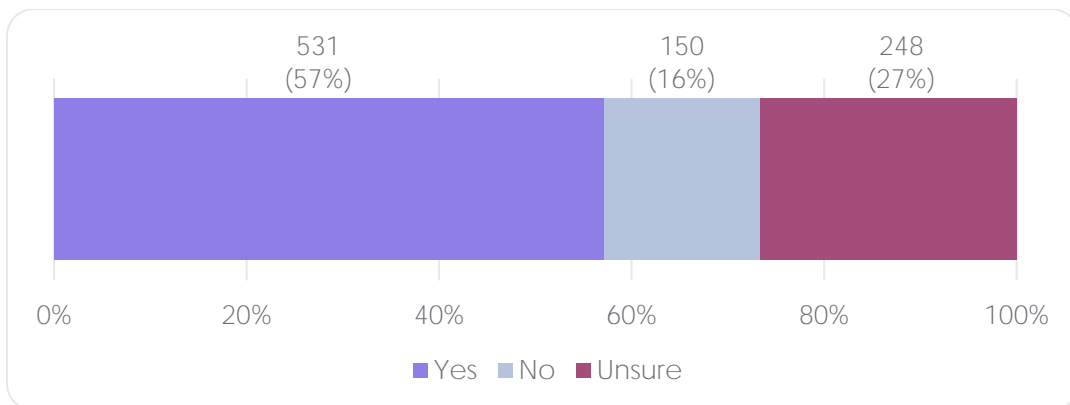


Figure 17: Question 22, (n=929)

### 5.4.2. Please provide the reason for your response.

This question was answered by 649 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
22: If either Option 2 or 3 is implemented, is there a case to reduce de-minimis threshold?   Support   effectiveness	17%	30%	11%	13%	12%	33%
22: If either Option 2 or 3 is implemented, is there a case to reduce de-minimis threshold?   Support   fairness	12%	19%	7%	5%	14%	14%
22: If either Option 2 or 3 is implemented, is there a case to reduce de-minimis threshold?   Suggestion   remove de minimis	11%	11%	1%	29%	4%	3%



22: If either Option 2 or 3 is implemented, is there a case to reduce de-minimis threshold?   Concern   economic impact/admin impact	11%	6%	31%	3%	8%	6%
22: If either Option 2 or 3 is implemented, is there a case to reduce de-minimis threshold?   Concern   effectiveness	10%	8%	28%	7%	2%	7%

## Support

Many respondents comment that they agree that there would be a case to reduce the de-minimis threshold because they believe that as many businesses and as much packaging as possible should fall within the scope of the EPR scheme for it to be effective. These respondents think the proposals will ensure that responsibility for packaging falls on the producer, instead of being passed on to elsewhere in the supply chain, and that bringing smaller businesses under EPR would incentivise them to recycle and reduce larger packaging quantities.

Many respondents comment that they support the proposals because they believe this would make the system fairer. These respondents believe that the proposals align better with the 'Polluter Pays' Principle by ensuring all businesses that place packaging on the market are held responsible for it. Many respondents comment that the proposals may help to even out the playing field between larger businesses and the moderately sized businesses that are currently below the threshold and not making payments.

Some respondents comment that they support the proposals because they believe that obligating more businesses under EPR may spread the financial burden of the system more evenly across the industry. They believe that a lower de-minimis may also help to prevent distortion of the market, which may occur if some businesses do not have to make payments for the packaging they use.

A few respondents comment that they support the proposals because they support bringing more businesses and packaging under EPR compliance, while closing loopholes in the current system and reducing the number of 'free-riders' who evade responsibility.

## Concerns

Many respondents believe reducing the threshold would place more strain on small businesses, including administration costs and red tape, which could help push SMEs out of the market.

Many respondents challenge, or are unsure of, the effectiveness or benefits of reducing the de-minimis threshold in combination with Option 2 or Option 3, due in part to the consultation stating that the options will result in 'close to all' packaging being obligated. Many respondents are also concerned that Option 2 could increase the burden on SMEs if the de-minimis threshold is reduced.

A few respondents express concerns that the proposals do not appear to contain enough information for them to take a view on this question. In particular, respondents would like to see more information about the effects of combining a lower de-minimis with Option 2



or 3, but think this data may only be available after the appointment of the Scheme Administrator.

## Suggestions

Many respondents suggest that instead of being lowered, the de-minimis should be removed altogether. Respondents who make this suggestion also comment that reducing the de-minimis would be their second choice, or point out that many EU countries do not have a de-minimis in place. Many respondents support the removal of the de-minimis because they believe that EPR should capture as much packaging as possible, while suggesting that existing systems for VAT registration may help to create a system for managing the removal of the de-minimis.

Some respondents suggest alternative approaches to the proposals. These include:

- combining Options 2 and 3 in addition to lowering the de-minimis;
- retaining the current threshold for the first few years of EPR;
- aligning the de-minimis with existing thresholds, such as reporting requirements to the Treasury or the Plastic Packaging Tax;
- exempting businesses who use greater quantities of recyclable packaging from payments;
- setting the de-minimis at a level that covers 80% of total EPR costs;
- reducing the de-minimis in stages over a few years; and
- requiring businesses to register and comply with standards set by their local authority.

A few respondents suggest that enforcement checks should be carried out to try and ensure compliance with the proposals. These respondents suggest that all businesses which handle packaging should register as packaging producers and have their producer registration number on display - this may prompt them to check if they are still below the threshold each year. A few respondents also suggest introducing competing compliance providers into the system who may have a commercial interest in identifying any 'free-riders'.

A few respondents suggest that Government support small businesses by waiving some or all of the cost impact on them of lowering the de-minimis, in order not to stifle their growth.

Some respondents make the following suggestions for the implementation of the proposals:

- there should be a single payment for very small sellers, or a modulated fees system for businesses below or close to the de-minimis;
- a lower de-minimis should only be considered as part of a transitional period;
- EPR proposals should exclude DRS materials;
- reporting requirements should be simplified to reduce the administrative burden; and
- the system should be monitored after implementation, to inform any adjustments to the de-minimis.

## 5.5. Question 23

### 5.5.1. Do you think that Online Marketplaces should be obligated for unfilled packaging in addition to filled packaging?



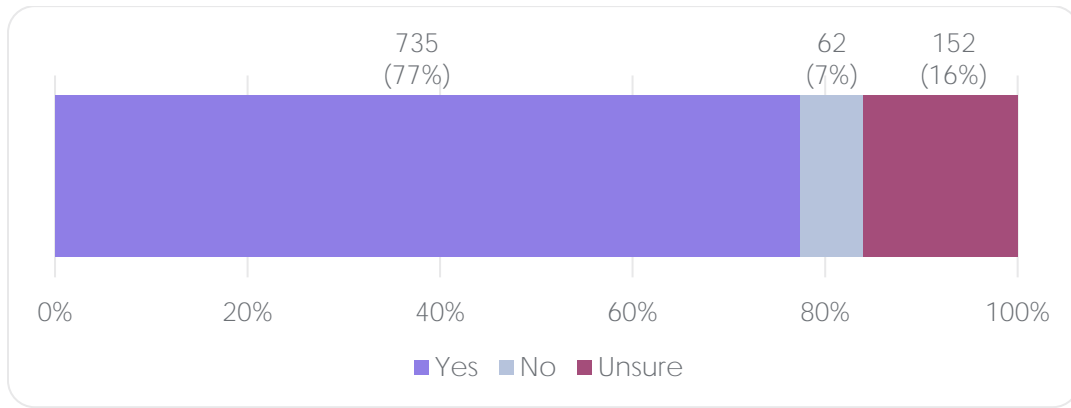


Figure 18: Question 23, (n=949)

### 5.5.2. If you answered 'yes', please provide the reason for your response.

This question was answered by 596 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
23: Online Marketplaces should be obligated for unfilled packaging in addition to filled packaging?   Support   fairness	30%	31%	30%	26%	35%	28%
23: Online Marketplaces should be obligated for unfilled packaging in addition to filled packaging?   Support   effectiveness	11%	23%	6%	7%	7%	16%
23: Online Marketplaces should be obligated for unfilled packaging in addition to filled packaging?   Suggestion   responsibility	5%	13%	8%	1%	3%	4%
23: Online Marketplaces should be obligated for unfilled packaging in addition to filled packaging?   Concern   lack of detail	5%	14%	4%	2%	3%	3%
23: Online Marketplaces should be obligated for unfilled packaging in addition to filled packaging?   Concern   implementation	4%	1%	5%	6%	3%	1%

#### Support

Some respondents express positive comments towards these proposals because they believe that all packaging should be obligated under EPR, including unfilled packaging (e.g. coffee cups). These respondents comment that they feel Online Marketplaces should bear as much responsibility as Brand Owners or distributors of unfilled packaging, and that online marketplaces should potentially be responsible for all types of packaging if they are above the de-minimis threshold.

Many respondents express positive comments towards these proposals because they believe it will ensure fairness and consistency between how different types of packaging



and businesses are regulated, creating a level playing field between online and offline marketplaces, and between UK and overseas businesses. These respondents also **comment that, in line with the 'Polluter Pays' Principle, Online Marketplaces should contribute to the costs of waste management in the UK.**

Many respondents express positive comments towards these proposals because they think it will capture more packaging and obligate more companies under EPR, rendering it more effective. They comment that this is especially important given the recent growth of Online Marketplaces.

Other reasons given by a few respondents for supporting the proposal include:

- it may reduce the amount of packaging in the waste stream, a point made particularly pertinent due to the significant volumes of packaging being used by online retailers, especially during the pandemic;
- it may reduce the burden on bricks-and-mortar retailers, therefore helping to keep them in business; and
- it may close the loophole that allows online retailers to avoid obligations for packaging.

## Concerns

Some respondents express concerns that multiple parties may pick up obligations for the same unfilled packaging, which could occur if, for example, the Online Marketplace is also the Brand Owner, or if a producer picks up an obligation for packaging after filling it. Some respondents are also concerned that the proposals won't capture packaging arriving in the UK through global marketplaces with no legal presence in the UK.

A more general concern expressed by some respondents is whether the proposal is necessary, since the obligation for unfilled packaging is planned to fall on the producer who fills it, and there may be a high likelihood that Online Marketplaces will be supplying packaging to already obligated businesses. Some of these respondents are also concerned about Online Marketplaces that do not purchase or sell packaging directly, but that serve as trading platforms for individual sellers, some of which might be above the de-minimis threshold.

A few respondents also express concerns over the definition of the term 'Online Marketplace'. They suggest that the proposals need to clarify whether the definition only includes marketplaces registered in the UK, or if it also covers overseas marketplaces selling into the UK, fulfilment houses distributing products from overseas producers, and/or marketplaces with a UK office or warehouse.

A few respondents express concerns that the proposal will disproportionately impact costs for UK-based businesses compared to overseas competitors. A few respondents also express concern that reductions in packaging may increase the risk of goods being damaged, thereby adding further costs.

A few respondents express concerns about the following risks:

- overseas retailers may find ways to circumvent regulations; and
- the introduction of a threshold, below which purchases are assumed to be private, may be open to abuse.



Finally, a few respondents express concerns about the possibilities of confusion, suggesting that the proposals need to be kept as clear and simple as possible.

### Suggestions

Some respondents suggest that Brand Owners should be obligated for packaging sold by Online Marketplaces, and that Online Marketplaces should not be responsible for packaging sold to UK-based Brand Owners.

A few respondents suggest Online Marketplaces should report packaging data, and a minimum threshold should be introduced to avoid targeting small quantities of packaging intended for individual use. Other suggestions made by a few respondents include making Online Marketplaces contribute to litter payments and incentivising compostable film in mail order packaging.

## 5.6. Question 24

### 5.6.1. Do you foresee any issues with Online Marketplaces not being obligated for packaging sold through their platforms by UK-based businesses?

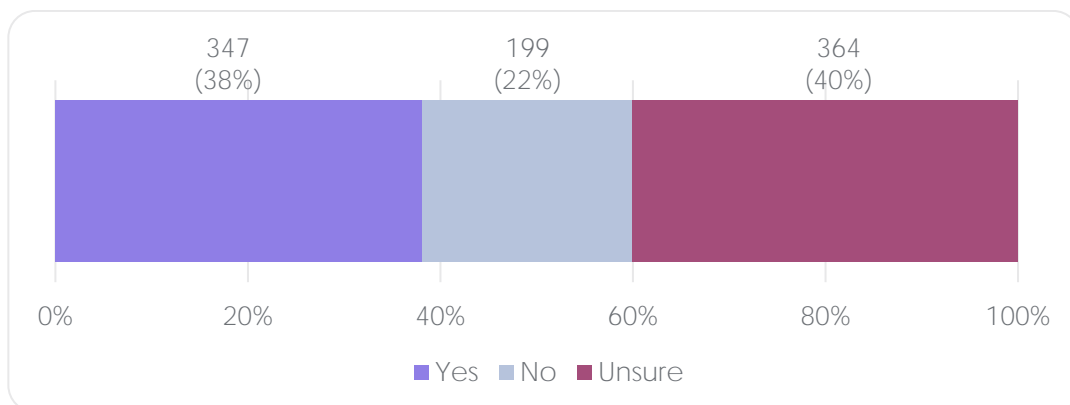


Figure 19: Question 24, (n=910)

### 5.6.2. If you answered 'yes', please provide the reason for your response.

This question was answered by 384 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
24: Any issues with Online Marketplaces not being obligated for packaging sold through their platforms by UK-based businesses?   Concern   necessary to include online marketplaces	16%	21%	11%	11%	16%	42%
24: Any issues with Online Marketplaces not being obligated for packaging sold through their platforms by UK-based businesses?   Concern   implementation	7%	17%	1%	6%	3%	13%



24: Any issues with Online Marketplaces not being obligated for packaging sold through their platforms by UK-based businesses?   Concern   compliance/misuse	6%	10%	10%	3%	5%	1%
24: Any issues with Online Marketplaces not being obligated for packaging sold through their platforms by UK-based businesses?   Concern   economic impact	4%	4%	2%	6%	4%	7%
24: Any issues with Online Marketplaces not being obligated for packaging sold through their platforms by UK-based businesses?   Suggestion   alternative approach	2%	4%	0%	1%	5%	1%

## Concerns

Many respondents express concerns that multiple parties may pick up obligations for the same unfilled packaging, which could occur if, for example, the Online Marketplace is also the Brand Owner, or if a producer picks up an obligation for packaging after filling it. These respondents also express concern that the proposals won't capture packaging arriving in the UK through global marketplaces with no legal presence in the UK.

A more general concern expressed by a few respondents is whether the proposal is necessary, since the obligation for unfilled packaging is planned to fall on the producer who fills it, and there may be a high likelihood that Online Marketplaces will be supplying packaging to already obligated businesses. A few of these respondents are also concerned about Online Marketplaces that do not purchase or sell packaging directly, but that serve as trading platforms for individual sellers, some of which might be above the de-minimis threshold.

A few respondents also express concerns over the definition of the term 'Online Marketplace'. They suggest that the proposals need to clarify whether the definition only includes marketplaces registered in the UK, or if it also covers overseas marketplaces selling into the UK, fulfilment houses distributing products from overseas producers, and/or marketplaces with a UK office or warehouse.

A few respondents express concerns that the proposal will disproportionately impact costs for UK-based businesses compared to overseas competitors. Respondents are also concerned that reductions in packaging may increase the risk of goods being damaged, thereby adding further costs.

A few respondents express concerns about the following risks:

- overseas retailers may find ways to circumvent regulations; and
- the introduction of a threshold, below which purchases are assumed to be private, may be open to abuse.

Finally, a few respondents, express concern about the possibilities of confusion, suggesting that the proposals need to be kept as clear and simple as possible.



## Suggestions

Some respondents suggest that Brand Owners should be obligated for packaging sold by Online Marketplaces, and that Online Marketplaces should not be responsible for packaging sold to UK-based Brand Owners.

A few respondents suggest that Online Marketplaces should report packaging data, and a minimum threshold should be introduced to avoid targeting small quantities of packaging intended for individual use.

A few respondents suggest making Online Marketplaces contribute to litter payments and incentivising compostable film in mail order packaging.

### 5.7. Question 25

**5.7.1. This proposal will require Online Marketplaces to assess what packaging data they can collate and then, where there are gaps to work together to create a methodology for how they will fill those gaps. Do you think there are any barriers to Online Marketplaces developing a methodology in time for the start of the 2022 reporting year (January 2022)?**

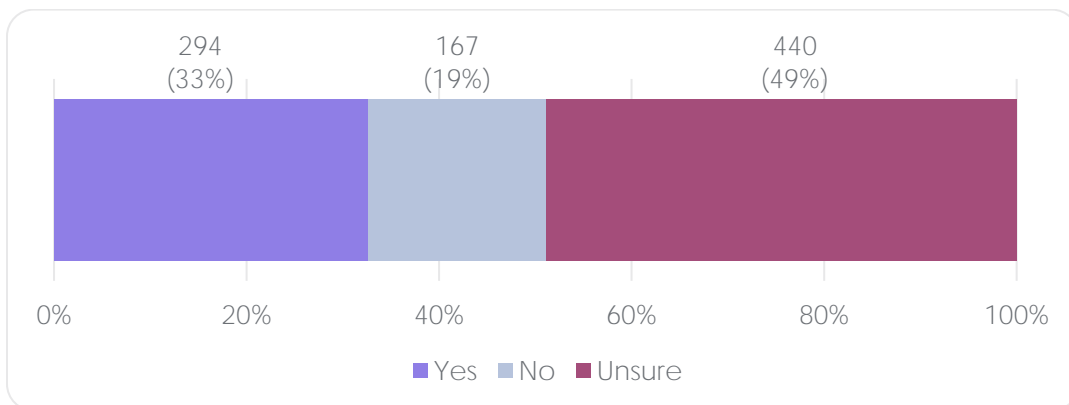


Figure 20: Question 25, (n=901)

**5.7.2. If you answered 'yes', please provide the reason for your response.**

This question was answered by 401 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
25: Any barriers to Online Marketplaces developing a methodology in time for start of 2022?   Concern   timescale (too short)	17%	11%	29%	9%	24%	4%
25: Any barriers to Online Marketplaces developing a methodology in time for start of 2022?   Concern   implementation	12%	21%	19%	7%	8%	13%



25: Any barriers to Online Marketplaces developing a methodology in time for start of 2022?   Suggestion   implementation	6%	6%	7%	3%	9%	1%
25: Any barriers to Online Marketplaces developing a methodology in time for start of 2022?   Support   general	6%	3%	14%	1%	9%	1%
25: Any barriers to Online Marketplaces developing a methodology in time for start of 2022?   Support   necessary	1%	2%	1%	0%	3%	1%

## Support

Some respondents express positive comments towards these proposals because they believe that the development of a methodology may be a helpful step towards collecting weight data, or because a longer implementation period may simply encourage marketplaces to pass responsibility further down the supply chain. Some of these respondents express positive comments towards these proposals because they believe the suggested timeline is achievable due to the volume of resources many Online Marketplaces have available, including data-gathering infrastructure.

A few respondents express support for Online Marketplaces developing a methodology by January 2022 because they believe the proposal would allow all packaging to be accounted for, which they see as especially important if the demand for online retail has increased during the pandemic.

## Concerns

Many respondents express concerns that the timescale of the proposals is too short. These respondents comment that there is a maximum of six months between Government's response to the consultation and 2022, which they believe is too little time for Online Marketplaces to develop and implement a methodology, especially because of the complexity and volume of data that may need to be gathered and the large number of parties who will need to reach an agreement.

Conversely a few respondents suggest delaying the implementation date, for example until the end of 2024, because they believe the current timeline is unfeasible and more time is needed to create a robust reporting methodology.

Some respondents believe that the number of 'free-riders' in the system should be minimised through the development of a robust methodology, but express concerns that the proposals may be difficult to enforce due to the potential difficulties of regulating online retail, especially if the marketplace is based overseas. Respondents think that marketplaces may be tempted to under-report their packaging use, or that larger retailers may refuse to contribute to the development of a methodology.

A few respondents express concerns that businesses may have to prioritise recovering from Covid-19 and Brexit, including dealing with disruption and delays, over developing a methodology for packaging data, which might not be ready in time.



A few respondents express several concerns regarding the implementation of an EPR, including:

- EPR compliance may require significant upfront resources and create an administrative burden for SMEs;
- small businesses may not have enough time, money, or staff to gather and accurately report the data required under the proposals;
- online marketplaces may not have access to required packaging data from third party sellers, especially those based overseas;
- the proposed timeline may mean that the Scheme Administrator will not have enough time to sufficiently review the methodology after their appointment;
- the gaps in weights data predicted in the consultation (P. 55 of the consultation document) may cause some producers to be treated differently, potentially giving some an unfair competitive advantage, and
- that there may be too much variation amongst the packaging used by Online Marketplaces for them to agree on a single methodology.

A few respondents suggest that any use of estimations should be time limited, without specifying further.

A few respondents express concerns that there may not be enough detail in the consultation for Online Marketplaces to understand what packaging data will need to be collected ahead of 2022. These respondents also suggest that Government should clarify if and how the methodology will need to be adapted in the later phases of an EPR.

### Suggestions

Many respondents believe that the proposals should start with an introduction period that allows data to be estimated or uses a generic methodology.

Other suggestions made by some respondents include:

- engaging with industries to define milestones;
- auditing the accuracy of the proposed methodology and strengthening enforcement;
- creating an open database of product packaging;
- standardising data obligations across online and offline retailers; and
- requiring manufacturers to provide packaging data to their supply chains.

A few respondents suggest alternatives to the proposals, such as Government setting a methodology for Online Marketplaces to follow, and the introduction of taxes for Online Marketplaces that fail to reprocess packaging material. Respondents, who believe Online Marketplaces should be subject to the same data reporting and regulatory standards as their offline counterparts, believe there is no need for a methodology.



## 6. Producer obligations for full net cost payments and reporting

### 6.1. Question 26

#### 6.1.1. Is there any packaging that would not be reported by the obligation as proposed (except for packaging that is manufactured and sold by businesses who sit below the de-minimis)?

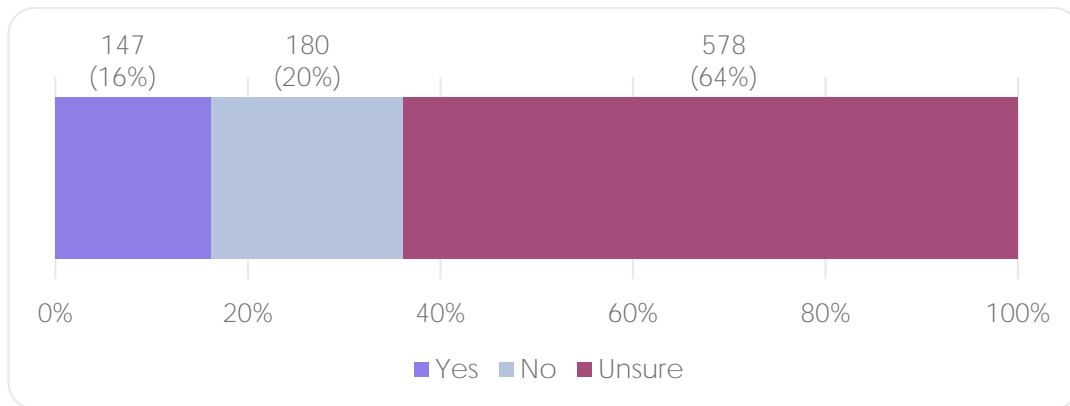


Figure 21: Question 26, (n=905)

#### 6.1.2. If you answered 'yes', please provide the reason for your response

This question was answered by 219 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
26: Any packaging that would not be reported by the obligation as proposed below (except for packaging manufactured and sold by businesses below the de-minimis)?   Concern   implementation	4%	4%	2%	2%	5%	1%
26: Any packaging that would not be reported by the obligation as proposed below (except for packaging manufactured and sold by businesses below the de-minimis)?   Suggestion   implementation	4%	4%	3%	4%	3%	0%
26: Any packaging that would not be reported by the obligation as proposed below (except for packaging manufactured and sold by businesses below the de-minimis)?   Suggestion   packaging	4%	16%	0%	4%	1%	3%
26: Any packaging that would not be reported by the obligation as proposed below (except for packaging manufactured and sold by	2%	3%	0%	3%	2%	0%





businesses below the de-minimis)?   Support   general						
26: Any packaging that would not be reported by the obligation as proposed below (except for packaging manufactured and sold by businesses below the de-minimis)?   Concern   lack of detail	1%	1%	4%	0%	0%	0%

### Support

Some respondents express positive comments towards the proposed system and find the list complete.

A few respondents express their support to reduce the de-minimis threshold in order to capture additional packaging spread over a large number of producers, therefore reducing individual cost impacts.

### Concerns

Many respondents express concern about the obligation to separately report data placed on the market in England, Scotland, Wales and Northern Ireland. They feel this would add unnecessary complexity and cost. They suggest that since the UK is a single market with complete free movement, obligated producers send their products to distribution centres or wholesalers and don't know to which retailers the products will be ultimately delivered and sold. Some respondents comment on the particular need to consider movement of goods in Northern Ireland considering its relationship with the Republic of Ireland and the European Union.

### Suggestions

Some respondents feel that the current packaging regulations mention packaging as 'supplied' and suggest Government should continue using this term.

Other suggestions about packaging which would not be reported include:

- the deposit return scheme materials; and
- compostable packaging.

A few respondents also suggest some packaging that needs to be covered include:

- free-issue packaging and promotional items;
- loaned packaging;
- packaging around donated goods; and
- internal use (secondary/tertiary) packaging to business consumers.

A few respondents suggest alternative approaches such as including all packaging in the report or removing the de-minimis threshold entirely.

## 6.2. Question 27

### 6.2.1. Do you agree or disagree that the Allocation Method should be removed?

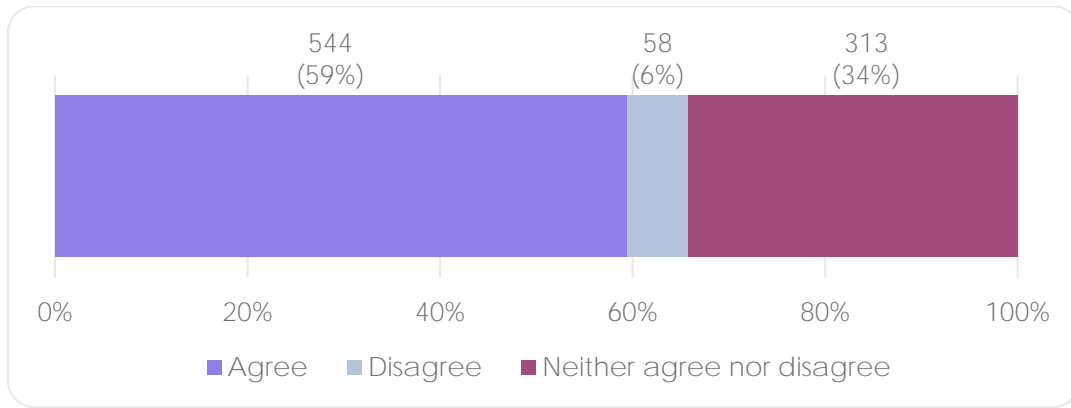


Figure 22: Question 27, (n=915)

143 respondents who responded by email provided comments to Question 31, even though it was a closed question.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
27: Agree or disagree that the allocation method should be removed?   Support   general	3%	1%	12%	1%	0%	0%
27: Agree or disagree that the allocation method should be removed?   Suggestion   responsibility	1%	0%	4%	0%	0%	0%
27: Agree or disagree that the allocation method should be removed?   Suggestion   implementation	1%	0%	1%	0%	0%	1%
27: Agree or disagree that the allocation method should be removed?   Concern   effectiveness	0%	0%	0%	0%	0%	0%
27: Agree or disagree that the allocation method should be removed?   Concern   implementation	0%	0%	1%	0%	0%	1%

Many respondents express towards the removal of the Allocation Method explaining that they agree it is not consistent with the polluter pays principle of the EPR. They note that the EPR will better reflect reality in terms of the amount of waste collected by the local authority.

A few respondents express concern about the additional, disproportional, administrative burden on small businesses to collate and to report packaging data if the Allocation Method is removed. A few respondents suggest taking into consideration the administrative burden on small businesses by retaining the Allocation Method for a couple of years before reviewing its usefulness.

### 6.3. Question 28

#### 6.3.1. Do you agree or disagree that a mandatory, producer-led takeback obligation should be placed on sellers of filled disposable paper cups?

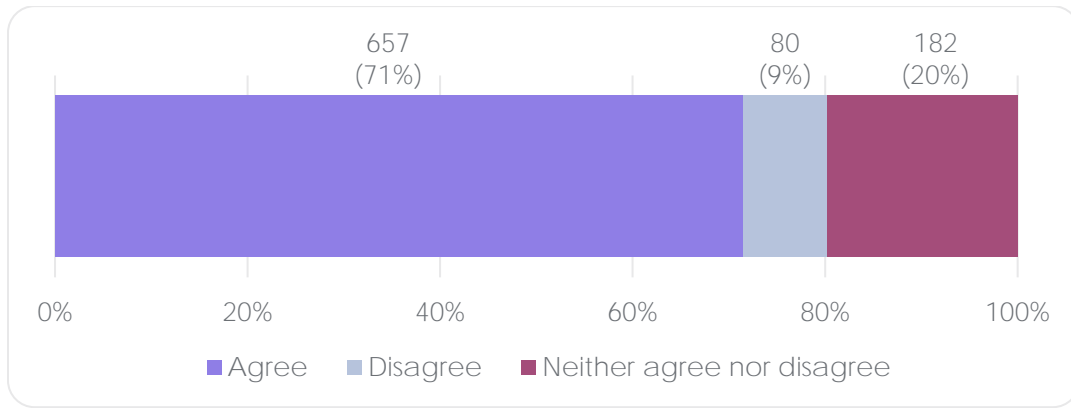


Figure 23: Question 28, (n=919)

**6.3.2. If you disagree, please provide the reason for your response and/or suggest any alternative proposals for increasing the collection and recycling of disposable cups.**

This question was answered by 320 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
28: Mandatory, producer-led takeback obligation on sellers of filled disposable paper cups   Suggestion   implementation	11%	16%	23%	3%	4%	19%
28: Mandatory, producer-led takeback obligation on sellers of filled disposable paper cups   Suggestion   alternative approach	9%	7%	24%	4%	5%	14%
28: Mandatory, producer-led takeback obligation on sellers of filled disposable paper cups   Support   general	9%	8%	24%	1%	3%	14%
28: Mandatory, producer-led takeback obligation on sellers of filled disposable paper cups   Concern   effectiveness	5%	5%	6%	1%	3%	16%
28: Mandatory, producer-led takeback obligation on sellers of filled disposable paper cups   Support   effectiveness	3%	11%	3%	0%	0%	3%

**Support**

Many respondents express general support for a mandatory takeback scheme, citing that it may increase recycling rates, reduce waste and litter, and be more effective than a voluntary approach. Some of these respondents feel the scheme may prevent paper cups from contaminating other recycling systems.

Some of these respondents express positive comments towards these proposals because they believe that used cups can be recycled effectively and that working voluntary schemes are already in place.

**Concerns**

Many respondents express concern that cups should not be prioritised over other



disposable packaging. Many respondents think that recycling facilities may not be able to handle the volume of material that the proposals aim to capture.

Many respondents express concern that the proposals may normalise the use of disposable cups, disincentivise reduce and reuse, fail to change consumer behaviour, and encourage producers to use other materials such as polystyrene.

A few respondents express concern that the proposals may have economic consequences such as increasing prices for consumers and costs for producers and small businesses, who may also lack the space needed to set up takeback systems. A few respondents believe the proposals may require significant investment in infrastructure.

A few respondents express concern that shared collection points may overburden some businesses, such as those in locations with high footfall.

Some respondents express concerns that the proposals lack detail on the following issues:

- the inclusion of cup lids and non-beverage disposable cups;
- which businesses fall in the scope of the scheme;
- successful takeback schemes elsewhere; and
- the cost implications of the scheme.

## Suggestions

Many respondents suggest including disposable cups within EPR because they are not covered by the deposit return scheme and littered cups may be managed by LAs. Some respondents suggest other alternative approaches such as a network of collection points that are financed by modulated fees, or prioritising schemes to promote reusable cups.

Some respondents make suggestions for the takeback scheme's implementation, such as:

- exempting vending machines and businesses with low floor space;
- including paper cups in the paper waste stream;
- bringing disposable cups under the scope of the deposit return scheme;
- avoiding contamination from compostable and biodegradable cups;
- offsetting the costs of the scheme against other EPR costs;
- considering existing schemes such as the 'Post Back Box' and National Cup Recycling Scheme; and
- regularly reviewing the scheme's performance.

A few respondents suggest banning disposable cups entirely, investing in tracking infrastructure to help monitor the scheme's progress, and increasing the number of recycling bins and on-the-go collection points.

## 6.4. Question 29.

### **6.4.1. Do you agree or disagree with the proposed phased approach to introducing the takeback obligation, with larger businesses/sellers of filled disposable paper cups obligated by the end of 2023, and the obligation extended to all sellers of filled disposable paper cups by the end of 2025?**

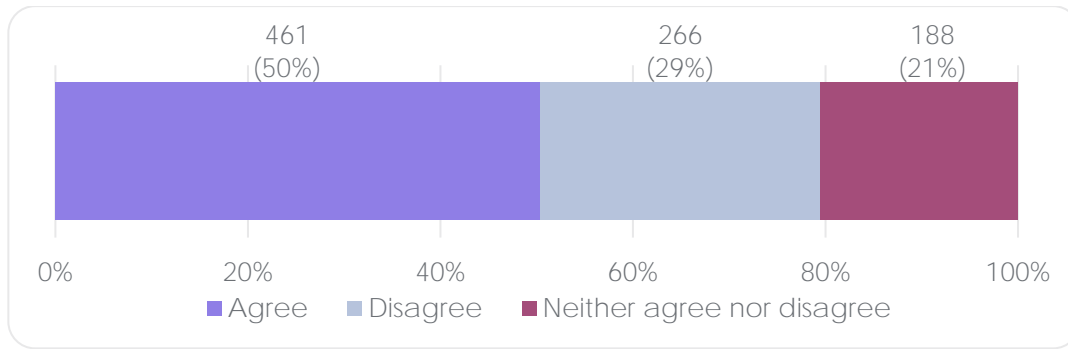


Figure 24: Question 29, (n=915)

**6.4.2. If you disagree, please provide the reason for your response and/or how you think the mandatory takeback obligation should be introduced for sellers of filled disposable cups.**

This question was answered by 344 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
29: Proposed phased approach to introducing the takeback obligation   Suggestion   all-inclusive approach	15%	26%	7%	14%	8%	39%
29: Proposed phased approach to introducing the takeback obligation   Suggestion   implementation	4%	2%	9%	0%	2%	3%
29: Proposed phased approach to introducing the takeback obligation   Support   general	3%	3%	5%	3%	2%	3%
29: Proposed phased approach to introducing the takeback obligation   Concern   timescale (too long)	3%	3%	9%	2%	1%	0%
29: Proposed phased approach to introducing the takeback obligation   Suggestion   waste reduction	2%	2%	7%	0%	0%	3%

**Support**

Some respondents express support for the phased approach as it allows time for the EPR payments to be established, with some of these respondents highlighting the success of the phased approach to the carrier bag charge. They also feel the phased approach would allow smaller businesses to utilise takeback structures already established by larger businesses.

**Concerns**

Many respondents express concern that the timescale to implement this proposal is too long considering that there is currently considerable voluntary takeback activity in the sector and that the mechanisms for cup takeback are already available and easily implementable.

Conversely a few respondents express concerns that the timescale is too short. They feel that more time is needed considering:



- the scale of change required for small businesses;
- the need to establish relevant disposal facilities; and
- additional obligations being proposed or already in existence alongside this one.

Some respondents express concern that the two-stage implementation approach could create consumer confusion. They feel there could be confusion as to which stores are larger sellers or smaller sellers and thus consumers may not know who they can return their disposable cups to. Some respondents express concern about the deposit return scheme materials not being included and the lack of a recycling target until 2026 potentially disincentivising action before then.

A few respondents express concern about implementing the scheme in two-stages and that this may place an increased burden on larger sellers. A few other respondents question how the takeback obligations will apply to hot drink vending machine situations.

A few respondents express concern about the availability of infrastructure to allow for the takeback obligation. A few respondents express concern specifically about the availability of recycling and storage infrastructure. They feel that the volume of cups given back may exceed capacity for storage and recycling.

Some respondents express concern about the lack of detail in the proposals, particularly in regard to what obligations small businesses will have under the scheme. Respondents question if there may be a health and safety concern if all small businesses are obliged to participate when they may not have suitable space to do so.

## Suggestions

Many respondents suggest an all-inclusive approach which applies to both small and large businesses from the beginning. They feel this will allow greater clarity for consumers and ensure there are plenty drop-off locations for disposable paper cups.

Some respondents make various suggestions about how a takeback option should be implemented, these include:

- including lids within the takeback obligation;
- aligning the timescale with the other policies proposed;
- exempting premises from the initial rollout based on store size;
- implementing coordinated takeback schemes between businesses; and
- using existing models such as the one by the Paper Cup Recovery and Recycling Group or 'Cup Movement' in Glasgow.

A few respondents suggest alternative methods of waste reduction in relation to disposable paper cups, these include:

- banning fibre-based cups;
- encouraging a national refill and wash scheme;
- switching to non-plastic lined cups;
- eliminating certain biodegradable cups that may contaminate collections; and
- including mandated recycling of coffee and beverage capsules.

A few respondents suggest larger businesses could pay for research and development to make paper cups more easily recyclable.



## 7. Modulated fees, labelling and plastic films recycling

### 7.1. Question 30

#### 7.1.1. Do you think that the proposed strategic frameworks will result in a fair and effective system to modulate producer fees being established?

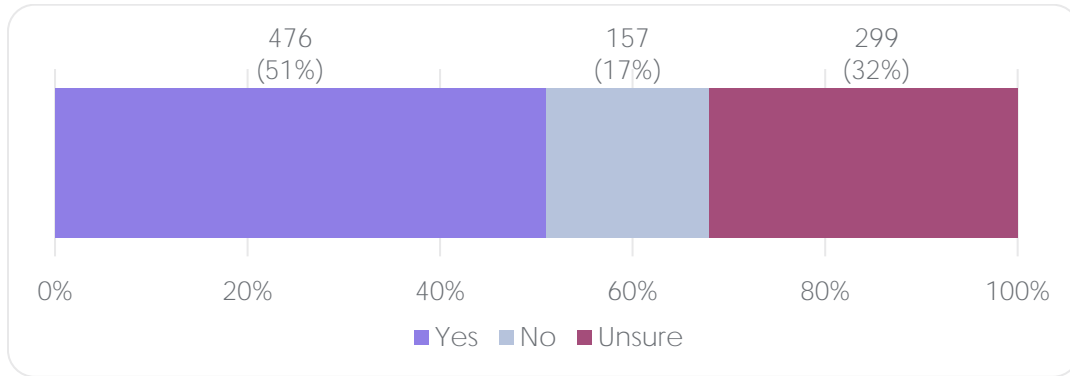


Figure 25: Question 30, (n=932)

#### 7.1.2. If you answered 'no' please provide the reason for your response, being specific with your answer where possible.

This question was answered by 453 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
30: Do you think that the proposed strategic frameworks will result in a fair and effective system to modulate producer fees being established?   Suggestion   implementation	14%	9%	13%	11%	18%	10%
30: Do you think that the proposed strategic frameworks will result in a fair and effective system to modulate producer fees being established?   Suggestion   modulated fee system	12%	18%	6%	12%	11%	10%
30: Do you think that the proposed strategic frameworks will result in a fair and effective system to modulate producer fees being established?   Support   general	11%	4%	13%	6%	16%	10%
30: Do you think that the proposed strategic frameworks will result in a fair and effective system to modulate producer fees being established?   Concern   effectiveness	9%	7%	8%	13%	6%	6%
30: Do you think that the proposed strategic frameworks will result in a fair and effective system to modulate producer fees being established?   Concern   lack of detail	8%	5%	6%	7%	10%	13%



## Support

Many respondents express general support for the proposed framework. They feel that it will incentivise better packaging design choices. Some of these respondents comment it would be a fair approach and support the primary focus on recyclability.

## Concerns

Many respondents express concerns about the effectiveness of the proposed modulated fee system. These concerns include:

- Life cycle assessments not being robust due to the cost and complexity of undertaking them;
- failing to incentivise producers to change their packaging if the modulated fee system is not granular enough;
- not considering the initial carbon impact of producing the packaging material; and
- the appearance of overlooking the environmental benefits of compostable materials.

Some respondents express concerns about the scheme being open to compliance issues such as:

- producers manipulating Life cycle assessments to lower fees;
- producers not providing data so as to avoid paying; and
- producers with the least recyclable packaging claiming there are no substitutes.

Some respondents express concerns about the scheme's economic impact on firms who may not be able to avoid the use of 'unrecyclable' packaging. Some of these respondents express concerns that this may be passed on to consumers in the form of higher food prices, while others express concerns that this may reduce investment in finding alternative packaging due to the high cost burden. Some respondents also express concerns about how the lack of details on the specifics of the modulated fee system may prevent firms from adapting their packaging now to reduce the fees before the 2023 implementation date.

Some respondents express concerns about the lack of detail on the following issues:

- the fee modulation process with confirmed criteria;
- how Government will engage with the reprocessing industry to determine costs and criteria;
- the 'effective and efficient' system for waste packaging management; and
- netting off material value and material prices and whether this will include virgin or secondary materials.

Some respondents express concerns about the clarity of the scheme. Many believe that the scheme risks becoming too complex and an administrative burden while others seek clarification on the following points:

- the distinction between fibre-based packaging and paper packaging; and
- whether compostable plastics will be considered non-recyclable.

Other respondents express concerns about the possibility of not having clarity on the fee rates until 2023. Some also express concerns that if there are not clear rules, Life cycle





assessments may be manipulated by firms.

A few respondents express concerns about the timeline potentially being too short to enable producers to fully adjust their packaging in light of the modulated fee system. They express concerns that the details of the fee rates may not be available until 2023 and believe that it takes 18 months to adjust their packaging in order to minimise their fee burden.

## Suggestions

Many respondents suggest ways the scheme could be implemented. These include:

- allowing firms to help develop Recyclability Assessment Methodologies (RAMs);
- aligning categories with international modulation mechanisms;
- giving industry sufficient time and a simple grade-based system to implement initially;
- postponing decisions on items affected by the plastic packaging tax until the effect of this has been understood;
- developing review processes and lead in times with input from obligated industries;
- measuring impacts across the life-cycle using Life cycle assessments; and
- aligning timeframes with the deposit return scheme.

Many respondents suggest various approaches to the modulated fee system, these include:

- using a bottom-up approach to encourage design changes;
- closely aligning modulated fees with labelling;
- taking into account the level of recycled material in packaging;
- raising more than is required to cover costs, with the aim of encouraging behaviour change; and
- taking into account the product being packaged and legal/technical necessities around packaging of that (for example food packaging).

A few respondents suggest various alternative agents who they believe should be responsible for packaging, such as end consumers, retailers or local councils.

A few respondents suggest excluding certain packaging types from the scheme, these include:

- medicinal products;
- durable packaging designed to house goods for years; and
- reusable consumer goods.

Some respondents suggest using the funds generated to support those involved in reprocessing.

## 7.2. Question 31

**7.2.1. Do you agree or disagree that the Scheme Administrator should decide what measures should be taken to adjust fees if a producer has been unable to self-assess, or provides inaccurate information? This is in addition to any enforcement that might be undertaken by the regulators.**

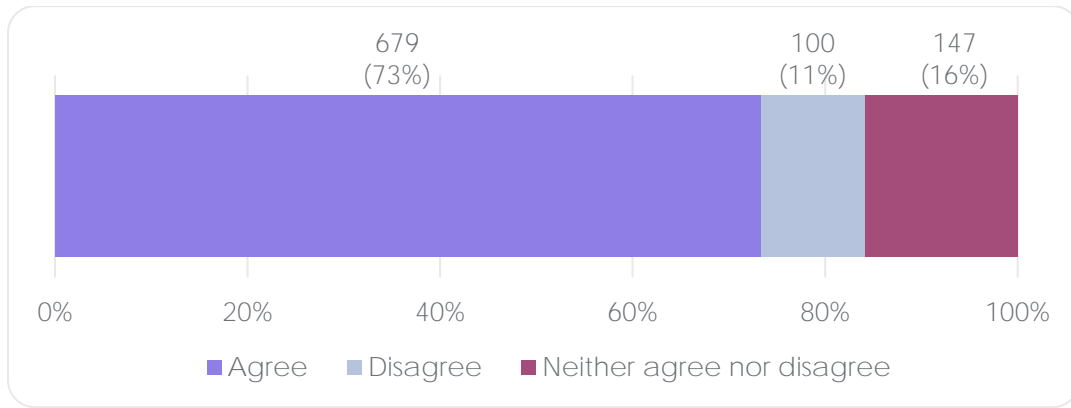


Figure 166: Question 31, (n=926)

### 7.2.2. If you disagree, please provide the reason for your response.

This question was answered by 278 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
31: Should Scheme Administrator decide measures taken to adjust fees if a producer has been unable to self-assess, or provides inaccurate information?   Suggestion   implementation	12%	9%	16%	7%	13%	4%
31: Should Scheme Administrator decide measures taken to adjust fees if a producer has been unable to self-assess, or provides inaccurate information?   Support   general	5%	5%	7%	1%	7%	1%
31: Should Scheme Administrator decide measures taken to adjust fees if a producer has been unable to self-assess, or provides inaccurate information?   Suggestion   alternative system	4%	4%	8%	3%	2%	0%
31: Should Scheme Administrator decide measures taken to adjust fees if a producer has been unable to self-assess, or provides inaccurate information?   Concern   effectiveness	3%	4%	1%	5%	3%	3%
31: Should Scheme Administrator decide measures taken to adjust fees if a producer has been unable to self-assess, or provides inaccurate information?   Concern   fairness	3%	2%	7%	1%	2%	3%

### Support

Some respondents support the Scheme Administrator deciding on measures to adjust fees, as they feel the Scheme Administrator would be best placed to handle producers who have not self-assessed. Some other respondents support the proposal as they feel it is not overly prescriptive and allows for flexibility in the modulation criteria.



## Concerns

Many respondents express concern that unless there is an assessment system prescribed by the Scheme Administrator then self-assessment by producers could lead to a chaotic system and a “race to the bottom” for recycling quality. There is also concern that without effective controls, the quality of recycled materials will remain low and commodity markets will reject the material.

Some respondents express concern that if there is a system that financially penalises harder to recycle material, there will be no incentive to recycle these materials and the system may be open to wholesale abuse.

Some respondents express concern that the proposal is a form of penalty and may drive behaviours in the wrong direction. Some other respondents express concern that it will be unfair on producers who follow the rules if a Scheme Administrator makes a separate agreement with those who do not, or who need some time to make necessary adjustments.

A few respondents express concern that this approach may lead to ambiguity and more detail is still required about the role of the Scheme Administrator in relation to what agreements they can arrange.

A few respondents express concern that it is not the role of the Scheme Administrator to set packaging policy, and that they may not have the knowledge required to undertake the responsibility of setting modulated fees.

## Suggestions

Many respondents suggest that the decision should not be unilateral, and a framework of measures should be drawn up in consultation with industries. Many respondents also suggest the establishment of an agreed-upon procedure against which producers must assess their packaging, or alternative ways to ensure producers meet their obligations.

A few respondents suggest that obligated producers should be supported by Compliance Schemes and policed only by regulators, not the Scheme Administrator.

### 7.3. Question 32

#### 7.3.1. Do you agree or disagree with our preferred approach (Option 1) to implementing mandatory labelling?

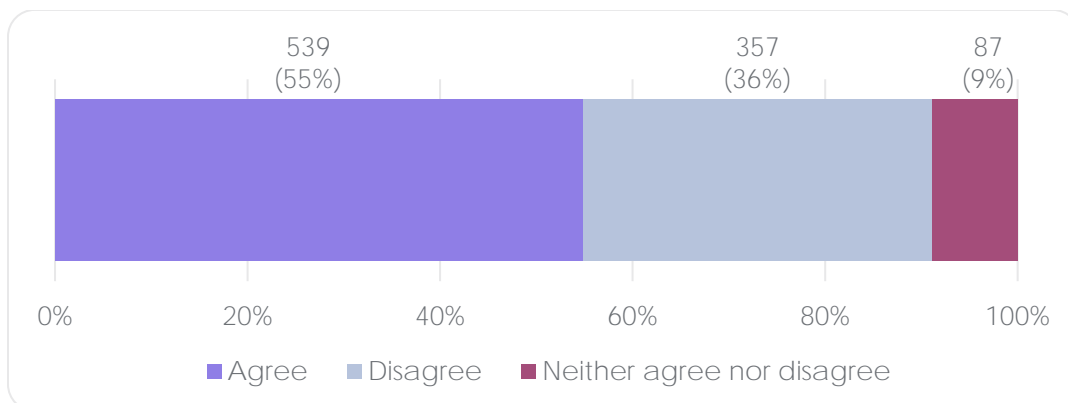


Figure 177: Question 32, (n=983)



### 7.3.2. If you disagree, please explain the reason for your response

This question was answered by 530 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
32: Our preferred approach (Option 1) to implementing mandatory labelling   Concern   simplicity/clarity	22%	14%	60%	9%	13%	28%
32: Our preferred approach (Option 1) to implementing mandatory labelling   Suggestion   option 2	15%	21%	44%	4%	5%	10%
32: Our preferred approach (Option 1) to implementing mandatory labelling   Concern   implementation	10%	3%	23%	2%	11%	7%
32: Our preferred approach (Option 1) to implementing mandatory labelling   Concern   effectiveness	9%	2%	22%	3%	10%	12%
32: Our preferred approach (Option 1) to implementing mandatory labelling   Suggestion   implementation	9%	2%	19%	3%	10%	6%

#### Support

Some respondents express their general support for the proposal, stating that they agree with the mandated use of labelling indicating whether or not packaging is recyclable.

Some respondents express support for the preferred approach since they feel it would provide flexibility while still effectively delivering the desired outcomes. These respondents also feel that this approach would maintain consistency in labelling, allow for guidance to be provided to consumers, encourage innovation and ambition in businesses, and create a level playing field between producers in the UK and overseas.

#### Concerns

Many respondents feel that the proposals do not place enough emphasis on simplicity or clarity. They feel that this would be key in order to ensure there is full consumer understanding and subsequently that correct recycling procedures are followed. Under the current preferred approach these respondents feel instructions could be confusing for consumers which could in turn lead to materials either being incorrectly recycled or not recycled at all. They feel that any complexity in the messages to consumers could lead to contamination of recycling streams.

Many respondents also express concern about the costs and complexities of the proposed approval scheme particularly in relation to global industries, such as the toy industry. They feel that this would present extreme logistical difficulties in implementing a UK-specific label.

Some respondents express concern regarding the economic impact of the preferred approach. They feel it could pose a barrier to trade and lead to a greater financial burden on manufacturers and producers.



Some respondents express various concerns regarding how the proposal would be implemented, these include:

- if there would be adequate space to add all the requisite labelling;
- the creation of an uneven market between companies that are required to implement changes and those that are not;
- the complication of sharing administrative responsibilities across different bodies and organisations;
- a potential lack of flexibility in the labelling system could hinder innovation; and
- barriers faced by certain industries in particular, such as the healthcare sector, which would need to seek approval from the Medicines and Healthcare products Regulatory Agency (MHRA) before implementing any changes in packaging.

A few respondents express concern that the timescale is too short, suggesting that developing new packaging is currently a 12-18 months process. They feel this means a transition period would be necessary to allow time for any changes to be implemented.

Some respondents express concern that the proposals lack detail. A few respondents seek clarification on labelling criteria, as well as definitions for relevant terms and concepts, and further detail on how interim labelling would be managed.

## Suggestions

Many respondents express support for Option 2, favouring it over Option 1. These respondents feel that this approach would be the most effective way to deliver the desired outcomes given its apparent consistency, simplicity as well as its greater accessibility for consumers.

Many respondents make various suggestions about how the preferred approach should be implemented. These include:

- consulting with industry experts and agreeing a framework with them;
- implementing existing On-Pack Recycling Labels (OPRL) and making OPRL the sole body responsible;
- aligning labelling frameworks across Extended Producer Responsibility and the deposit return scheme;
- ensuring consistency across labelling requirements;
- managing mandatory labelling through a single system with common wording, colour coded labels, e-labelling, use of icons and symbols, or adding QR codes to labels; and
- giving businesses ample time to implement changes, possibly even allowing exemptions or flexibility of implementation for certain products, such as medicines and medical devices.

## 7.4. Question 33

### 7.4.1. Do you agree or disagree with the proposal that all producers could be required to use the same 'do not recycle' label?

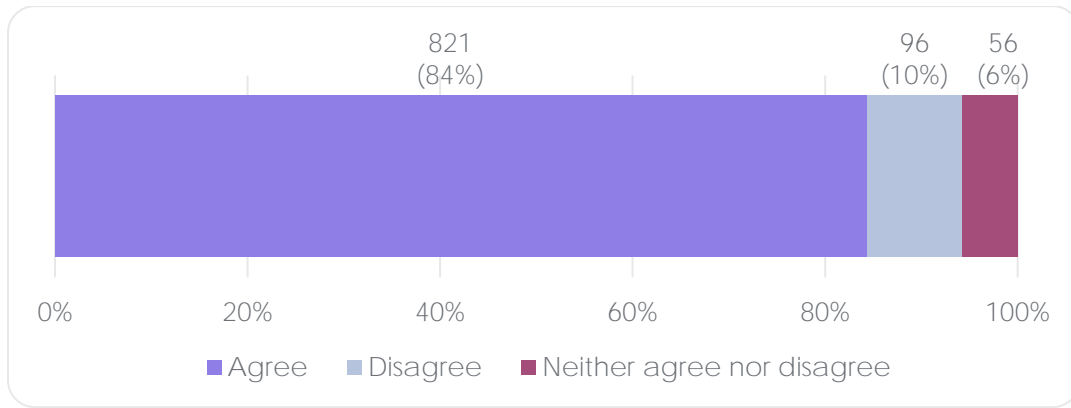


Figure 28: Question 33, (n=973)

### 7.4.2. If you disagree, please provide the reason for your response.

This question was answered by 267 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
33: The proposal that all producers could be required to use the same 'do not recycle' label   Concern   simplicity/clarity	7%	5%	11%	3%	9%	9%
33: The proposal that all producers could be required to use the same 'do not recycle' label   Suggestion   implementation	5%	3%	19%	1%	2%	1%
33: The proposal that all producers could be required to use the same 'do not recycle' label   Support   general	4%	2%	13%	0%	4%	1%
33: The proposal that all producers could be required to use the same 'do not recycle' label   Support   support with caveats	4%	4%	7%	4%	3%	1%
33: The proposal that all producers could be required to use the same 'do not recycle' label   Concern   implementation	3%	3%	7%	1%	3%	0%

#### Support

Some respondents express broad support for the proposal that all producers should use the same 'do not recycle' label, to ensure producers are treated equally. A few respondents go on to add this will help avoid contamination in recycling streams by being simple and reducing confusion. They feel this will help encourage positive consumer behaviour.

Some respondents express positive comments towards these proposals with certain caveats about how this should be implemented. This includes that introduction of mandatory labelling should be dependent on the availability of appropriate infrastructure, and that if a do not recycle label is required for compostable materials there should be an



exemption for certified BS EN13432 compostable packaging in closed loop situations.

## Concerns

Many respondents express concerns about the clarity of any proposed labelling. These include concerns that:

- compostable packaging labelled 'do not recycle' may cause confusion;
- additional labelling may distract from food safety labels; and
- that local recycling varies so any standard labelling could cause disruption to different local recycling streams.

Many respondents express concern about how labels will align with international standards and how this may present issues for importers and exporters. Some of these respondents express concern that new labels that are not aligned to international standards, may increase costs to businesses. Some other respondents express concern that large suppliers, who can be more cost-effective, will be at an advantage. They suggest that a transition period may be needed with clear guidelines on interim labelling.

A few respondents feel there needs to be more consideration about various aspects of the mandatory labels, including about the exact details of the design.

## Suggestions

Some respondents make various suggestions for how consistent labelling should be introduced, these include:

- using On-Pack Recycling Labels (OPRL) as they may be familiar to consumers and producers;
- using labels to direct consumers to a recycling facility or alternative course of action; and
- using consistent labelling for kerbside recycling collections and for the deposit return scheme.

Some respondents suggest concentrating on effective communication with households, such as use of:

- a digital service that shows instructions depending on local authority recycling;
- using positive messaging to explain recyclability;
- takeback scheme labels;
- labels based on appropriate bin colour; and
- digital labels for multinational packaging.

A few respondents suggest exemptions should be made for medicines, medical devices, food supplements and certified BS EN13432 closed loop compostable products.

## 7.5. Question 34

### 7.5.1. Do you think that the timescales proposed provide sufficient time to implement the new labelling requirements?

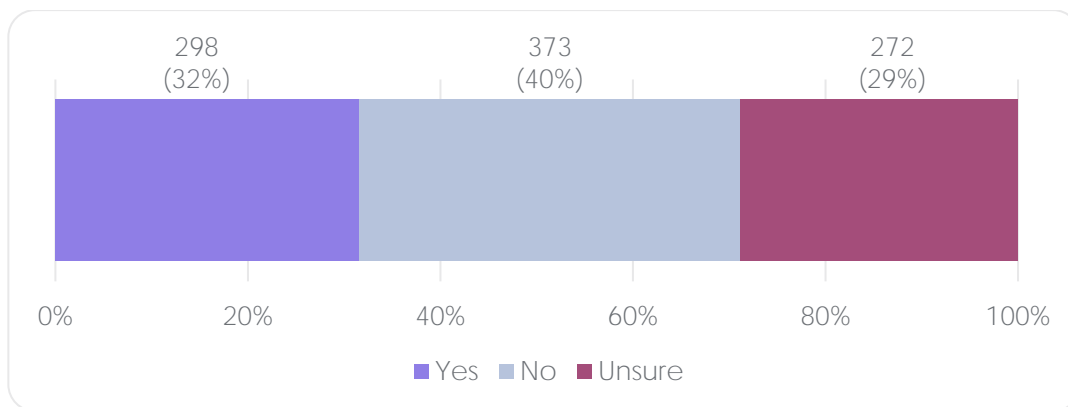


Figure 189: Question 34, (n=943)

### 7.5.2. If you answered 'no' please provide the reason for your response.

This question was answered by 482 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
34: Do you think that the timescales proposed provide sufficient time to implement the new labelling requirements?   Concern   timescale (too short)	21%	29%	8%	21%	24%	16%
34: Do you think that the timescales proposed provide sufficient time to implement the new labelling requirements?   Suggestion   implementation	8%	3%	19%	1%	10%	4%
34: Do you think that the timescales proposed provide sufficient time to implement the new labelling requirements?   Support   general	5%	2%	18%	0%	3%	4%
34: Do you think that the timescales proposed provide sufficient time to implement the new labelling requirements?   Suggestion   timescale	4%	4%	1%	1%	8%	0%
34: Do you think that the timescales proposed provide sufficient time to implement the new labelling requirements?   Concern   implementation	3%	1%	7%	0%	4%	1%

#### Support

Some respondents express support for the proposed timescales, as a number of producers and packaging should already carry the OPRL labelling. They feel that the timescales are achievable so long as a three-year lead in period is implemented.

#### Concerns

However, many respondents express concerns that there is insufficient time to make the change to a new system, for example to ensure that assessments can be completed, new labelling developed, new labels procured and existing stocks be used up. These respondents feel that a suitable assessment process could only be agreed once the Scheme Administrator is appointed in 2023.





Conversely, a few respondents express concerns that the proposed timescales may offer too much time for producers to amend labelling. These respondents feel that the new labelling requirements are key to the education and social change element of the proposals and should therefore be implemented sooner, possibly in line with the collection Consistency in Household and Business Recycling requirements.

A few respondents express concerns that mandatory labelling could be difficult, disruptive and costly for producers to implement. A few other respondents express concerns that the deposit return scheme labelling requirements may have to be accommodated, and thus feel there is a need for clear interim labelling to be implemented during the transition process. They also feel the new rules should not apply to all existing packaging in long term use.

Some respondents express concerns that the labelling requirements are undefined in the consultation and that the requisite guidance has not been provided.

### Suggestions

Many respondents suggest that a transition period of at least two years should be introduced to control excessive and unnecessary costs for businesses. They also feel this would allow time to gather the necessary data and develop systems that will be able to be implemented successfully.

Some respondents suggest a review is carried out of the available resources to support the implementation of the new labelling requirements.

## 7.6. Question 35

### 7.6.1. Do you agree or disagree that the labelling requirement should be placed on businesses who sell unfilled packaging directly to small businesses?

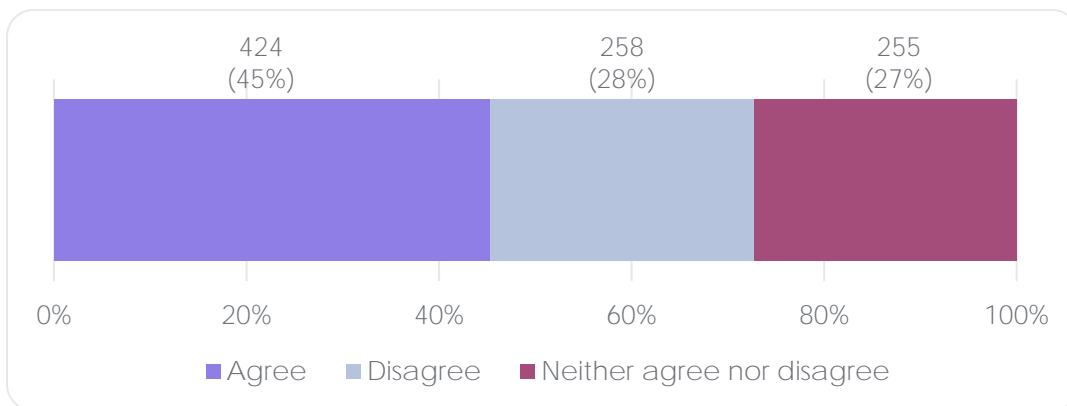


Figure 30: question 35, (n=937)

### 7.6.2. If you disagree, please provide the reason for your response

This question was answered by 407 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
35: The labelling requirement should be placed on businesses who sell unfilled packaging	13%	22%	8%	25%	6%	6%



directly to small businesses   Concern   implementation						
35: The labelling requirement should be placed on businesses who sell unfilled packaging directly to small businesses   Suggestion   responsibility	9%	8%	9%	11%	7%	0%
35: The labelling requirement should be placed on businesses who sell unfilled packaging directly to small businesses   Support   general	9%	6%	16%	7%	5%	10%
35: The labelling requirement should be placed on businesses who sell unfilled packaging directly to small businesses   Concern   effectiveness	8%	6%	1%	13%	6%	10%
35: The labelling requirement should be placed on businesses who sell unfilled packaging directly to small businesses   Suggestion   implementation	3%	3%	7%	1%	3%	0%

### 7.6.3. If you disagree, please provide the reason for your response.

#### Support

Some respondents support the proposal to place the labelling requirement on businesses who sell unfilled packaging directly to small businesses. Some of these respondents support the proposal because they believe these businesses would be best placed to ensure the correct labelling is present on all packaging.

#### Concerns

Many respondents express concern that businesses who sell packaging to small businesses may not place the labelling in the most appropriate place, potentially resulting in labels that customers wouldn't find logical and easy to spot.

Many respondents express concern that it is unclear how the labelling requirement would work for businesses selling from abroad. They feel the approach of adding labelling later in the supply chain could involve stickers that decrease a **material's recyclability**. Many other respondents express concern that passing labelling obligations further along the supply chain may not be feasible, as businesses acquiring unfilled packaging may adapt it through the addition of labels or other materials, leading to the incorrect recycling labelling being printed on the packaging.

A few respondents express concern that putting the requirement on businesses that sell packaging on to small businesses would require all packaging to be printed before sale, adding financial and environmental cost and disproportionately increasing the price of unfilled packaging being produced.

A few respondents feel that more clarity is required, specifically regarding where in the process labelling requirements fall and who is responsible for what. These respondents express concern that there is uncertainty about whether the labelling requirements relate



to each whole item of unfilled packaging sold or each component separately. For example, a ready meal with a cardboard sleeve, a lid and a tray.

### Suggestions

Many respondents make various suggestions about who should be responsible for labelling on packaging. These include:

- small businesses who sell the goods;
- the organisation responsible for the artwork/branding;
- the Brand Owner;
- and all businesses in the supply chain.

Some respondents suggest that for this labelling requirement to work, the small businesses must ensure they do not alter the packaging in any way or remove or obscure the labels.

A few respondents suggest that the requirement for labelling packaging should be placed at the point in the process where it is most efficient to do so, but do not offer a suggestion for where this should be.

## 7.7. Question 36

### 7.7.1. Do you think it would be useful to have enhancements on labels, such as including 'in the UK' and making them digitally enabled?

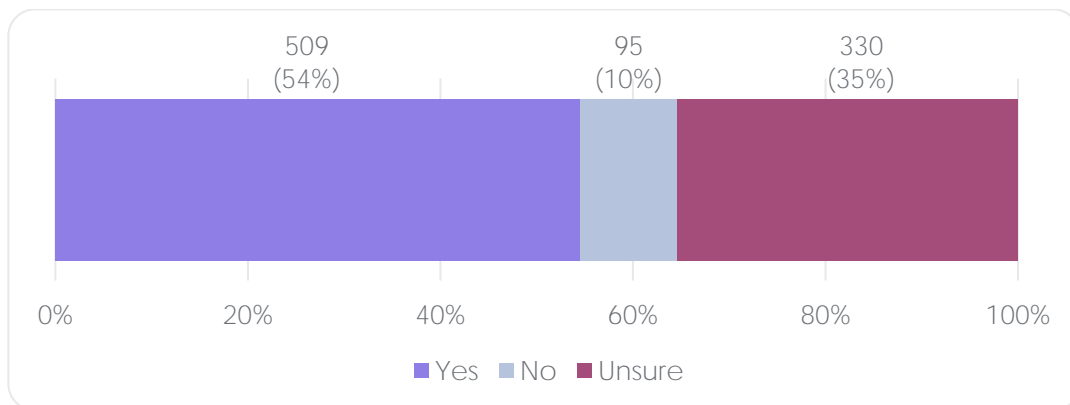


Figure 31: Question 36, (n=934)

### 7.7.2. If you answered 'yes', please state what enhancements would be useful.

This question was answered by 535 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
36: Enhancements on labels, such as including 'in the UK' and making them digitally enabled   Support   digital enhancements	16%	27%	28%	5%	11%	14%
36: Enhancements on labels, such as including 'in the UK' and making them digitally enabled   Suggestion   implementation	12%	17%	12%	3%	14%	17%
36: Enhancements on labels, such as including 'in the UK' and making them digitally enabled   Suggestion   useful enhancements	11%	9%	10%	11%	10%	7%



36: Enhancements on labels, such as including 'in the UK' and making them digitally enabled   Concern   simplicity/clarity	10%	5%	29%	7%	8%	3%
36: Enhancements on labels, such as including 'in the UK' and making them digitally enabled   Concern   effectiveness	7%	7%	24%	1%	5%	3%

## Support

Some respondents express their general support for label enhancements and digital enablement, commenting that such advancements would be beneficial in terms of educating consumers and facilitating good recycling practices.

A few respondents express positive comments towards these proposals as long as it is not made mandatory and is not pursued at the expense of other, more impactful changes, such as improved communication campaigns.

Many respondents express their support for digital enhancements. They feel this offers several benefits, including:

- an enhanced level of information for consumers;
- a better use of physical space on packaging;
- the consequent improvement of recycling practices;
- allowing a call to action to be included on the packaging;
- the future-proofing of packaging regarding inevitable technological developments;
- increased tracking of packaging throughout its life-cycle; and
- an easier updating process.

Some respondents express positive comments towards these proposals, especially in regard to the inclusion of “in the UK” on the label. They feel this will offer improved clarity for consumers in cases where products are sold in multiple countries, and easier stock management for the companies selling them.

## Concerns

Many respondents express concern regarding the complexity of enhancing and digitally enabling labels. They feel labelling needs to be as concise as possible to convey the key information and that additional labelling requirements may be unclear and confuse consumers.

Some respondents express concern about the impact these proposals would have on exporters. They feel that some companies may need to unpack and then repack a product for sale in different markets, leading to an overall increase in packaging. Other concerns about the effectiveness of the enhancements in labelling proposals include:

- that digital enhancements may conflict with the proposed digital deposit return scheme labelling scheme; and
- whether the addition of “in the UK” to the label would enhance customer understanding in any meaningful way.

Many respondents express concern about how these proposals will be implemented. They



feel that containers already have minimal space and that extra labelling would be difficult to fit in, as well as incurring additional costs for producers.

A few respondents express concern about a lack of detail regarding these proposals and feel further information and clarity is needed.

### Suggestions

Many respondents suggest various enhancements that could be included, such as:

- QR codes;
- short “calls to action” within labels to provide special instructions;
- digital embossing of barcodes;
- digital watermarking; and
- the inclusion of contact information of packaging providers.

Many respondents have various suggestions regarding the implementation of enhancements and digital enablement. These respondents feel that the priority should be to ensure that additional information is kept plain and simple and aligned across as many markets as possible.

## 7.8. Question 37

### 7.8.1. Do you agree or disagree that local authorities across the UK who do not currently collect plastic films in their collection services should adopt the collection of this material no later than end of financial year 2026/27?

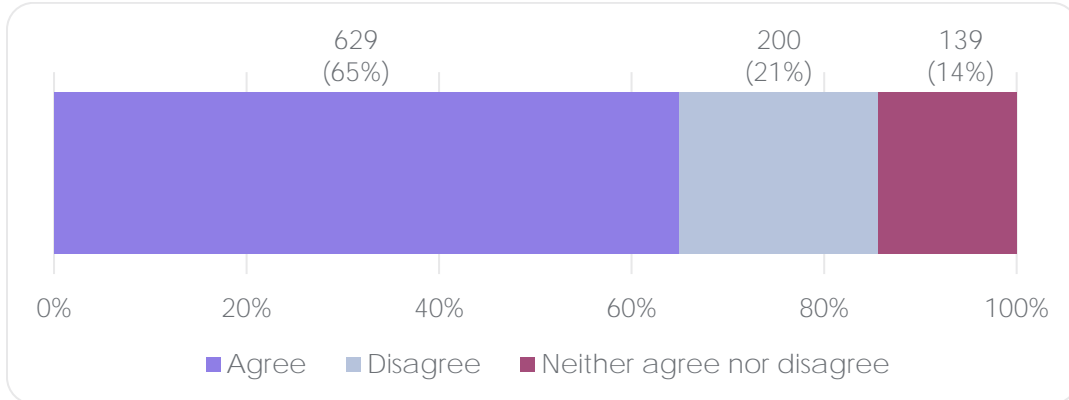


Figure 32: Question 37, (n=968)

### 7.8.2. If you disagree, please provide the reason for your response and/or what date you consider local authorities could collect films and flexibles from. Please share any evidence to support your views.

This question was answered by 465 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
37: Local authorities across the UK who do not currently collect plastic films in their collection services should adopt the collection of this material   Concern   infrastructure	20%	9%	80%	3%	3%	19%



37: Local authorities across the UK who do not currently collect plastic films in their collection services should adopt the collection of this material   Suggestion   implementation	14%	8%	32%	9%	10%	17%
37: Local authorities across the UK who do not currently collect plastic films in their collection services should adopt the collection of this material   Concern   effectiveness	13%	4%	46%	8%	4%	3%
37: Local authorities across the UK who do not currently collect plastic films in their collection services should adopt the collection of this material   Concern   economic impact	11%	4%	46%	4%	2%	4%
37: Local authorities across the UK who do not currently collect plastic films in their collection services should adopt the collection of this material   Concern   timescale (too long)	8%	7%	1%	8%	14%	7%

## Support

Some respondents express strong support for the integration of plastic film into local authority recycling streams in recognition of consumer desire to be able to recycle these items and to help unlock investment in future recycling and reprocessing infrastructure. Some respondents also express support for widening kerbside collections to include plastic films as much as possible, to promote innovation within the collections and recycling process and investment in end-markets.

A few respondents express support for the positive carbon benefit which can arise from avoiding sending technically recyclable plastic film to landfill and incineration.

## Concerns

Many respondents express concern that LAs may lack the required funding to make the changes in order to manage plastic film and flexible plastic waste before the proposed date. They further feel the infrastructure to recycle plastic film within existing waste streams and end-markets would be difficult to establish in the required timeframe. They also express concern that, if not properly managed, costs could rise due to the need to avoid contamination and ongoing increased gate fee costs for LAs and if sorting capability is not available in the UK. They feel the only option would be collecting them separately to other recycling streams, which could necessitate purchase and use of additional collection vehicles on separate collection rounds meaning reduced operational and environmental efficiency.

Some of these respondents feel that producers will bear this cost and this would eventually be passed onto consumers and taxpayers.

Many respondents feel that extending collections to plastic films will be an inefficient allocation of resources as they felt there was high potential for contamination of the different types of plastic films. They feel this could be costly to treat for LAs, negating the



benefit of increased levels of recycling. They also express concern that collecting all plastic film would make an uncertain and likely marginal contribution to overall recycling rates.

Some respondents express concern that there are aspects of the proposals that need more information and clarification before full responses could be considered. Areas where they feel more detail is needed include:

- how to inform households and consumers regarding the proper disposal of plastic films (for example, how to describe them);
- how the costs of recycling plastic film are to be recovered by LAs prior to introduction of EPR; and
- the potential future end market conditions for recycled plastic film.

Some respondents express concern that a long timescale for the implementation of plastic film collections may send a weak signal for overall Government commitment to the proposal, and therefore deter short-term investment decisions into the requisite infrastructure and capabilities.

A few respondents comment on the need to understand how the proposals to recycle film in the Consistency of Household Waste and Collections strand will interact with responsibilities under EPR.

#### Suggestions

Many LAs suggested EPR funding should cover any costs associated with contract changes (including change in law claims by MRFs) that would be needed at MRFs if they did develop the ability to accept, sort and send films and flexibles to recycling end markets. Similar comments were made regarding vehicle adaptations and MRF upgrades.

Setting modulated fees appropriately to help cover the extra costs of plastic film recycling was suggested by some respondents.

Many respondents suggested the value chain should collaborate in preparatory work needed to ensure collection and recycling of plastic films can happen by the proposed date or earlier. There were also suggestions that retailer front-of-store plastic film collection points should be scaled up to help prepare for kerbside collections and to meet the enthusiasm of customers to recycle this packaging.

Evidence was presented on behalf of a consortium of stakeholders that sought to demonstrate that the majority of LAs could be able to introduce kerbside collections of plastic films by 2026.

A few respondents suggest various measures that should be undertaken to ensure that food-grade plastic films can be substituted, where possible, for compostable films that they say should be composted through organic waste streams. Other suggestions include educating households on both 'recyclable' and 'problematic' conditions of plastic film and separate kerbside collections in order to minimise cross-contamination.

Some respondents suggest that design incentives, such as a ban on plastic carrier bags, coupled with a wider institutional focus on waste minimisation and misuse could help to lessen the adjustment costs associated with collecting plastic film and flexible plastics.



Some respondents suggest that the timescale for implementation of plastic film collections for LAs should be consistent with the timescale for business premises in order to avoid potential confusion. Respondents also suggest that a simplified timescale will help promote industry investment and innovation alongside motivating LAs to align sooner with the collection practices of LAs which already collect plastic film.

## 7.9. Question 38

### 7.9.1. Do you agree or disagree that collections of plastic films and flexibles from business premises across the UK could be achieved by end of financial year 2024/5?

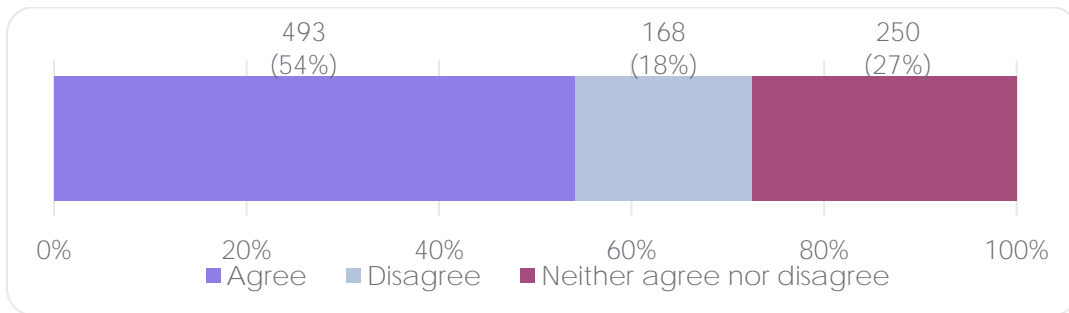


Figure 33: Question 38, (n=911)

### 7.9.2. If you disagree, please provide the reason for your response and/or what date you consider this could be achieved by. Please share any evidence to support your views.

This question was answered by 345 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
38: Collections of plastic films and flexibles from business premises across the UK could be achieved by end of financial year 2024/5   Concern   infrastructure	11%	3%	44%	2%	6%	6%
38: Collections of plastic films and flexibles from business premises across the UK could be achieved by end of financial year 2024/5   Concern   consistency	8%	4%	28%	1%	3%	1%
38: Collections of plastic films and flexibles from business premises across the UK could be achieved by end of financial year 2024/5   Support   general	6%	4%	6%	3%	11%	3%
38: Collections of plastic films and flexibles from business premises across the UK could be achieved by end of financial year 2024/5   Concern   timescale (too short)	6%	1%	26%	0%	0%	3%
38: Collections of plastic films and flexibles from business premises across the UK could be achieved by end of financial year 2024/5   Concern   lack of detail	3%	1%	11%	0%	2%	0%





## Support

Many respondents express positive comments towards these proposals because they may incentivise investment in recycling infrastructure. A large proportion of these respondents comment that they “strongly agree” with the proposals or they “strongly support” the proposals without offering further clarification. Some respondents believe that the flexibility of commercial contracts may make an earlier start date for businesses more feasible.

## Concerns

Many respondents express concern that LAs and material recovery facilities may continue to lack the collection, sorting and reprocessing infrastructure that the proposals require by the proposed date. Many respondents believe that end markets for recycled films may need further development and testing before these materials are collected. Some respondents comment on the particular challenge authorities in Scotland and Northern Ireland may have in terms of finding enough processing capacity.

Many respondents express concerns that the timescale of the proposals is too short to be feasible. Some respondents think that the proposed start date may challenge small businesses, which may have little space for separate storage of films, or that collections from businesses should start in 2026/7 in line with the proposed date for household collections. They feel this would help to avoid confusing consumers, and ensure end markets had sufficient time to prepare necessary infrastructure and processes to take advantage the new recycling streams.

Conversely some respondents express concerns that the proposals should be in place earlier than 2024/5. Some respondents think the start date should be 2021 or 2023.

Other respondents raised concerns that allowing LAs longer than businesses to implement the required changes would put pressure on MRFs to deal with changing feedstocks resulting from different collection systems compared to requiring collections from both at the same time.

A few respondents express concerns about the costs of separately collecting and recycling plastic films if the collection and sorting infrastructure cannot be improved by the proposed date. Some respondents believe it is important that these transitional costs are also covered by EPR funding, or that LAs are supported by some other way to ensure they don't have to pay the full transitional costs. Other respondents think that the proposals may allow private sector waste collectors to grow their market share and reduce income for LAs.

A few respondents express concerns that if the infrastructure cannot be in place by the proposed date films and flexibles would have to be burned or exported for recycling after collection.

In line with responses to other questions some respondents express concerns that the proposals lack detail on several issues. These include:

- how the funding needed for collections will be delivered through EPR;
- what the infrastructure requirements are for recycling films and flexibles;
- what the end markets are for recycled films and flexibles;
- what the impact of the Consistency in Household and Business Recycling



- consultation will be; and
- how the proposals will affect fee modulation.

### Suggestions

Some respondents suggest introducing more front-of-store takeback schemes before the proposed start date, which may provide insight into contamination levels and consumer engagement as well as help stimulate infrastructure improvements and end markets. One major supermarket respondent responded that it had recently rolled out such front of store points to 171 of its stores.

A few respondents suggest that EPR should prioritise encouraging reusable and more easily recyclable packaging over recycling films and flexibles.

Other respondents suggested LAs and waste management companies should proactively work together to ensure that all councils' geographic areas can achieve household and business recycling collections simultaneously by 2024/25.

Suggestions were made that Government should financially support LAs to introduce film collections before the proposed date to amend contracts and a transition period should be allowed for changes to be put in place at the collection level and to synchronise them with sorting, recycling, and offtake market changes.

## 7.10. Question 39

**7.10.1. Do you agree or disagree that there should be an exemption from the 'do not recycle' label for biodegradable/compostable packaging that is filled and consumed (and collected and taken to composting /anaerobic digestion facilities that accept it), in closed loop situations where reuse or recycling options are unavailable?**

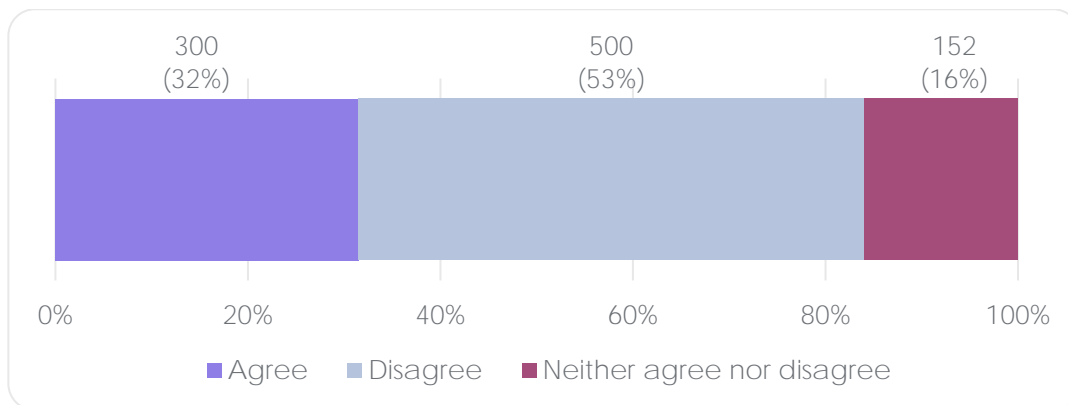


Figure 34: Question 39, (n=952)

**7.10.2. Please provide the reason for your response.**

This question was answered by 345 respondents.



	All	Group 1	Group 2	Group 3	Group 4	Group 5
39: An exemption from the 'do not recycle' label for biodegradable/compostable packaging that is filled and consumed   Concern   simplicity/clarity	25%	18%	43%	19%	22%	14%
39: An exemption from the 'do not recycle' label for biodegradable/compostable packaging that is filled and consumed   Suggestion   implementation	20%	28%	33%	10%	16%	23%
39: An exemption from the 'do not recycle' label for biodegradable/compostable packaging that is filled and consumed   Suggestion   alternative approach	11%	4%	35%	4%	8%	3%
39: An exemption from the 'do not recycle' label for biodegradable/compostable packaging that is filled and consumed   Support   general	10%	25%	6%	9%	5%	12%
39: An exemption from the 'do not recycle' label for biodegradable/compostable packaging that is filled and consumed   Concern   effectiveness	10%	8%	22%	7%	6%	9%

## Support

Many respondents express positive comments towards the policy as they feel it avoids giving consumers the wrong message about the benefits of biodegradable or compostable materials in closed loop situations. Some of these respondents also support the exemption as they feel that composting is a form of recycling.

Some respondents express positive comments towards the policy as they believe that producers should be incentivised to move to compostable or biodegradable packaging.

## Concerns

Many respondents express concerns about a potential lack of clarity for consumers and potential for contamination of recyclable plastic waste streams. Some of these respondents express concerns that an exemption, and thus a lack of labelling, may lead to consumers disposing of biodegradable or compostable waste packaging with their household waste conventional plastic packaging. Some other respondents express concerns that exemptions may generate confusion and that consistent labelling, in their opinion, is the most effective tool to encourage behavioural change.

Many respondents express various concerns about the effectiveness of this proposal.

Reasons for these concerns include:

- the potential to confuse consumers;
- the exemption being too minor to warrant exception;
- packaging escaping the closed environment and contaminating recycling streams



or the wider environment; and

- concern that some supposedly biodegradable or compostable packaging may not be fully biodegradable or compostable.

Some respondents express concerns about there being sufficient infrastructure to properly process these materials.

Some respondents express concerns over the environmental impact of this exemption. Some of these respondents feel there is the possibility these plastics could decompose into microplastics which may pose an environmental risk.

Some respondents express concerns about a lack of detail in the proposals. They feel several points could need further clarification, these include:

- the relevant definition of the term 'biodegradable';
- which circumstances and 'closed-loop situations' this will apply to; and
- how to ensure effectiveness
- what the relevant timescale will be.

A few respondents express concern that this may represent a loophole for producers to potentially avoid paying the plastic tax. Some respondents also express concern that this may lead to compliance issues with the Competition and Markets Authority's Misleading Environmental Claims guidance.

## Suggestions

Many respondents suggest various approaches to implementing the proposals. These include:

- applying the exemption only to BS EN 13432 certified compostable materials;
- using a 'Compost' label alongside the 'Do not recycle' label; and
- making the exemption very narrow and clearly defined by the Scheme Administrator
- Using only a do not recycle label

Some respondents suggest including labels that may provide direction for how to dispose of such materials. They suggest that these labels be researched and tested before implementation.

Finally, a few respondents suggest creating an alternative waste stream for compostable materials.

## 7.11. Question 40

### **7.11.1. Do you consider that any unintended consequences may arise as a result of the proposed approach to modulated fees for compostable and biodegradable plastic packaging?**

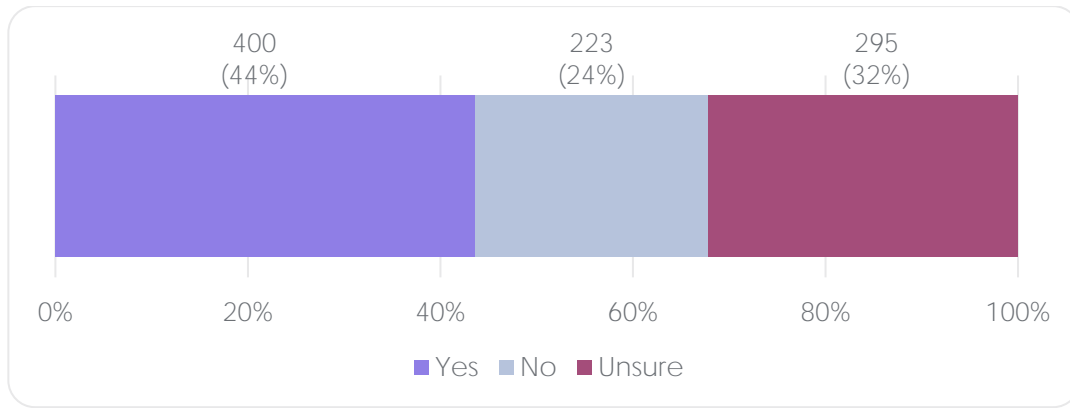


Figure 35: Question 40, (n=918)

**7.11.2. If you answered 'yes', please detail what you think these unintended consequences could be and provide any suggestions for how they may be avoided.**

This question was answered by 455 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
40: Unintended consequences as a result of the proposed approach to modulated fees for compostable and biodegradable plastic packaging   Suggestion   implementation	13%	20%	16%	10%	9%	13%
40: Unintended consequences as a result of the proposed approach to modulated fees for compostable and biodegradable plastic packaging   Concern   effectiveness	12%	15%	21%	7%	7%	13%
40: Unintended consequences as a result of the proposed approach to modulated fees for compostable and biodegradable plastic packaging   Concern   simplicity/clarity	8%	6%	11%	8%	5%	6%
40: Unintended consequences as a result of the proposed approach to modulated fees for compostable and biodegradable plastic packaging   Concern   economic impact	7%	12%	13%	7%	4%	3%
40: Unintended consequences as a result of the proposed approach to modulated fees for compostable and biodegradable plastic packaging   Concern   environmental impact	4%	2%	12%	2%	3%	3%



## Support

A few respondents express general support for the proposed approach to modulated fees for compostable and biodegradable plastic packaging. Reasons for their support include:

- that higher fees could increase investments in packaging that is more suited to being compostable or biodegradable;
- that higher fees could lead to development of packaging that does either **completely break down or compost in 'real world conditions'**; and
- encouraging packaging producers to switch to alternative recyclable or reusable forms in the future rather than packaging that is typically used a single time before being broken down.

## Concerns

Many respondents express their concern about the rigidity of the rules and the ability to change them where innovation could take place to change the packaging landscape. Some of these respondents feel rigid rules could discourage the expansion of the compostables and biodegradables markets.

Many respondents express concerns about the higher fees for compostable and biodegradable plastic packaging. They feel this could lead to a reduction in investments and innovations in these types of packaging if they were priced out of the market. Some respondents note other potential economic impacts, like the difficulty to export to other countries if the label "do not recycle" is added and the exploitation of loopholes for commercial gain.

Some respondents express concern about how complex the rules could be and feel the legislation should provide clear, evidence-based guidance alongside the reform of EPR regarding different materials.

Some respondents express concern about non-compliance, from producers presenting false declarations to avoid paying extra fees, and the difficulty in vetting the packaging compliance of international suppliers.

Some respondents request more tests and research about the benefits and risks of compostable or biodegradable packaging and its role in a circular economy. Some of these respondents feel that the question is biased because it singles out compostable materials as potentially damaging, whilst ignoring the potential for damage caused by other, long existing materials.

## Suggestions

Many respondents make various suggestions about compostable or biodegradable packaging and avoiding unintended consequences. These include:

- that Government should invest in research into the potential effects of these packaging formats, then adjust modulation accordingly;
- undertaking targeted investments to improve collection and processing of these types of packaging;
- adding a mandatory label to state do not recycle with food waste, to keep food waste collections clean until a system to compost them with food waste is developed;



- recovering all fibre-based packaging for reprocessing through a paper mill;
- setting a 6-month limit for packaging decomposition; and
- having a communication campaign to educate people about composting and biodegradability.



## 8. Payments for managing packaging waste: necessary costs

### 8.1. Question 41

#### 8.1.1. Do you agree or disagree with the proposed definition and scope of necessary costs?

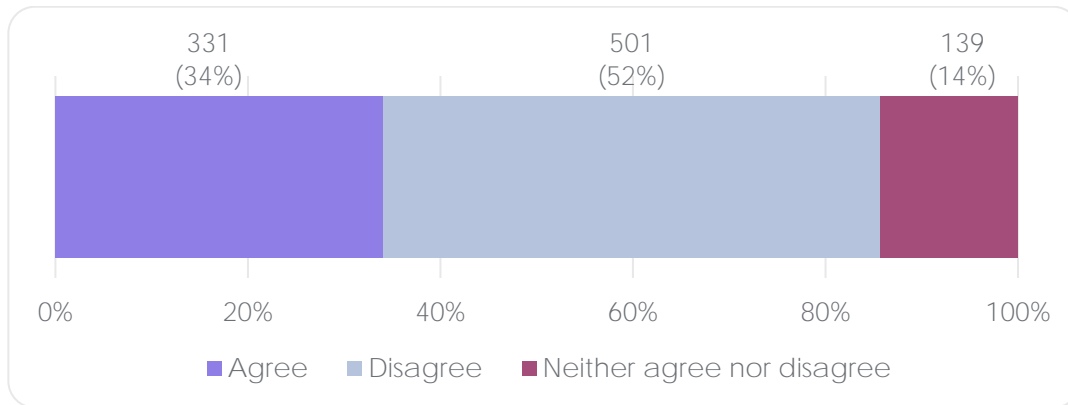


Figure 36: Question 41, (n=971)

#### 8.1.2. If you disagree, please detail why and provide any costs you think should be included under the definition of necessary costs.

This question was answered by 455 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
41: Definition and scope of necessary costs   Concern   economic impact	18%	19%	24%	10%	27%	10%
41: Definition and scope of necessary costs   Concern   responsibility/fairness	17%	27%	1%	23%	17%	6%
41: Definition and scope of necessary costs   Suggestion   implementation	16%	8%	37%	7%	12%	16%
41: Definition and scope of necessary costs   Concern   lack of detail	15%	5%	37%	10%	16%	10%
41: Definition and scope of necessary costs   Suggestion   alternative approach	10%	9%	1%	18%	7%	4%

### Support

Some respondents support the proposed definition of necessary costs as they feel that they are fair in principle, fulfilling the intention of EPR and the polluter pays principle. They also feel it is comprehensive and identifies an appropriate scope, within which the final details await clarification.





## Concerns

Many respondents express concern that there may be unfairness about littering costs being borne by producers. They feel it is an offence they are not responsible for so should not be punished for offences committed by other people. Some of these respondents feel the costs would just be passed on to the end consumer.

Many respondents express concern that there will be a negative economic impact as a result of the proposed definition. They feel that the inclusion of open-ended exercises like efficiency improvements is subjective and at risk of scope creep. They also feel that automatic cost recovery removes any incentive for LAs to control their budgets.

Some respondents express concern about how councils will manage their budgets and infrastructure. They feel there needs to be rigorous transparency enforced by the Scheme Administrator, and vetting of any expenditures to ensure they are legitimate.

Some respondents express concern that the definition is ineffective at specifying costs relevant to packaging producers. They state that open-ended costs like public communications and efficiency reviews are difficult to isolate, with regards to packaging waste, from broader local authority operations. Respondents identify concern with the formula approach, which could penalise councils with long term contracts who have to take on new costs to align with new formulas.

A few respondents feel there is a need for flexibility within the EPR system to account for sudden cost increases such as escalations in shipping container fees.

A few respondents express concern that LAs will need financial support to invest in new infrastructure. These respondents feel that there needs to be major UK-wide investment in collecting, sorting and reprocessing capability, especially for plastics.

Some respondents express concerns that the definition proposed lacked sufficient detail and suggest that clear and transparent assessment guidelines for necessary costs are required.

Other areas where respondents feel more detail is needed include:

- how old costs and new costs from EPR are differentiated;
- estimated costs, the scope of these costs and anticipated impacts on businesses;
- how regional disparities will be handled; and
- what funding will be provided to support transition costs.

## Suggestions

Many respondents suggest that the current waste management system should be maintained.

Other alternative suggestions some respondents make include:

- transferring cost to those who fill packaging products, since this incentivises the use of packaging with pre-existing recycling streams thus saving money;
- variable charging of households to extend the polluter pays principle to the end users; and
- phasing in the costs of compliance over time to avoid impacting upon investments in transitioning to more recyclable packaging.



Some respondents suggest that the Scheme Administrator needs to keep financial support for necessary infrastructure upgrades resulting from EPR under review. Other suggestions for how to manage the related costs include:

- that LAs be part of governance arrangements to ensure cost neutrality in the early stages;
- that there should be regional variations to account for local demographics;
- that the enforcement of recycling compliance should be part of the necessary costs; and
- that there should be a statutory remit for the Scheme Administrator, requiring them to enforce cost efficiency and give them the powers to influence organisations to improve efficiencies.



## 9. Payments for managing packaging waste from households

### 9.1. Question 42

#### 9.1.1. Do you agree or disagree that payments should be based on good practice, efficient and effective system costs and relevant peer benchmarks?

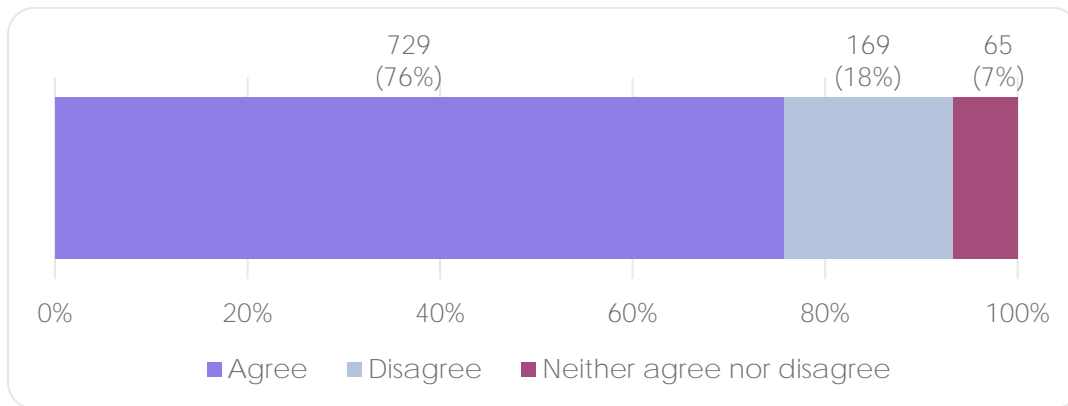


Figure 37: Question 42, (n=963)

#### 9.1.2. If you disagree, please detail any issues you think there are with this approach and how you think payments should instead be calculated.

This question was answered by 376 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
42: Payments based on good practice, efficient and effective system costs and relevant peer benchmarks   Suggestion   implementation	17%	4%	57%	5%	11%	12%
42: Payments based on good practice, efficient and effective system costs and relevant peer benchmarks   Concern   lack of detail	17%	3%	73%	4%	2%	6%
42: Payments based on good practice, efficient and effective system costs and relevant peer benchmarks   Concern   effectiveness	12%	2%	50%	1%	5%	4%
42: Payments based on good practice, efficient and effective system costs and relevant peer benchmarks   Support   general	8%	3%	15%	5%	7%	7%
42: Payments based on good practice, efficient and effective system costs and relevant peer benchmarks   Concern   economic impact	7%	0%	32%	1%	0%	4%



## Support

Many respondents express positive comments towards these proposals that payments should be based on good practice, system costs and peer benchmarks, or say that they agree with this in principle. Some of these respondents add that the model should be pragmatic, consistent and transparent, with regular reviews to enable continual improvement and to support a circular economy.

## Concerns

Many respondents express concern over a perceived lack of clarity or detail with respect to some aspects of the proposal, including:

- what constitutes efficient, effective system costs;
- what the proposed system costs will be, how these will be determined and what level of flexibility they will have;
- what any appeals and dispute mechanisms, will be, and any review and monitoring mechanisms;
- what support there will be in the transition period;
- how the family groups will be determined and on what criteria;
- overall timescales and expected impacts;
- how good practice will be achieved and measured; and
- what consistent collection will look like, including the core materials LAs will be expected to collect.

Many respondents feel there is significant variability in local authority contexts, and express concern that the proposed approach and number of local authority rurality groups will not account for these differing circumstances.

Some respondents add that the amount of improvement needed, or the nature of existing contracts in some cases, makes the proposed payment model unfair or unrealistic. They stress the need for resources to be available and targeted towards supporting LAs to reach the target.

Other specific economic concerns respondents cite include:

- unfair cost impacts or increasing disparity for very rural or very urban areas;
- lack of potential for further economic efficiencies due to ongoing and recent cutbacks;
- risk of monopolisation and detrimental impacts on SMEs and independent operators;
- possible impacts or interaction with existing local authority funding; and
- potential for costs to be shifted to stakeholders and consumers.

Some respondents discuss roles and responsibilities, raising specific concerns about the role of the system administrator and the risk of this body having an excessive amount of control with limited external input or influence. A few respondents comment that councils should have the power to make their own decisions about services, based on the local context.

Some respondents express concern about the potential for the proposed model to incentivise poor performance or misuse, for example through the chasing of volumes rather than working to avoid waste, or due to a lack of transparency in contracts and



accounting.

### Suggestions

Many respondents make suggestions in relation to the proposed payment model. Some of these relate to specific aspects of implementation, including:

- the need for any system to recognise local variation and contexts;
- involving LAs in governance or oversight of the Scheme Administrator, or at least in ongoing dialogue;
- the definition of best practice;
- appeals and monitoring of the system; and
- the importance of clear guidance and consistent application.

Some respondents suggest an alternative approach to payments, including a model sensitive to local variation based on actual costs (or a move to such a model over the next few years), proportionate payments based on waste quantity and quality, payments based only on recycling rather than collection, and benchmarking against historic local performance rather than peers.

A few respondents comment on the need to take account of carbon costs and deliver carbon benefits through the proposed payment model.

## 9.2. Question 43

### 9.2.1. Do you agree or disagree that the per tonne payment to local authorities for packaging materials collected and sorted for recycling should be net of an average price per tonne for each material collected?

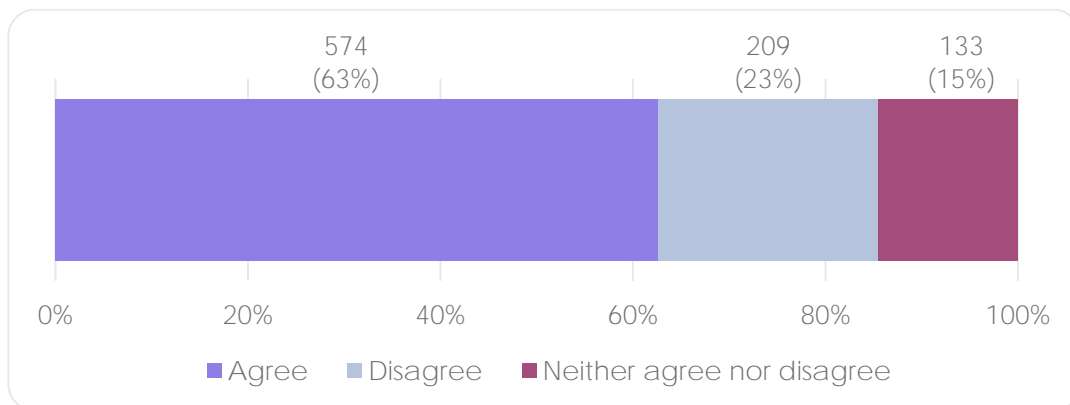


Figure 198: Question 43, (n=916)

### 9.2.2. If you disagree, please detail how material value should be netted-off a local authority's payment.

This question was answered by 347 respondents. Their comments are summarised below.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
43: Per tonne payment to local authorities for packaging materials collected and sorted for recycling   Suggestion   implementation	13%	4%	44%	3%	5%	17%



43: Per tonne payment to local authorities for packaging materials collected and sorted for recycling   Concern   lack of detail	9%	1%	35%	1%	3%	12%
43: Per tonne payment to local authorities for packaging materials collected and sorted for recycling   Suggestion   alternative approach	8%	1%	34%	1%	1%	9%
43: Per tonne payment to local authorities for packaging materials collected and sorted for recycling   Concern   effectiveness	8%	3%	26%	2%	3%	17%
43: Per tonne payment to local authorities for packaging materials collected and sorted for recycling   Concern   implementation	6%	1%	24%	0%	1%	9%

## Support

A few respondents express general support for the proposals, as they feel they will offer certainty to LAs that producers will cover the full costs incurred.

Some respondents express positive comments towards these proposals as they believe they will incentivise LAs by putting in place policies that will maximise the quality of and price paid for materials they collect.

## Concerns

Many respondents express concern that this system may remove incentives for LAs to become more efficient at handling waste by effectively installing a minimum payment. They also feel that the payments should reflect the quality of the sorting that the local authority has undertaken, whereas in the current proposals inefficiencies could be rewarded by focusing solely on heavier materials.

Some respondents express concerns about a lack of detail in the proposals. These concerns include:

- how the average price per tonne will be calculated;
- over what period this will be calculated; and
- whether the price would be based on actual market data.

Some respondents express concerns about how the payments will be calculated, they feel the payments to LAs should be for the full gross value of the waste materials collected to reflect the costs LAs incur, and that LAs shouldn't take responsibility for material sales. They also express concern that in smaller or more rural locations, there may be higher associated costs and as such a standardised payment may not benefit the local authority.

A few respondents express concern that using a net payment system rather than a gross payment system may lead to some LAs who use third parties, such as waste management companies, losing out. They express concern that where material prices are based on ex works arrangement, so have been adjusted to cover other costs such as haulage, this could make identifying the true net figure more difficult. They also express concern that



LAs should be adequately funded to meet their recycling performance targets and that regional calculations could cause inequalities between LAs due to unavoidable structural differences such as rurality and deprivation.

### Suggestions

Many respondents make various suggestions about how the scheme should be managed and implemented, these include:

- updating rates monthly rather than quarterly;
- making rates for glass based on quality;
- flexing payments based on different collection systems;
- adjusting payments to account for differences between locations; and
- ensuring responsibility for the material value rests with the producer rather than a local authority.

## 9.3. Question 44

### 9.3.1. Do you agree or disagree that the Scheme Administrator should have the ability to apply incentive adjustments to local authority payments to drive performance and quality in the system?

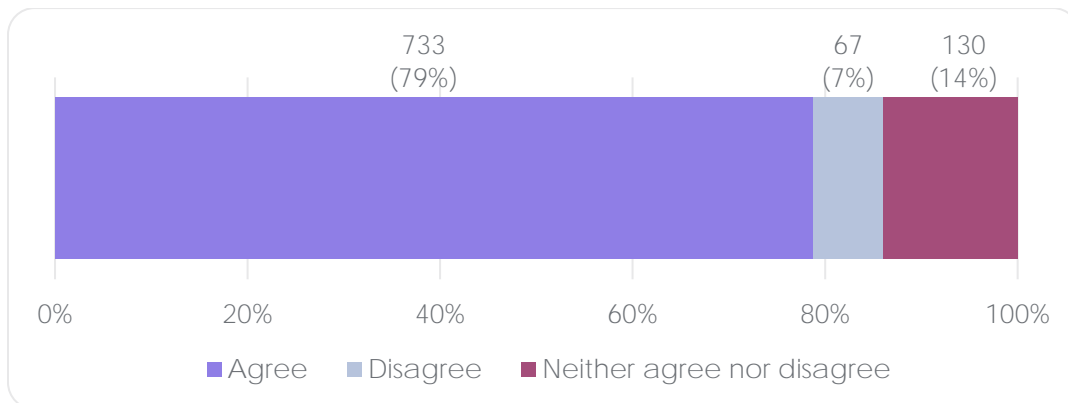


Figure 40: Question 44, (n=930)

### 9.3.2. If you disagree, please detail why you think the ability to apply an incentive adjustment should not apply.

This question was answered by 347 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
44: Scheme Administrator should have the ability to apply incentive adjustments to local authority payments   Suggestion   implementation	12%	2%	44%	1%	5%	10%
44: Scheme Administrator should have the ability to apply incentive adjustments to local authority payments   Support   general	6%	14%	7%	3%	2%	10%



44: Scheme Administrator should have the ability to apply incentive adjustments to local authority payments   Support   support with caveats	5%	1%	24%	0%	0%	0%
44: Scheme Administrator should have the ability to apply incentive adjustments to local authority payments   Concern   effectiveness	3%	2%	11%	0%	0%	13%
44: Scheme Administrator should have the ability to apply incentive adjustments to local authority payments   Concern   lack of detail	3%	0%	16%	0%	0%	1%

## Support

Many respondents express positive comments towards the proposal for the Scheme Administrator to have the ability to apply incentive adjustments to local authority payments as being fair to all LAs.

Some respondents express positive comments towards these proposals as they feel incentive adjustments would help to drive efficiency and value for money.

Some respondents express support but offer qualification to their support. These include:

- ensuring this is designed and implemented in a way that encourage improvements across all LAs;
- that suitable benchmarking levels are set; and
- that the implementation timeline is generous enough.

## Concerns

Some respondents express general concerns about the proposals. These include respondents who express confusion about the difference between this question, and question 51 on incentive adjustments. Some of these respondents also feel that there should be no unallocated payments if the system is running effectively so question where the money for these incentive payments will be coming from.

Some respondents express concerns about how LAs whose performance does not meet the targets would improve if they have less income. They feel that some councils will be starting from a stronger base than others and therefore receive additional funding when they need it less.

A few respondents express concerns about the level of detail in the proposals. Aspects where they feel more detail needs to be added include:

- how the incentive will be designed and implemented in practice; and
- to what extent LAs would be able to support or influence the Scheme Administrator with feedback and discussion between the parties.

Other concerns raised by a few respondents include:

- that the proposals would not meet LAs' full net costs of managing the waste;
- the incentives could create adverse consequences where LAs reduce the use of more cost effective routes to maintain their higher payments;





- that the cost for financing incentive payments will fall on producers; and
- that any incentive payments may be open to abuse or misreporting if the Scheme Administrator is effectively acting on behalf of producers.

### Suggestions

Many respondents suggest that individual circumstances for different LAs need to be allowed for, given differences in local conditions. They give as an example an authority that has a large number of residential flats that may make collection and management of waste more challenging.

Respondents also suggest an appeals and review system may need to be put in place to deal with any challenges from LAs regarding the incentives they have received.

Some respondents suggest there is no need for incentive payments as they believe that the end market should drive improvements in recycling rather than centralised incentives. They also suggest that the payment to LAs should be based on the quality and content of the target material collected.

## 9.4. Question 45

### 9.4.1. Do you agree or disagree that local authorities should be given reasonable time and support to move to efficient and effective systems and improve their performance before incentive adjustments to payments are applied?

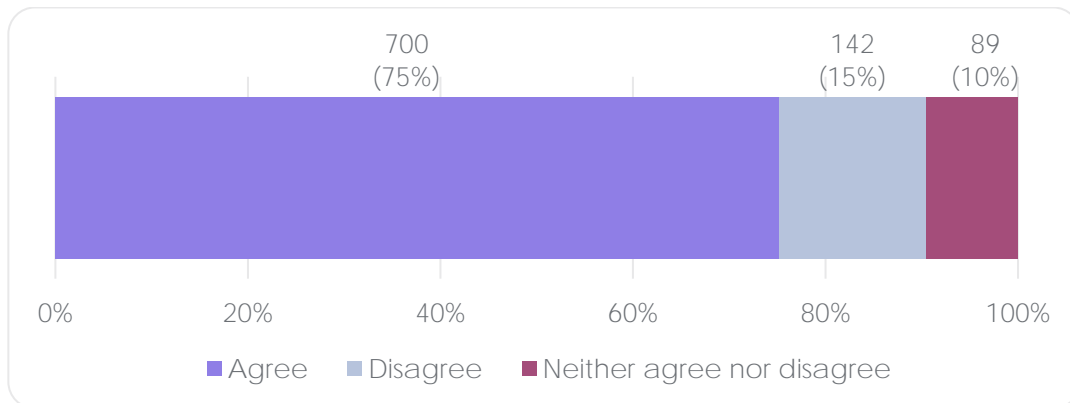


Figure 41: Question 45, (n=931)

### 9.4.2. If you disagree, please provide the reason for your response.

This question was answered by 370 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
45: Local authorities given time and support to move to efficient and effective systems and improve their performance before incentive adjustments are applied   Support   support with caveats	9%	4%	30%	5%	4%	4%
45: Local authorities given time and support to move to efficient and effective systems and improve their performance before incentive adjustments are	7%	1%	30%	1%	3%	6%



applied   Suggestion   implementation						
45: Local authorities given time and support to move to efficient and effective systems and improve their performance before incentive adjustments are applied   Concern   timescale (too long)	6%	19%	1%	2%	3%	13%
45: Local authorities given time and support to move to efficient and effective systems and improve their performance before incentive adjustments are applied   Concern   lack of detail	4%	1%	9%	1%	5%	1%
45: Local authorities given time and support to move to efficient and effective systems and improve their performance before incentive adjustments are applied   Support   general	3%	1%	12%	0%	1%	3%

### Support

A few respondents express positive comments towards the proposals, for giving LAs reasonable time and support. They feel it may lead to greater cooperation between producers and LAs.

Some respondents express qualified support for the proposals but also express some concerns about doing so. These include:

- potential capacity issues within the waste and associated sectors, for example with collection vehicle and container supply;
- the significant changes that may be required by some LAs; and
- that significant time will have to be allowed for transitions for both LAs and private producers.

### Concerns

Many respondents express concerns about the timescale being too long. They feel that LAs will have long enough to prepare for the requirements of the system so extra time should not be needed. A few respondents feel the consultation documents should provide greater clarity about what is meant by 'reasonable time and support'.

Some respondents express concerns about producers potentially being asked to pay for the early termination of LAs' contracts without an assurance of longer-term cost improvements. Some other respondents express concern about charging producers without encouraging performance efficiencies from LAs at the same time.

A few respondents express concern that this would not incentivise LAs to improve and could result in producers subsidising ineffective systems.

### Suggestions

Some respondents suggest ways of implementing or enabling the shift to efficient and effective systems, such as:



- including allowances for different LAs which need differing levels of support;
- enhancing collaboration between producers and LAs;
- further work to understand the factors and constraints that will influence the time and support that different LAs may need.

A few respondents suggest that extensions should be allowed for all parties under EPR if the timetable is too tight.

## 9.5. Question 46

### 9.5.1. Should individual local authorities be guaranteed a minimum proportion of their waste management cost regardless of performance?

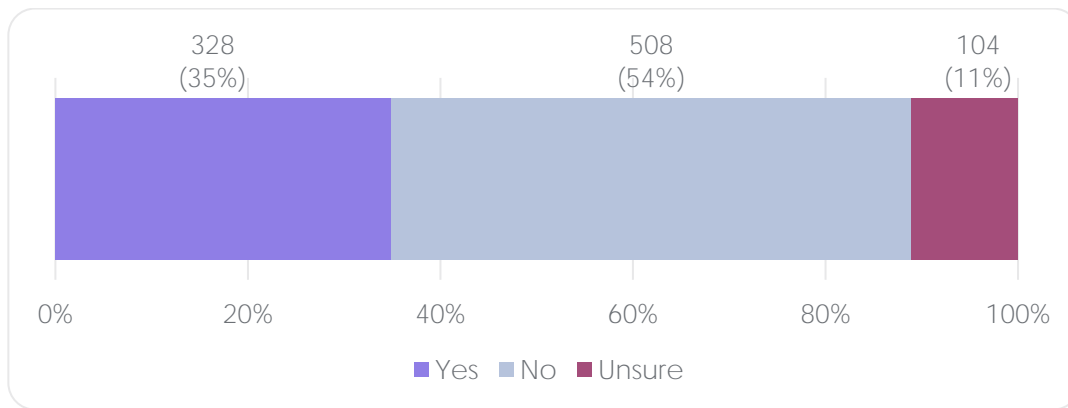


Figure 42: Question 46, (n=940)

### 9.5.2. Please provide the reason for your response.

This question was answered by 731 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
46: Individual local authorities guaranteed a minimum proportion of their waste management cost regardless of performance   Concern   performance	27%	22%	1%	36%	41%	36%
46: Individual local authorities guaranteed a minimum proportion of their waste management cost regardless of performance   Support   support with caveats	12%	6%	35%	7%	5%	14%
46: Individual local authorities guaranteed a minimum proportion of their waste management cost regardless of performance   Support   fairness	12%	5%	49%	1%	3%	3%
46: Individual local authorities guaranteed a minimum proportion of their waste management cost regardless of performance   Suggestion   implementation	9%	4%	10%	12%	7%	17%



46: Individual local authorities guaranteed a minimum proportion of their waste management cost regardless of performance   Support   economic impact	8%	4%	39%	0%	1%	0%
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## Support

Some respondents express support for a minimum proportion contribution as they believe that LAs may need a minimum subsistence payment to contribute to processing costs. Some of these respondents also feel this will be fairer as they feel there will be a range of factors outside of the authorities' control which may affect their performance.

Some respondents express positive comments towards these proposals as they believe the implementation of EPR is impossible if the full net costs of collection are withheld from the local authority.

Some respondents express positive comments towards these proposals as it will provide certainty for local authority budgets.

Many respondents express support based on certain conditions. These include the provision of a development plan to improve performance and setting targets to ensure that a minimum payment doesn't subsidise poor performance in the long term. Some of these respondents also suggest that the minimum payment should be at a low level.

## Concerns

Many respondents express concern that a minimum payment may reward potential underperformance by LAs and that the payment should purely be performance based instead. Some respondents feel that the incentive payments will have less value if a minimum payment is available regardless of performance, as it reduces the incentive to increase performance.

Some respondents express concern that paying LAs a minimum proportion could create an unlevel playing field between the public and private sectors. A few of these respondents express concern that all actors in the system should be treated fairly, that if producers are measured on performance and penalised then the same should be applied to LAs.

A few respondents express concern that some LAs who perform well may receive overpayments which could be to the detriment of lower performing LAs if there is a fixed payment.

A few respondents question if there is a proposed definition of the level of minimum payments, whilst a few others comment on a perceived lack of guidance on what benchmarks or targets will be used to measure the performance of LAs.

## Suggestions

Many respondents suggest that a performance floor should be used to ensure there is an incentive for LAs to perform to a certain minimum level. They also suggest that guaranteed levels would assist with budget planning and setting for LAs. Many other respondents

suggest that the minimum proportion could be adjusted to reflect regional socio-economic factors and challenges that face different LAs.

Some respondents suggest that LAs should have key performance indicators which they would have to meet to receive appropriate payments. A few respondents suggest there should be a fixed payment to all LAs based on modelled costs with a variable payment in addition that reflects actual performance.

## 9.6. Question 47

### 9.6.1. Do you agree or disagree that there should be incentive adjustments or rewards to encourage local authorities to exceed their modelled recycling benchmarks?

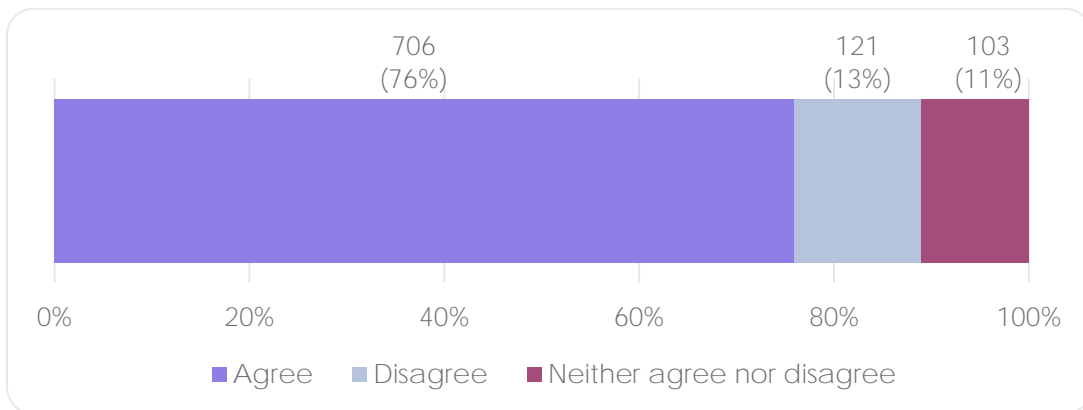


Figure 43: Question 47, (n=930)

### 9.6.2. If you disagree, please detail why you think incentive adjustments should not be applied to encourage local authorities to exceed their recycling performance benchmarks.

This question was answered by 338 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
47: Incentive adjustments or rewards to encourage local authorities to exceed their modelled recycling benchmarks   Support   general	11%	5%	34%	2%	5%	14%
47: Incentive adjustments or rewards to encourage local authorities to exceed their modelled recycling benchmarks   Concern   effectiveness	5%	3%	11%	8%	2%	3%
47: Incentive adjustments or rewards to encourage local authorities to exceed their modelled recycling benchmarks   Concern   fairness	5%	2%	21%	0%	2%	1%
47: Incentive adjustments or rewards to encourage local authorities to exceed their modelled recycling benchmarks   Suggestion   implementation	5%	1%	17%	1%	1%	6%



47: Incentive adjustments or rewards to encourage local authorities to exceed their modelled recycling benchmarks   Suggestion   alternative approach	5%	1%	14%	0%	5%	6%
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## Support

Many respondents express general support for the incentive adjustments to encourage LAs to exceed their recycling targets. They feel that a local authority should receive the full net costs if they achieve at a level better than the model suggests. They feel that this will be an effective and fair way of encouraging greater levels of recycling.

## Concerns

Many respondents express concern that the proposals will be unfair if LAs who exceed their recycling performance targets have their payments adjusted. They suggest these LAs will already be receiving a higher income due to managing a lot of material, whilst LAs that need additional income to improve their performance will not receive any additional income. Some respondents feel that if producers are meant to be taking responsibility for packaging, the local authority may not have control over meeting their aims, meaning the incentive payments would not be reflective of how LAs are actually performing.

Some respondents express concern that if targets are frequently surpassed then they are not ambitious enough. They also feel that LAs are already aiming to improve each year without new incentives.

Some respondents express concern that the money should not come from funds which are withheld from another part of the system. They express concern that funding would be reduced for LAs that need support.

A few respondents express concern that the modelling used to set targets may be inaccurate or that targets may be set too low. They also feel that the incentives may lead to health and safety issues with councils not following correct protocols in order to exceed targets.

Other concerns about these proposals raised by a few respondents include:

- that the range of discretion in the proposals may be too wide;
- that LAs may collect large amounts of low-quality waste to increase their tonnage; and
- that responsibility for recycling packaging will be transferred from producers to the local authority.

## Suggestions

Many respondents suggest that the reward should come from increased market value for the higher quality material rather than any additional payments. They also suggest that incentive payments should be directed to lower performing LAs rather than those at the higher ends of the performance table, to help close the performance gap. Some of these respondents also suggest there should be priority given to emphasising a prevention and reuse as well as recycling.



A few respondents also suggest that all LAs should have full net costs covered and any additional incentive payments should not affect this.

### 9.7. Question 48

#### 9.7.1. Do you agree or disagree that unallocated payments should be used to help local authorities meet their recycling performance targets, and contribute to EPR outcomes through wider investment and innovation, where it provides value for money?

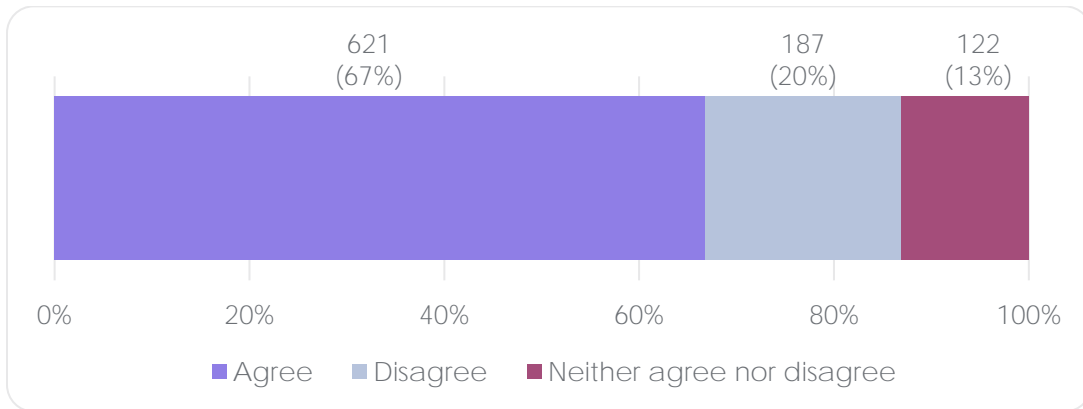


Figure 44: Question 48, (n=930)

#### 9.7.2. If you disagree, please detail how you think any unallocated payments to local authorities should be used.

This question was answered by 403 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
48: Unallocated payments to help local authorities meet recycling performance targets and contribute to EPR outcomes   Suggestion   payments to fund innovation/improvement	12%	6%	30%	3%	8%	25%
48: Unallocated payments to help local authorities meet recycling performance targets and contribute to EPR outcomes   Support   general	10%	17%	22%	2%	4%	13%
48: Unallocated payments to help local authorities meet recycling performance targets and contribute to EPR outcomes   Suggestion   implementation	9%	1%	26%	0%	9%	9%
48: Unallocated payments to help local authorities meet recycling performance targets and contribute to EPR outcomes   Concern   effectiveness/system	8%	4%	25%	2%	4%	7%
48: Unallocated payments to help local authorities meet recycling performance targets and contribute to EPR outcomes   Concern   economic impact	6%	3%	16%	2%	8%	6%



## Support

Some respondents express general support for using unallocated funds to support LAs in meeting their recycling performance targets. They feel this will help them to make requisite improvements to their recycling and waste management infrastructure.

Some respondents express general support but with certain qualifications, these include:

- further clarity on what targets will be set;
- that payments are assessed on a case-by-case basis; and
- money is targeted at specific interventions that are likely to provide a good return on the investment.

## Concerns

Many respondents express concern that the system may not be reliable. They feel that basing payments on assumptions is not suitable since assumptions can often be incorrect and not reflect reality. They feel this could lead to a situation where a poorly performing local authority might receive high payments despite their performance. Some of these respondents also question where unallocated payments would come from.

Some respondents express concern about the economic impact this could have, if costs are simply pushed on to producers.

A few respondents express concern that ensuring compliance may be complex. They believe unallocated payments should not be used for investment by LAs if they are not visible and cannot be tracked, as this can lead to unethical behaviour.

Some respondents express concern about the lack of detail in the proposals. Some respondents also feel the proposed targets are unrealistic.

## Suggestions

Many respondents suggest any payments over full net cost payments or unallocated payments should go towards innovation in the sector rather than necessarily going to LAs.

Many respondents suggest there should be a clear understanding of what the benchmarks are. They feel this will help enable the LAs to understand their 'realistic' goals. A few respondents also feel there is a need to be transparent on how these payments are made.

Some respondents suggest unallocated payments be returned to producers in the form of a rebate rather than going to LAs.

## 9.8. Question 49

### 9.8.1. Do you agree or disagree that residual payments should be calculated using modelled costs of efficient and effective systems based on the average composition of packaging waste within the residual stream?



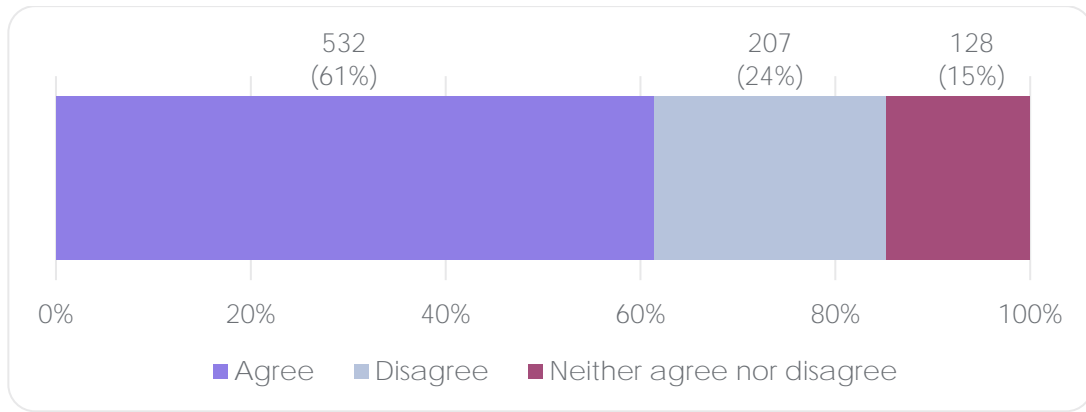


Figure 45: Question 49, (n=867)

### 9.8.2. If you disagree, please detail how you think residual waste payments should instead be calculated.

This question was answered by 316 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
49: Residual payments calculated using modelled costs of efficient and effective systems based on average composition of packaging waste   Suggestion   alternative approach	9%	3%	39%	0%	4%	6%
49: Payments for managing packaging waste from households   53: Residual payments calculated using modelled costs of efficient and effective systems based on average composition of packaging waste   Suggestion   implementation	8%	4%	30%	2%	3%	4%
49: Residual payments calculated using modelled costs of efficient and effective systems based on average composition of packaging waste   Concern   effectiveness	6%	1%	19%	1%	6%	6%
49: Residual payments calculated using modelled costs of efficient and effective systems based on average composition of packaging waste   Concern   economic impact	6%	2%	26%	1%	2%	1%
49: Residual payments calculated using modelled costs of efficient and effective systems based on average composition of packaging waste   Concern   implementation	5%	2%	20%	1%	1%	3%

### Support

Some respondents express general support for a modelled costs approach due to the reasons given in the consultation, without providing any further details.



Some respondents express support for a modelled costs approach as they feel it is the easiest way of calculating costs and may be more efficient for councils, whilst a few respondents express support for a modelled costs approach as they feel it will produce accurate residual costs and may incentivise LAs to increase recycling and reduce waste.

### Concerns

Many respondents express concerns about the effectiveness of the modelled approach as they feel it will hinder LAs in overpopulated areas where the population may be more likely to litter rather than dispose of waste correctly. Some of these respondents also express concern that the resulting payments will not be transparent, which could be a barrier to making improvements.

On a related note, some respondents express concerns that the current proposal may not be well defined and be open to too much interpretation. They feel this could lead to producers avoiding paying full costs.

Some respondents express concerns that the proposals may not be taking into account the regional and socio-economic differences impacting on individual LAs. These respondents feel that payments calculated by historical data are more efficient and effective than those based on hypothetical models. Some respondents also express concern that under these proposals producers may not be incentivised to effectively reduce residual waste by being considerate of the type of packaging they put on the market. Respondents feel that the payments should only cover the costs relating to packaging and that consumers should continue to be given incentives to sort and recycle materials.

Some respondents feel that the modelling should reflect the differing disposal and collection costs that are incurred by different authorities across the country. These respondents also feel that more data is required around residual waste compositional analysis.

### Suggestions

Many respondents suggest that payments should be based on actual composition. These respondents feel that residual waste composition varies between authorities and this should be reflected in the costing, even if modelling needs to be used initially.

Some respondents suggest that support and assistance be offered to LAs rather than financial penalties, and that the composition of residual waste should be reassessed on a frequent basis.

## 9.9. Additional comments provided on the topic of payments for managing packaging waste from households

31 respondents commented on issues relating to questions 46 to 53 without clearly referring to any specific section of the proposals. These comments are summarised below.

### Support

A few respondents express broad support for the introduction of packaging producer payments via EPR as they feel councils would be reimbursed for managing household packaging waste.



## Concerns

Some respondents feel that EPR is untested in the UK and so presents a risk to local authority budgets. They therefore feel that Government should underwrite these costs. These respondents also express concern that LAs are being pushed to provide new services in advance of EPR before funding becomes available which could lead to shortfalls.

A few respondents feel that local authority obligations may go further than those detailed in the document, but they feel that producers should be responsible for any resulting costs.

A few respondents feel that the consultation fails to address the role of citizens, who they see as key to performance improvements, but seem left out of consideration when their role should be a priority in achieving these.

Some respondents express concerns about a lack of clarity in the proposals. These include:

- unclear accounting and modelling mechanisms within EPR;
- how 'net cost' would be determined; and
- how to prevent citizens' double paying when they both purchase products and pay council tax.

## Suggestions

Some respondents make suggestions outlining how they think payments for managing packaging waste from households should be implemented. These include a range of suggestions about payment mechanisms and calculations, such as providing annual fixed payments to LAs alongside variable payments to reflect actual performance, moving towards a system based on actual costs, ensuring direct and prompt payments, and ensuring full net cost recovery.

Other suggestions include:

- ensuring data and evidencing systems are simple and transparent;
- recognising and rewarding LAs for making significant positive changes to packaging waste systems or reducing waste;
- specific suggestions for collections processes, including maximising sorting and separating, driving consistency, and providing clear guidance to households;
- enhancing consumers' sense of personal responsibility, e.g. through a "pay as you throw" system; and
- developing effective benchmarking and metrics to assess value for money.

A few respondents suggest alternatives to the proposed approach to payments for managing household waste. Suggestions include incentivising LAs to invest in recycling and directing locally collected EPR materials to reprocessors or end markets contracted by the Scheme Administrator. A few respondents say the approach of transferring all relevant material income to the private sector would align financial flows with risks associated with material income and allow a more strategic approach to future infrastructure investment than current proposals allow.

## 9.10. Question 50

### 9.10.1. Do you agree or disagree that a disposal authority within a two-tier



### authority area (England only) should receive the disposal element of the residual waste payment directly?

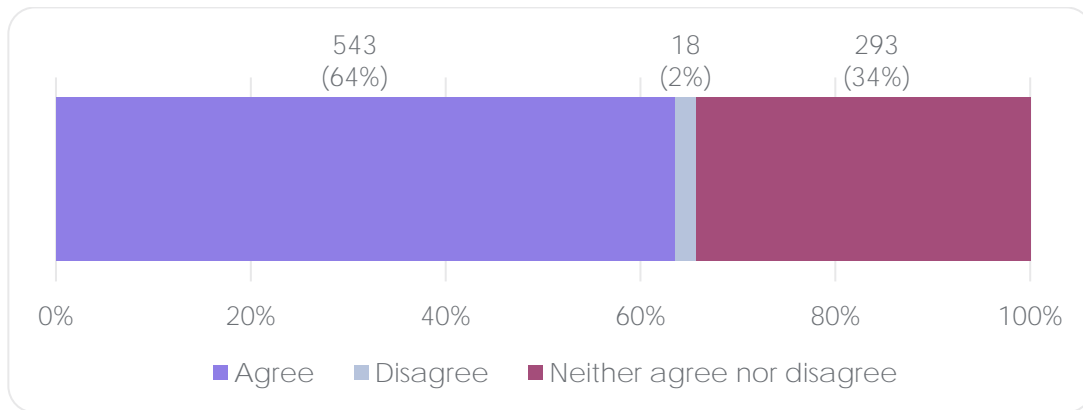


Figure 46: Question 50, (n=854)

Despite being a closed question, 52 respondents make comments in relation to this question.

The table below lists the codes most commonly applied to all responses to the open question. These include comments that express positive comments, express concerns or make suggestions about the proposals.

This table shows:

- All respondents – the respondents who had the corresponding code applied as a percentage of all respondents to the consultation; and
- Group 1/2/3/4/5 – the respondents in that group who had the corresponding code applied as a percentage of all respondents in that group.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
50: Disposal authorities within a two-tier authority area (England only) should receive the disposal element of the residual waste payment directly?   Support   general	3%	0%	15%	0%	0%	1%
50: Disposal authorities within a two-tier authority area (England only) should receive the disposal element of the residual waste payment directly?   Suggestion   implementation	3%	0%	12%	0%	0%	0%
50: Disposal authorities within a two-tier authority area (England only) should receive the disposal element of the residual waste payment directly?   Concern   lack of detail	2%	0%	10%	0%	0%	0%
50: Disposal authorities within a two-tier authority area (England only) should receive the disposal element of the residual waste payment directly?   Support   support with caveats	0%	0%	3%	0%	0%	0%



50: Disposal authorities within a two-tier authority area (England only) should receive the disposal element of the residual waste payment directly?   Concern   implementation	0%	1%	1%	0%	0%	0%
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## Support

Many respondents express positive comments towards these proposals that a disposal authority within a two-tier authority area should receive the disposal element of the residual waste payment directly as they incur the relevant costs. They favour the direct relationship between the Scheme Administrator and both waste collection and disposal authorities without any intermediaries.

Some respondents add caveats to their support noting that suitable agreements would have to be in place in two-tier authority areas to ensure an appropriate sum is allocated to the collection authority and that the residual data is calculated based on up-to-date data.

## Concerns

Some respondents request more clarity regarding the following items:

- funding for the collection and management of all waste in two tier areas where a proportion of the costs are currently met by the payment of recycling credits, which includes funding for materials that are not packaging;
- payments for both recycling and residual collections going directly to collection authorities, and disposal payments going to disposal authorities;
- how costs related to assets which manage both EPR and non EPR should be apportioned;
- how payment mechanisms will operate in two-tier areas specially in the case of Joint Waste Disposal Authorities (JWDA); and
- management of business waste where the disposal costs are paid by Waste Collection Authorities.

## Suggestions

Some respondents suggest that the system should also apply to elements other than the disposal, e.g. sorting, transfer and collection, and that LAs should receive direct payment where costs are incurred.

Another suggestion a few respondents make is that producers should contribute slightly more than the costs required to LAs, and then get a rebate back after reconciliation, rather than a system that sees them make top up contributions to LAs.



## 10. Payments for managing packaging waste from businesses

### 10.1. Question 51

#### 10.1.1. Do you agree or disagree that there remains a strong rationale for making producers responsible for the costs of managing packaging waste produced by businesses?

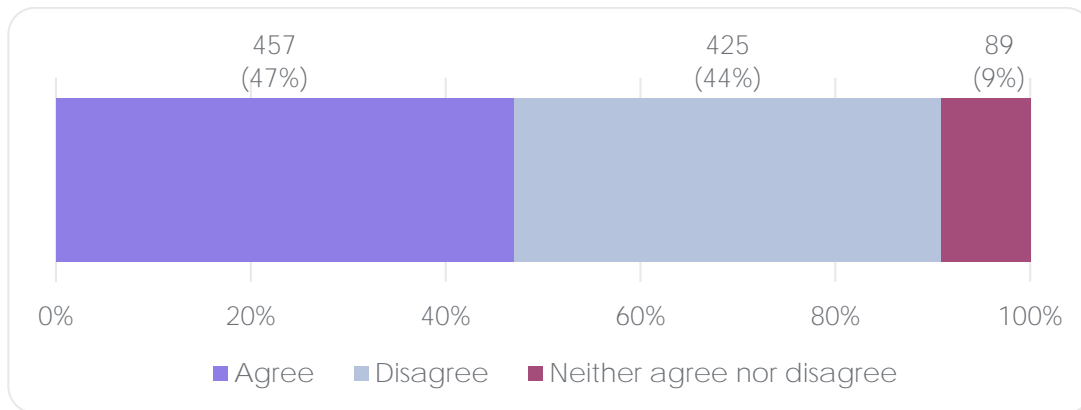


Figure 207: Question 51, (n=971)

#### 10.1.2. If you disagree, please provide the reason for your response.

This question was answered by 544 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
51: Rationale for making producers responsible for the costs of managing packaging waste produced by businesses   Suggestion   retain current system	16%	27%	1%	22%	14%	14%
51: Rationale for making producers responsible for the costs of managing packaging waste produced by businesses   Concern   economic impact	8%	7%	1%	9%	14%	13%
51: Rationale for making producers responsible for the costs of managing packaging waste produced by businesses   Suggestion   alternative legislation	6%	4%	0%	10%	8%	10%
51: Rationale for making producers responsible for the costs of managing packaging waste produced by businesses   Support   general	5%	2%	25%	0%	0%	1%
51: Rationale for making producers responsible for the costs of managing packaging waste produced by businesses   Suggestion   infrastructure	5%	2%	0%	3%	7%	9%



## Support

Some respondents express positive comments towards the proposals for making producers responsible as they feel this will help encourage corporate responsibility. Some of these respondents express support so long as the costs are accurately reflected, fair and allocated across all producers.

A few respondents express support for making producers responsible for the costs of managing packaging waste, however they feel the system should be designed to ensure value for money for obligated businesses. They feel competing producer compliance schemes should be retained within the producer responsibility system to achieve this value.

## Concerns

Many respondents express concerns that the costs for businesses may now exceed those of households on a per tonne basis. They feel this does not represent value for money. Some of these respondents express concern that the additional costs would simply be passed on to obligated producers and could remove the competition from commercial contracts.

Some respondents express concerns that this approach does not allow the charge to be administered at the point where decisions are made around choice of packaging. Therefore, they feel this may be an ineffective way to drive change. These respondents are concerned that there would be no incentive for businesses to manage and segregate their waste to ensure quality. Some of these respondents also feel there should be accountability at all levels, not just for producers.

Some respondents express concerns that making producers responsible may remove a significant incentive for businesses to manage their packaging waste efficiently, which could set up an unhealthy dynamic between producers and collectors. They feel collectors may be caught between packaging producers who wish to pay as little as possible and waste producers who wish to push the boundaries of the scheme, creating conflicts of interest.

A few respondents express concerns that a new regime should not be introduced unless it is built on robust data. Respondents feel that there are high levels of ambiguity in the proposal and a risk of double payments being incurred. Some respondents state that a clearer definition of micro businesses is needed.

Other concerns raised by a few respondents include:

- that the complexity of waste management systems may not have been fully explored;
- that further investigation is required before a workable solution can be developed; and
- how waste reduction will be encouraged when there may be no business incentive.

## Suggestions

Many respondents suggest that business waste responsibility should stay with businesses, as they feel this system is efficient and provides incentive. Respondents state that the current



systems are largely effective and may need adjustment rather than wholesale change.

Many respondents suggest that there should be legislation to require businesses to separate packaging waste at source and require this to be collected separately. They feel this should be paid for by the waste generator. Some of these respondents suggest that further intervention should follow the much more cost-effective plans being prepared by the Environmental Services Association.

Some respondents suggest that instead of business waste payments, packaging producers should pay for an education and training budget which would provide support for waste producers to adopt the Consistency in Household and Business Recycling proposals. They feel this fund could also pay for each local authority to employ enforcement officers to ensure waste is recycled appropriately.

Some respondents suggest that there should be accountability at all levels, not just with the producers. Some respondents say that applying the cost at source may dilute the impact given the nature of supply chain costs and resale through multiple parties. These respondents suggest that Government should levy costs on the parties filling packaging. A few respondents suggest that Brand Owners should be responsible for the packaging waste as they determine the packaging used on their products.

## 10.2. Question 52

### 10.2.1. Do you agree or disagree that all commercial and industrial packaging should be in scope of the producer payment requirements except where a producer has the necessary evidence that they have paid for its management directly?

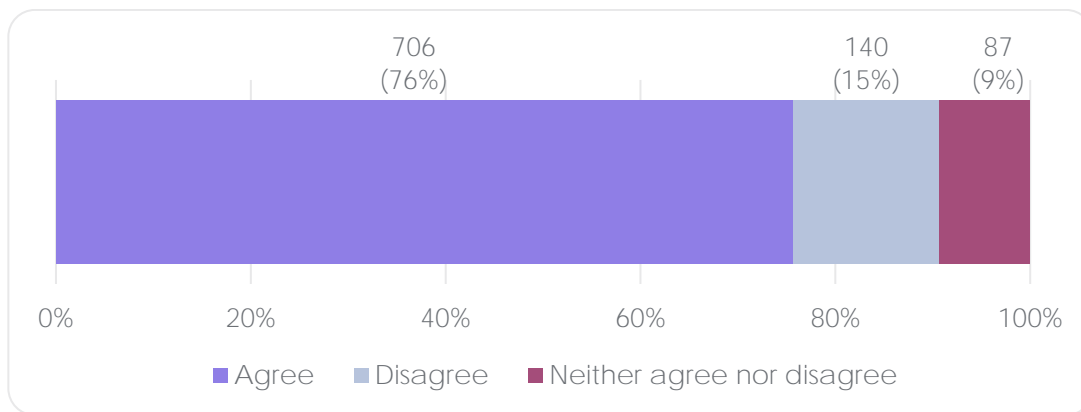


Figure 48: Question 52, (n=933)

### 10.2.2. If you disagree, please provide the reason for your response.

This question was answered by 318 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
52: Commercial and industrial packaging in scope of producer payment requirements except where producer has necessary evidence   Suggestion   implementation	6%	2%	6%	6%	8%	1%





52: Commercial and industrial packaging in scope of producer payment requirements except where producer has necessary evidence   Concern   economic impact	5%	15%	0%	3%	3%	10%
52: Commercial and industrial packaging in scope of producer payment requirements except where producer has necessary evidence   Concern   lack of detail	5%	0%	19%	1%	2%	3%
52: Commercial and industrial packaging in scope of producer payment requirements except where producer has necessary evidence   Concern   implementation	3%	1%	0%	4%	3%	0%
52: Commercial and industrial packaging in scope of producer payment requirements except where producer has necessary evidence   Concern   compliance/misuse	3%	0%	13%	0%	0%	1%

## Support

A few respondents express general support for producers self-managing and funding the recycling of their packaging waste and being able to offset this against their producer payment obligations. Some of these respondents also express support for including commercial and industrial packaging waste within the scope of EPR.

Some respondents express support, however caveating this that only if the evidence that allows offsetting is suitably robust and transparent.

## Concerns

Many respondents express concerns about including commercial and industrial packaging within the scope of EPR. They feel the arguments for shifting the costs of managing such packaging waste to producers are not adequately justified when there is an existing business waste stream which is not only efficient but often creates value, whilst currently placing no financial burden on LAs. Conversely others feel if EPR aims to encourage higher levels of packaging waste recycling, all packaging – including commercial and industrial – should be included.

Some respondents express concerns regarding the lack of clarity around what constitutes 'necessary evidence' of producers' direct packaging recycling management as it may create a loophole to the polluter pays principle.

Some respondents express concerns that practical implementation of the proposal would be challenging. They feel that recording and reporting the weight of packaging materials is a more viable approach than sorting by producer.

A few respondents express concerns that Government's proposal would be complicated whilst providing no incentive for businesses to reduce packaging waste or use recycled materials. They also suggest that zoning proposals - especially if offering franchising arrangements - could be anti-competitive and undermine existing collection networks.



## Suggestions

Many respondents suggest that waste should be recorded by weight, and then handled via existing arrangements between retailers and reproprocessors. They also suggest that producers should retain the option to backhaul, without being charged. Some of these respondents feel this is the most carbon efficient arrangement.

Some respondents suggest that if producers take responsibility for backhauling and privately managing the recycling of their packaging waste, they should not be expected to 'contribute twice' by also paying EPR fees.

A few respondents suggest EPR should only apply to household packaging, and not to household-like, commercial or industrial waste from businesses.

### 10.3. Question 53

#### 10.3.1. Which approach do you believe is most suited to deliver the outcomes being sought?

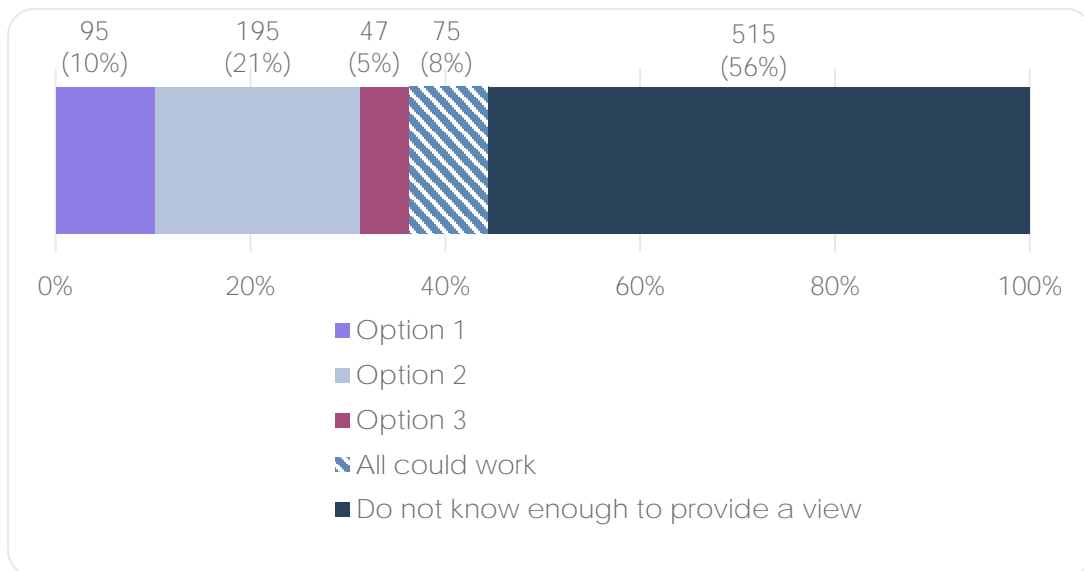


Figure 49: Question 53, (n=927)

### 10.4. Question 54

#### 10.4.1. Do you disagree strongly with any of the options listed in the previous question?

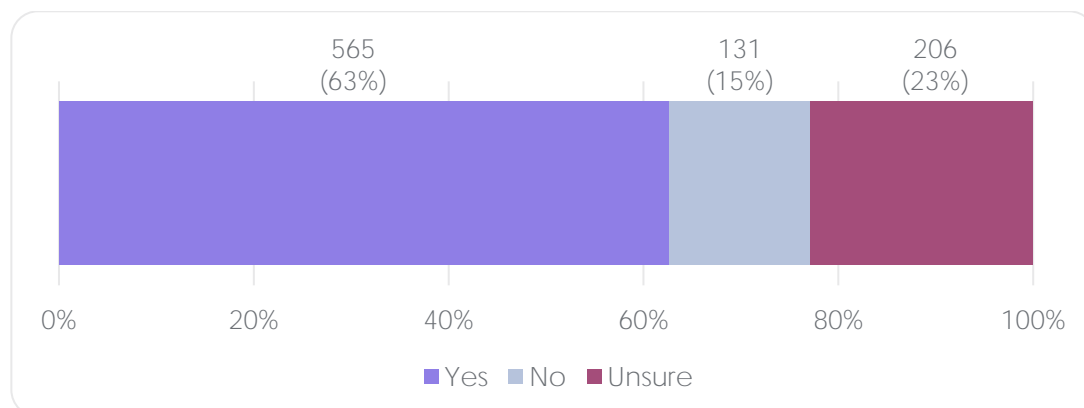




Figure 50: Question 54, (n=902)

**10.4.2. If you answered 'yes', please explain which and provide your reason.**

This question was answered by 320 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
54: Do you disagree strongly with any of the options listed in the previous question?   Concern   general   effectiveness	13%	6%	13%	11%	11%	32%
54: Do you disagree strongly with any of the options listed in the previous question?   Concern   option 3 (compliance scheme led, producer funded, 'free bin' approach)   effectiveness	13%	8%	16%	15%	7%	29%
54: Do you disagree strongly with any of the options listed in the previous question?   Suggestion   general   alternative approach	11%	6%	11%	7%	14%	23%
54: Do you disagree strongly with any of the options listed in the previous question?   Concern   general   economic impact	8%	4%	4%	10%	7%	17%
54: Do you disagree strongly with any of the options listed in the previous question?   Concern   general   lack of detail	8%	4%	18%	4%	4%	7%

## Support

## General comments

A few respondents express general support for the importance of capturing business waste under EPR without specifying which option they are referring to. They also comment on the importance of being able to capture waste produced by micro-businesses.

## Option 1

A few respondents express general support for Option 1, for example because they feel it is the closest to 'business as usual' within the waste management sector or the option most resembling a free-market approach.

A few respondents express support for the inclusion of incentives for good practice within Option 1 alongside the potential for waste management companies to positively influence collection processes with the co-operation of the Scheme Administrator.

A few respondents express support for Option 1 as a simple and cost-effective option which effectively balances producer input, localism and accountability through the Scheme Administrator.

## Option 2

A few respondents support Option 2 as they feel it provides a good degree of linkage between producers and end consumers. They feel this, alongside competition between manufacturers, will help drive levels of packaging and consumption downward.



A few respondents feel that Option 2 reduces the overall workload of the Scheme Administrators and support it on this basis.

### Option 3

A few respondents express support for Option 3 on the basis that it provides a choice for businesses. A few other respondents feel the 'free bin' approach would be effective, although could potentially be abused.

### Concerns

#### General

Many respondents express general concern about the potential disruptiveness of all proposed options on pre-existing commercial relations and the rollout of the EPR system.

Many respondents express concern about the potential economic impact of all proposed options on small and independent recyclers. These respondents feel that compliance schemes would be biased towards the interests of larger waste managers and express concern that the United Kingdom's interconnected recycling infrastructure could be under threat if independent recyclers struggle under the new options. A few of these respondents feel this may be unlawful due to competition laws.

Some respondents feel that there may be flaws in the administration and implementation of any of the options. They express concern that mischaracterised waste under the 'pay by tonne' system could be a means through which fraud and misuse may enter the system.

A few respondents express concern about the wide scope for waste within the commercial sector and express doubt about the ability of any proposed options, including those featuring compliance schemes, to adequately perform their duties as monitors and brokers.

Some respondents express concern that all proposed options lack both detail and appropriate evidence. They also feel that Government has discussed a potential 'Option 4' which has not been featured in the consultation.

### Option 1

Many respondents express concern that the Scheme Administrator may be overburdened with the responsibility of handling commercial waste under Option 1.

Some respondents express concern that a single Scheme Administrator led approach lacks both the ability for benchmarking against competing administrators, and could lead to recycling targets being emphasised over recycling quality. These respondents also express concern that the by tonne mechanism could have the potential to enable monopolistic conditions for larger waste management companies. Some respondents express concern that such monopolistic market conditions could result in inflated costs being passed onto consumers.

A few respondents feel that a Scheme Administrator led option would not give producers a choice in compliance routes.

### Option 2



Many respondents express concern that Option 2 may be ineffective. They feel that if compliance schemes were responsible for the achievement of targets, they would lack the ability to shape the behaviour of producers or waste managers beyond financing. Some of these respondents also feel that the 'per tonne' rebate approach may incentivise bulkier materials over lighter ones within waste streams.

Some respondents express concern that Option 2 places excessive responsibility in the hands of compliance schemes which may not be configured to oversee complex commercial waste streams. In addition, some respondents express concern that Option 2 diverts the attention of compliance schemes away from producers.

Some respondents express concern that Option 2 limits the development of a free market for waste and recycling. They feel this could have a negative impact on independent collectors, sorters and waste brokers.

Other concerns raised by a few respondents about Option 2 include:

- the need for additional investment in new waste management facilities;
- what the precise meaning of 'at cost' would be;
- what separates 'household' waste and 'household-like' waste;
- that there will be misreporting of per tonne rates; and
- that this may favour larger operators.

### Option 3

Some respondents, without clarifying the nature of their concerns, express opposition to Option 3.

Many respondents feel that the addition of 'free bins' into waste streams may be onerous for local authority waste management services to try and implement. Some respondents express concern that while a 'free bin' option does integrate small operators, they will lack any incentive to sort through waste properly as a result. A few respondents express concern about the potential for a 'free bin' to transfer costs from producers onto LAs.

A few respondents express concern about the lack of detail regarding how service-level standards, such as responsibility for dealing with contamination, are to be delegated. Some of these respondents also question why 'public bodies, NGOs and charities' are mentioned in this scenario brief but not in the others.

In line also with responses towards Option 2, a few respondents feel that this option may run contrary to competition law.

### Suggestions

#### General

Many respondents suggest that commercial systems, funded out of pre-existing contractual agreements, may be better positioned to incorporate producer responsibility and competition.

A few respondents suggest that Options 1 and 2 can be merged into a potential hybrid option which incorporates the oversight of the Scheme Administrator and the expertise of compliance schemes.

Many respondents suggest that implementation of any proposed options should be



conducted with both simplicity and competition in mind. These respondents also suggest that attention is given to implementing collections of 'household-like' waste.

A few respondents suggest that investment will be required to support the development of the requisite infrastructure and technological development. In particular, supporting apps, machine vision technology, and customer services being areas where further work

A few respondents suggest that the inclusion of business waste into EPR should be deferred until lessons have been learnt from EPR for household collections and a deposit return scheme.

#### Option 1

A few respondents suggest that data collection within Option 1 can be made to be 'self-regulating' so long as recycling data is verified at each point of the waste management process. These respondents also suggest that Option 1 is developed under a 'cost neutral' principle in order to relieve LAs from potentially burdensome implementation costs.

#### Option 2

A few respondents suggest a 'free market' approach instead of the 'per tonne' approach should be undertaken, with compliance schemes buying evidence from producer members on either a contracted or spot approach.

#### Option 3

A few respondents suggest that extending household recycling services to micro-businesses may be a better approach than would be possible with a 'free bin' model. These respondents also suggest that if free collection is to be provided, it should be conditional upon an evidence-led history of quality recycling and compliance.

## 10.5. Question 55

### 10.5.1. Do you think there will be any issues with not having either Packaging Recovery Notes/Packaging Export Recovery Notes or the business payment mechanism (and as a result recycling targets) in place for a short period of time?

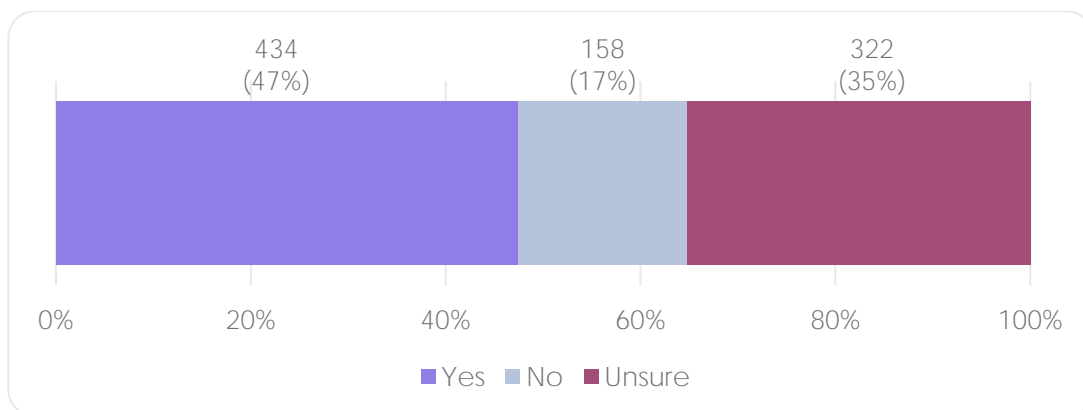


Figure 51: Question 55, (n=914)

### 10.5.2. If you answered 'yes', please detail what issues you think there will be.



This question was answered by 493 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
55: Issues with not having either Packaging Recovery Notes/Packaging Export Recovery Notes or the business payment mechanism in place   Concern   economic impact	14%	11%	10%	10%	13%	33%
55: Issues with not having either Packaging Recovery Notes/Packaging Export Recovery Notes or the business payment mechanism in place   Concern   effectiveness	12%	8%	22%	10%	4%	46%
55: Issues with not having either Packaging Recovery Notes/Packaging Export Recovery Notes or the business payment mechanism in place   Suggestion   timescale	7%	18%	0%	7%	7%	14%
55: Issues with not having either Packaging Recovery Notes/Packaging Export Recovery Notes or the business payment mechanism in place   Suggestion   alternative approach	4%	4%	6%	1%	2%	19%
55: Issues with not having either Packaging Recovery Notes/Packaging Export Recovery Notes or the business payment mechanism in place   Concern   compliance/misuse	4%	1%	19%	1%	0%	0%

### Support

Some respondents express positive comments towards these proposals since they feel that:

- if any short-term issues did arise, they would be manageable with effective Government planning and intervention; and
- the transition period would be relatively brief.

### Concerns

Many respondents express some concerns regarding the economic impact of the proposals. These concerns include:

- producers potentially not incurring full financial responsibility with regards to end-of-life management of packaging;
- the potential reduction in recycling-related investment; and
- the introduction of additional complexity in calculating local authority payments;
- a funding shortage for certain stakeholders.

Many respondents express various concerns regarding the effectiveness of the proposed system. These include:

- delays in necessary improvements due to a lack of incentive to drive performance;
- a potential 'price-crash' in materials; and



- a gap in data caused by a temporary lack of evidence which would hamper future monitoring and comparison.

Some respondents express concern over the proposed system's apparent openness to noncompliance and misuse. These respondents feel that a lack of transparency could lead to businesses abusing the system and committing fraud by intentionally misreporting their figures, claiming that since there already exist issues with the current system, having no system at all would be even worse.

Other concerns raised by some respondents include:

- the implementation of the proposed system;
- if an incentive is required to ensure the collection and sharing of recycling data;
- a lack of proper infrastructure in place during the transition period;
- a failure to take into account the complexity of waste management;
- a failure to account for certain materials such as wood, commercial and industrial steel packaging; and
- how the system would be financed.

A few respondents express concern that the new system could potentially end up getting delayed and the gap in recycling targets lasting longer than proposed, which could in turn lead to serious problems unless an interim solution were implemented.

Conversely Some respondents express concern that the timescale for implementation is too short, with some suggesting an alternative target of 2024.

## Suggestions

Many respondents feel that a clear timescale is crucial, proposing that on the 1<sup>st</sup> of January 2024, one system should end and the other should begin. Alternatively, some of these respondents suggest aligning the new system with the tax year, suggesting therefore, that the new system should begin in April 2024. Some respondents also suggest aligning EPR with the Deposit Return scheme.

Some respondents have various suggestions for alternative approaches that could be taken. These include:

- ensuring that existing payments made to LAs remain at the current levels;
- incentivising the collection and sharing of data;
- sticking to the current system of business waste collection, but with compliance schemes entering into contracts to buy evidence on behalf of their members;
- keeping Packaging Recovery Notes in place during the period of transition; and
- operating a pro-rata system to cover the crossover.

Some respondents have various suggestions regarding how to implement the new system. Respondents place emphasis on ensuring that a full cost payment mechanism is introduced on time, ensuring that sufficient data on recycling is continuously collected and shared, ensuring that LAs do not lose any material income, and ensuring good communication with producers to help them understand the new system and obligations.

A few respondents suggest that clarity is essential in implementing the proposed changes.

## 10.6. Additional comments provided on the topic of Payments for managing





## packaging waste from businesses

14 respondents commented on issues relating to questions 55 to 59 without clearly referring to any specific section of the proposals. These comments are summarised below.

### Concerns

A few respondents express concerns that Packaging Recovery Notes income, which is due to end in 2023, does not have a planned replacement and as such may cause supply chain pricing instabilities during transition. These respondents express concern that the economic viability of waste management companies is unclear in the proposal, and it appears waste management companies will be prevented from profiting unless costs are passed to consumers via inflation of reported costs.

Some respondents express concern that:

- the proposals do not consider business-to-business companies, as the focus is on household and business waste primarily from food and drink outlets;
- the proposals are less relevant to industries such as construction and automotive companies, whose waste is currently defined as business waste and paid for by businesses;
- the benefits of changing the system are unclear;
- behaviour adaption may not occur with a free waste packaging collection service;
- there is a lack of data for waste companies' performances; and
- a waste management company may not be able to distinguish a material's appropriate payment scheme.

Some respondents express concern over the uncertainty regarding how the system would organise household-like, commercial and industrial packaging waste payments. They feel this could add unnecessary complexity.

### Suggestions

Some respondents suggest that the collection and processing of household-like packaging from businesses should remain a direct cost to businesses, as with industrial or commercial packaging.

A few respondents suggest increased business waste recycling would have the biggest impact at addressing waste, so feel the proposals should focus on this sector to achieve overall success of meeting recycling targets.

# 11. Payments for managing packaging waste: data and reporting requirements

## 11.1. Question 56

### 11.1.1. Do you agree or disagree with the proposal to introduce a sampling regime for packaging as an amendment to the MF Regulations in England, Wales and Scotland and incorporation into new or existing regulations in Northern Ireland?

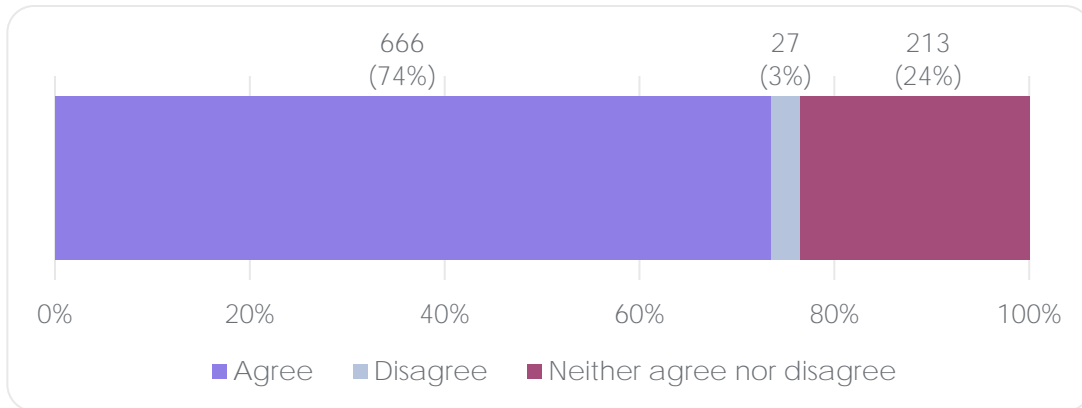


Figure 52: Question 56, (n=906)

### 11.1.2. If you disagree, please detail why you think the proposed sampling regime for packaging waste should not be incorporated as an amendment to MF Regulations in England, Wales and Scotland and incorporated into new or existing regulations in Northern Ireland.

This question was answered by 257 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
56: Proposal to introduce a sampling regime for packaging   Suggestion   implementation	7%	1%	30%	1%	1%	9%
56: Proposal to introduce a sampling regime for packaging   Support   general	7%	2%	7%	6%	7%	6%
56: Proposal to introduce a sampling regime for packaging   Concern   infrastructure	6%	2%	15%	5%	2%	3%
56: Proposal to introduce a sampling regime for packaging   Concern   lack of detail	5%	1%	18%	0%	0%	14%
56: Proposal to introduce a sampling regime for packaging   Concern   effectiveness	4%	1%	16%	1%	0%	12%



## Support

Many respondents support the proposal, as they believe it will improve existing legislation and permit the monitoring of material quality, which can inform payments to LAs and other waste collectors.

## Concerns

Many respondents express various concerns about the infrastructure to support the proposals. These include:

- a lack of suitable space, skills and capacity for transfer station facilities to report composition of collected material; and
- a perceived lack of rigour of the Material Recovery Facilities Regulations.

Some respondents express concerns about how a sampling regime will be implemented. They feel the proposals do not include appropriate amendment timelines, and express concerns that the new system may involve more data analysis and monitoring. Some respondents note that this proposal would effectively introduce end-of-waste status (where waste becomes a product) to packaging material at the end of the sorting process rather than at the reprocessor, which is the point where end-of-waste status is normally defined where recycling should be measured.

Some respondents express concerns over:

- the efficacy and monitoring of current Technically, Environmentally and Economically Practicable (TEEP) testing;
- the potential increases in transfer station queue times affecting collection rounds; and
- the potential loss of competitiveness for those who export, sample and inspect material due to increased workloads and storage needs.

Some respondents express concerns over what costs for sampling and composition analysis are regarded as EPR costs. Respondents express concerns that material from recycling mills overseas with multiple sources may not be able to provide proof of recycling. They also feel it is unclear who is responsible for paying for additional sampling and inspection in the UK. A few respondents express concern that sampling costs will add an extra financial burden.

## Suggestions

A few respondents suggest that rather than sampling at waste transfer stations, LAs could do waste compositional analysis and use this to calculate EPR funds. Some of these respondents suggest additional sampling could be funded via compliance schemes **buying recyclers' data yearly or on-the-spot**. Some other respondents suggest that any additional costs incurred should be covered by EPR not councils.

Other suggestions made by a few respondents include:

- that the project should be delivered by the Scheme Administrator as it is a system cost funded by proposals in the EPR;
- there should be clear definitions for material not being targeted that does not affect quality of the recycle; and



- a tag and trace code system to make packaging sampling simple.

## 11.2. Question 57

### 11.2.1. Do you agree or disagree with the proposal to require all First Points of Consolidation to be responsible for sampling and reporting in accordance with a new packaging waste sampling and reporting regime?

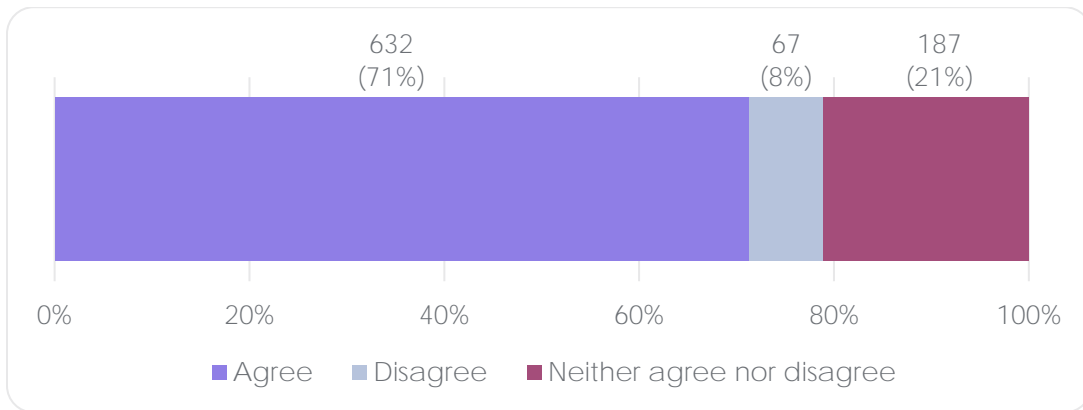


Figure 53: Question 57, (n=886)

### 11.2.2. If you disagree, please detail who you think should be required to meet the packaging sampling and reporting regime for EPR purposes.

This question was answered by 269 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
57: Proposal to require all First Points of Consolidation to be responsible for sampling and reporting   Suggestion   implementation	7%	4%	14%	4%	2%	13%
57: Proposal to require all First Points of Consolidation to be responsible for sampling and reporting   Concern   effectiveness	7%	2%	20%	6%	2%	3%
57: Proposal to require all First Points of Consolidation to be responsible for sampling and reporting   Concern   lack of detail	7%	1%	26%	1%	1%	13%
57: Proposal to require all First Points of Consolidation to be responsible for sampling and reporting   Concern   infrastructure	5%	1%	26%	0%	0%	1%
57: Proposal to require all First Points of Consolidation to be responsible for sampling and reporting   Support   general	4%	1%	11%	3%	3%	4%

#### Support

Some respondents express positive comments towards these proposals because it is necessary that quality and composition is assessed at the earliest opportunity.



## Concerns

Many respondents express concerns about the significant upgrades to current processes required to make this proposal effective. They feel that smaller sites may need to significantly upgrade facilities to meet new requirements. Some respondents feel this will place a large financial burden on some of these smaller sites, damaging their viability.

Some respondents express concerns about accommodating the additional sampling required. They feel many sites, even larger sites, are already operating at their peak and have restricted space for upscaling operations.

A few respondents express concerns that without enforceable controls and checks, sampling may be open to manipulation. They feel this could be misused so that performance is exaggerated to receive payments.

Some respondents express concerns about the level of detail provided and seek clarification of certain aspects of the proposals. These include:

- who will be responsible for the sampling;
- what safeguards are in place to ensure robust sampling;
- the definition of what qualifies as the First Points of Consolidation; and
- how the First Points of Consolidation system will work.

## Suggestions

Many respondents suggest that Government should recognise that there are other facilities, beyond Material Recovery Facilities, that collate materials and that these should be utilised. These respondents suggest that if transfer sites have insufficient space then mechanical biological treatment plants and landfill sites may be better equipped to handle waste composition analysis. Some of these respondents suggest automation of sampling analysis may be possible in the future, once the technology is proven to be reliable and commercially available.

A few respondents suggest any additional costs incurred as a result of meeting the requirements should be met solely by producers.

### 11.3. Question 58

#### **11.3.1. Do you agree or disagree that the existing MF Regulations' de-minimis threshold of facilities that receive 1000 tonnes or more per annum of mixed waste material would need to be removed or changed to capture all First Points of Consolidation?**

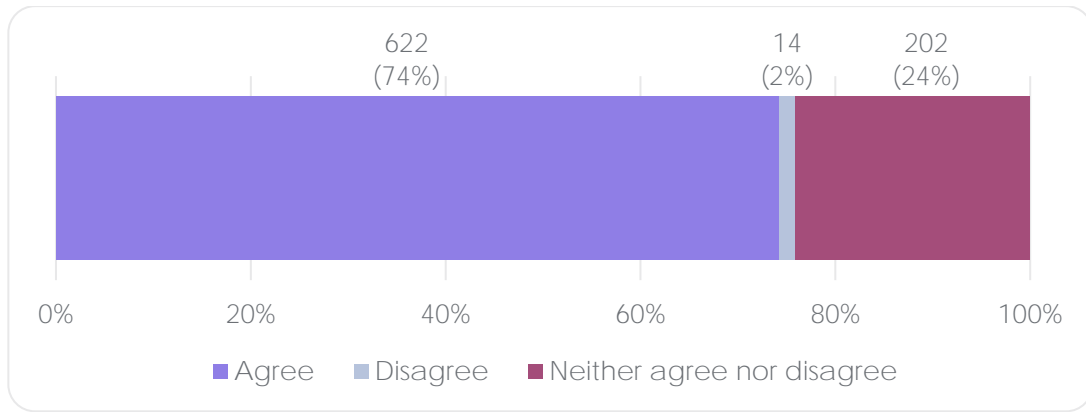


Figure 54: Question 58, (n=838)

### 11.3.2. If you disagree, please detail why you think a de-minimis threshold is required.

This question was answered by 176 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
58: MF Regulations' de-minimis threshold of facilities removed or changed to capture First Points of Consolidation   Suggestion   funding	4%	0%	23%	0%	0%	0%
58: MF Regulations' de-minimis threshold of facilities removed or changed to capture First Points of Consolidation   Support   necessary	4%	1%	10%	3%	3%	6%
58: MF Regulations' de-minimis threshold of facilities removed or changed to capture First Points of Consolidation   Concern   economic impact	3%	0%	16%	0%	0%	0%
58: MF Regulations' de-minimis threshold of facilities removed or changed to capture First Points of Consolidation   Concern   implementation	2%	1%	11%	0%	0%	0%
58: MF Regulations' de-minimis threshold of facilities removed or changed to capture First Points of Consolidation   Suggestion   infrastructure	2%	1%	9%	0%	0%	0%

#### Support

Many respondents express positive comments towards the proposals for the removal of the de-minimis threshold to ensure the data being fed back is robust and to avoid some waste being missed. Some respondents feel that it would be unfair if incomplete data was used to make calculations for payments.

#### Concerns

Some respondents express concern that this will have an unfair economic impact on smaller facilities, as the costs of sampling there will be proportionally bigger than for larger



facilities.

Some respondents express concern that a number of transfer stations are operating at capacity, so do not feel they can accommodate any more material.

A few respondents feel more composition analysis than currently proposed should take place as this will help drive performance improvements in waste management. They also feel this should be funded by the proposed EPR payments.

A few respondents express concern that it is unclear what they should be commenting on in response to this question.

## Suggestions

Many respondents suggest a solution needs to be in place for transfer stations that cannot physically sample due to space constraints. They also suggest that transfer stations that only receive waste from one authority and do not undertake any sorting should not be considered a first point of consolidation, and therefore should not be subject to undertaking sampling.

Some respondents suggest the details of this proposal should be determined following further discussions with the waste management industry. Some others suggest that if the correct payment mechanism option is chosen, this would provide adequate accommodation for small single stream facilities.

Respondents suggest if all first points of compliance are to be included then this threshold would need to be removed.

## 11.4. Question 59

### 11.4.1. Do you think the list provided of materials and packaging formats should form the basis for a manual sampling protocol?

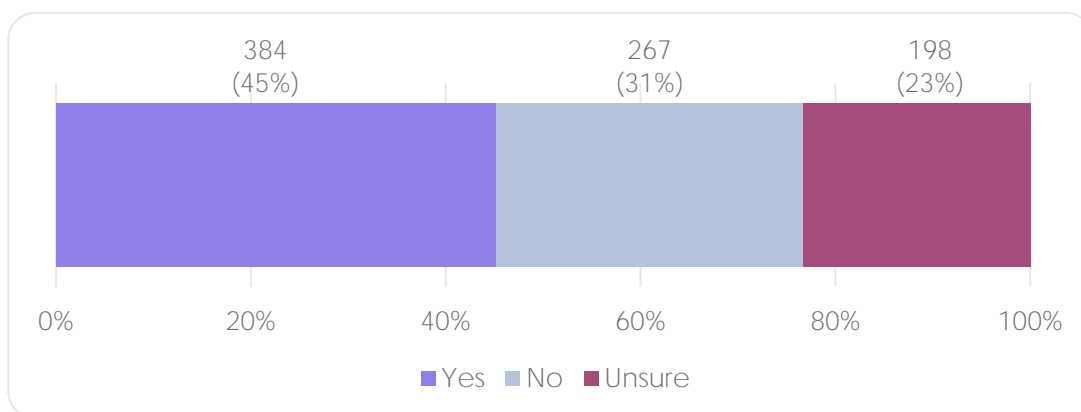


Figure 55: Question 59, (n=849)

### 11.4.2. If you answered 'no', what other materials, format categories or level of separation should be included as part of the manual sampling protocol?

This question was answered by 365 respondents.



	All	Group 1	Group 2	Group 3	Group 4	Group 5
59: Do you think the following list of materials and packaging formats should form the basis for a manual sampling protocol?   Suggestion   specific material/product	16%	6%	44%	13%	8%	32%
59: Do you think the following list of materials and packaging formats should form the basis for a manual sampling protocol?   Suggestion   implementation	9%	5%	30%	3%	5%	4%
59: Do you think the following list of materials and packaging formats should form the basis for a manual sampling protocol?   Concern   effectiveness	6%	5%	10%	3%	5%	6%
59: Do you think the following list of materials and packaging formats should form the basis for a manual sampling protocol?   Concern   implementation	3%	1%	5%	1%	3%	4%
59: Do you think the following list of materials and packaging formats should form the basis for a manual sampling protocol?   Concern   lack of detail	3%	1%	10%	1%	1%	0%

## Concerns

Many respondents express concerns about the proposed protocol, for example because they feel it may be difficult to use to measure the effectiveness of modulated fees, that fast manual assessment of plastic packaging can be challenging, and that sampling costs are underestimated.

## Suggestions

Many respondents suggest materials and formats they feel should be added to the list to enable a more granular sampling protocol, for example to use in conjunction with a deposit return scheme, reduce costs, or improve the quality of recycled material. These suggestions commonly include additional plastic polymers (e.g. LDPE), plastic films, flexible plastics, single use paper cups, wood, blister packs and clam shells, as well as the listing of steel and aluminium separately.

Additional suggestions from some respondents include foams, fibre-based composite, paper and card by non-food or food contact, soda-lime glass and borosilicate glass, ferrous or non-ferrous metal cans, and aerosols.

Some respondents suggest it is unnecessary to distinguish between bottles and jars, but that it might be useful to distinguish between EPR and the deposit return scheme glass in the waste stream. A few commented that the deposit return scheme items are missing more generally.

A few respondents commented that the list needs to be dynamic or future proof, for example by including materials likely to come under EPR at a later date, or that protocols should all be aligned for EPR, the deposit return scheme, Consistency in Household and





Business Recycling and / or modulated fee categories.

Many respondents make other suggestions for the development or implementation of the sampling protocol, including:

- finalise the list once sampling procedures, costs and implications have been reviewed;
- include brand/ producer information in sampling to enable extension into more businesses with significant volumes of packaging or product waste; and
- consider a more subjective sampling regime for litter, consistent across the whole of the UK, that is quicker, cheaper, and can provide information on how well litter cleanliness standards are being met (applicable to organisations that manage public land and are receiving funds through the EPR scheme).

Many respondents express concern that the proposed list needs to have further detail added. Respondents most commonly express concern about how some materials will be measured which could fall into the Deposit Return Scheme as well as being counted under EPR.

## 11.5. Question 60

### 11.5.1. Do you think it is feasible to implement more rigorous sampling arrangements within 6-12 months of the regulations being in place?

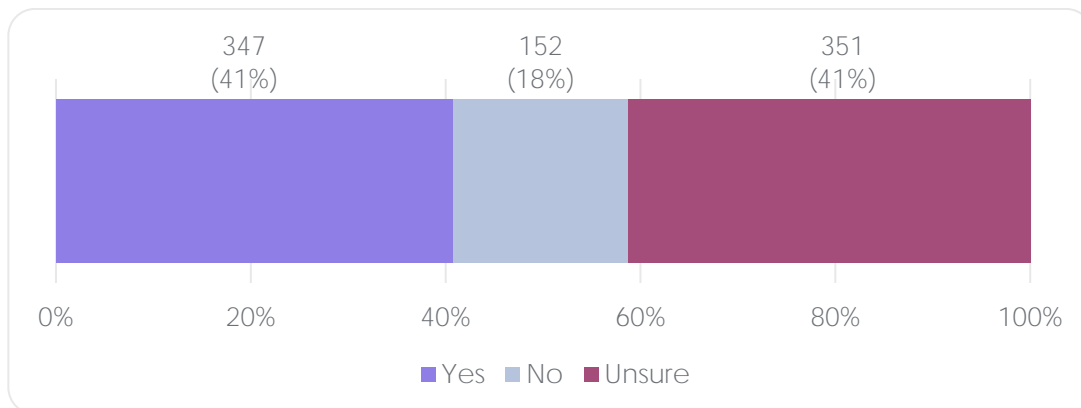


Figure 56: Question 60, (n=850)

### 11.5.2. If you answered 'no', please provide the reason for your response and detail what should be considered in determining an appropriate implementation period.

This question was answered by 297 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
60: Feasible to implement more rigorous sampling arrangements within 6-12 months of the regulations being in place   Concern   timescale (too short)	7%	3%	15%	5%	6%	6%
60: Feasible to implement more rigorous sampling arrangements within 6-12 months of the regulations being in place   Concern   infrastructure	7%	3%	30%	0%	0%	9%



60: Feasible to implement more rigorous sampling arrangements within 6-12 months of the regulations being in place   Concern   lack of detail	5%	3%	13%	1%	4%	13%
60: Feasible to implement more rigorous sampling arrangements within 6-12 months of the regulations being in place   Suggestion   timescale	4%	3%	3%	5%	6%	1%
60: Feasible to implement more rigorous sampling arrangements within 6-12 months of the regulations being in place   Suggestion   implementation	4%	2%	7%	0%	6%	1%

## Support

A few respondents express support for the proposed implementation timescale. They feel that compared to the other changes proposed under EPR, this change is easily implementable. A few other respondents express support that this timescale is achievable for the larger waste management centres, though they have some concerns about smaller waste management centres.

A few respondents express support for the implementation of the new sampling arrangements, dependent on:

- the level of sampling required;
- the additional capacity required to implement;
- clarity on frequency, intensity and granularity of sampling; and
- availability of additional funding where needed.

## Concerns

Many respondents express concerns about the proposed timeline being too short. They feel there are a lot of tasks that need to be undertaken, such as hiring new staff and training them, procuring the relevant infrastructure and equipment, and obtaining the necessary Environment Agency permits. These respondents express concern about this not being achievable within 12 months. Some of these respondents express concern that materials recovery facilities (MRFs) and waste transfer stations (WTS) have differing capacities in terms of space and relevant infrastructure and thus they will have differing timescale needs.

A few respondents express concern over the cost of carrying out the required sampling. Some of these respondents feel that if these are included within the EPR payments then that is acceptable. Others suggest that it could damage the competitiveness of UK producers, particularly given the background of Covid-19 and Brexit.

A few respondents express concern over whether the proposals are overly ambitious and may result in an ineffective system.

Some respondents express concerns about the lack of detail in Waste Resources Action Programme's (WRAP) studies and suggest these studies be extended to provide further details. They specifically express concern about:

- the scope and costs of 'rigorous sampling';



- the effects on the operation and infrastructure of transfer station sorting facilities; and
- how Government will ensure compliance.

### Suggestions

Some respondents suggest changes to the timescale of implementing the more rigorous sampling arrangements. These suggestions include:

- a timescale of 12-18 months;
- full implementation by 2025 is most reasonable;
- two years to refine the sampling regime and one year to test it before it comes into full effect; and
- a shorter timescale of less than 6 months.

Some respondents suggest improvements to the implementation of these more rigorous sampling arrangements such as:

- including the costs for the more rigorous sampling arrangements within EPR payments; and
- determining the feasibility of the timescale and the sampling arrangements through liaison between the Scheme Administrator and industries.

## 11.6. Question 61

### 11.6.1. Do you think visual detection technology should be introduced from 2025 to further enhance the sampling regime?

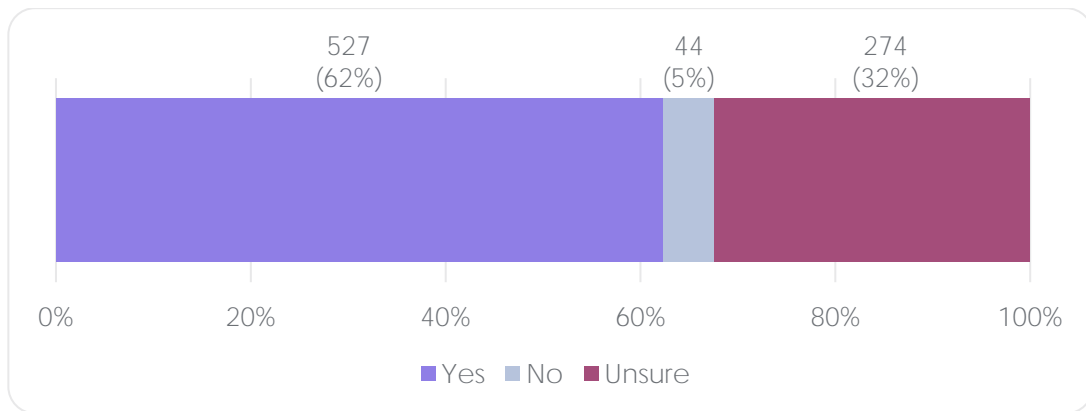


Figure 21: Question 61, (n=845)

### 11.6.2. If you answered 'no', please detail why you think it should not be considered as a medium to long-term method of sampling.

This question was answered by 262 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
61: Visual detection technology introduced from 2025 to enhance the sampling regime   Support   support with caveats	9%	2%	30%	1%	4%	14%
61: Visual detection technology introduced from 2025 to enhance the sampling regime   Concern   effectiveness	6%	1%	27%	0%	0%	6%



61: Visual detection technology introduced from 2025 to enhance the sampling regime   Concern   economic impact	5%	1%	16%	0%	0%	17%
61: Visual detection technology introduced from 2025 to enhance the sampling regime   Concern   lack of detail	4%	1%	19%	0%	0%	4%
61: Visual detection technology introduced from 2025 to enhance the sampling regime   Support   general	4%	1%	9%	2%	5%	3%

## Support

Some respondents express support for the introduction of visual detection technology, believing that such sorting technology would be crucial to improving efficiency and attaining improved recycling rates in a manner that is cost efficient in the long term. These respondents feel that such technology will minimise dependence on manual sampling techniques, whilst supporting consistency and reproducibility in recycling practices across the UK.

Many respondents express more qualified support for the introduction of visual detection technology. Whilst recognising the above benefits, they feel that their support relies on the accuracy and reliability of the technology being clearly proven, along with further examination of financial viability. Some of these respondents, though broadly supporting such technology, express concerns regarding the suggested introduction timeline.

## Concerns

Many respondents express concerns regarding the feasibility, reliability and accuracy of the proposed technology. They feel that frequent packaging changes would put pressure on the technology remaining up-to-date. They suggest it should only be introduced if it is able to attain an accuracy rate of 95%. Some of these respondents express concern that the technology might actually delay processing rates and reduce available processing capacity.

Some respondents express concerns that the cost of introducing and maintaining visual detection technology could be prohibitive, particularly for smaller companies. They feel they would only support this if the cost of installing visual detection technology is funded via EPR. Respondents feel this impact could be particularly significant for waste processing facilities.

Some respondents express concerns as to whether visual detection technology will be a realistic solution by 2025, as suggested by the proposal, considering they believe the technology is not available yet.

Some respondents express concerns regarding the lack of details which they perceive to be crucial in evaluating the proposal to introduce visual detection technology in 2025. These include cost, availability and appropriate trials and testing.

## Suggestions

Some respondents suggest withdrawing a 2025 implementation start date, as that visual



detection technology may not be adequate or available by then. Some respondents also suggest that for the technology to be useful there would need to be strict labelling standardisation in place, giving QR codes and barcoding as examples of types of data that may need to be on labels.

A few respondents suggest that a more practical approach would be for Material Recovery Facilities to evolve their sampling methods independently, whilst allowing for the development of new technologies when their reliability and accuracy is proven.

A few respondents suggest that a system should be developed whereby recycling facilities can access EPR funding to invest in visual detection technology. They suggest that without such funding support only larger facilities would be able to access the proposed technology, leading potentially to an anti-competitive environment.

## 11.7. Question 62

### 11.7.1. Do you think existing packaging proportion protocols used by reprocessors would provide a robust and proportionate system to estimate the packaging content of source segregated materials?

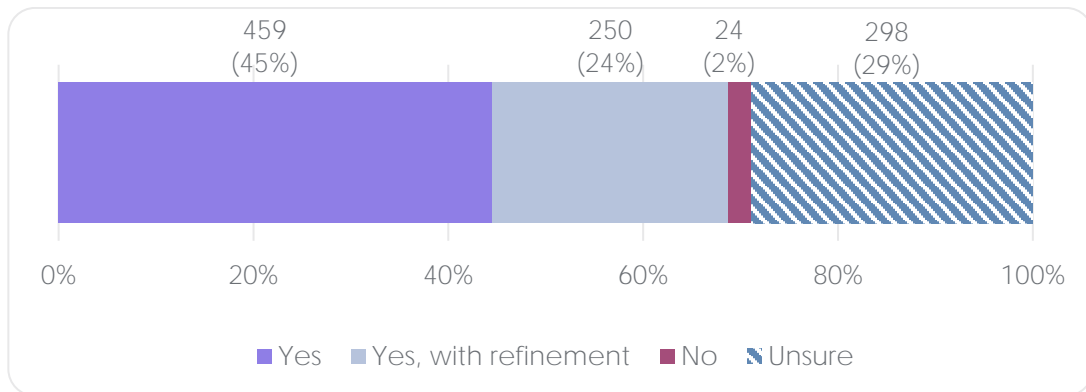


Figure 22: Question 62, (n=1,031)

### 11.7.2. If you answered 'no' please detail why you think these would not be suitable to use to determine the packaging content in source segregated material

This question was answered by 245 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
62: Existing packaging proportion protocols used by reprocessors provide a robust and proportionate system to estimate packaging content of source segregated materials   Concern   effectiveness	9%	3%	19%	6%	4%	16%
62: Existing packaging proportion protocols used by reprocessors provide a robust and proportionate system to estimate packaging content of source segregated materials   Suggestion   implementation	7%	10%	12%	5%	5%	7%



62: Existing packaging proportion protocols used by reprocessors provide a robust and proportionate system to estimate packaging content of source segregated materials   Concern   lack of detail	4%	0%	18%	0%	1%	1%
62: Existing packaging proportion protocols used by reprocessors provide a robust and proportionate system to estimate packaging content of source segregated materials   Concern   compliance/misuse	1%	2%	0%	1%	2%	3%
62: Existing packaging proportion protocols used by reprocessors provide a robust and proportionate system to estimate packaging content of source segregated materials   Support   general	1%	0%	3%	0%	0%	4%

### Support

A few respondents express general support for using existing packaging proportion protocols, supported by occasional sampling, because it would provide a cost-effective method of accurately estimating packaging content of source segregated materials. They also feel this could be adapted if required.

### Concerns

Many respondents express concerns that existing packaging proportion protocols are out of date and therefore do not reflect current practices. As an example, these respondents comment on the impact of Covid-19 on consumer behaviours potentially resulting in an increase of packaging material. They feel the current approach is not well suited to making estimates in the event that there is a rapid change in behaviour.

A few respondents express concerns that current protocols are not robust enough to counter fraudulent activities nor indicate contamination within these streams.

Some respondents express concerns that a clearer definition of source segregated materials is required as many source segregation collections mix cans and plastics. Some of these respondents also question if items that are co-collected would need to undergo additional sampling.

### Suggestions

Many respondents suggest that further analysis of the existing proportion packaging protocols is required to ensure a robust and proportionate system. Many other respondents also suggest that protocols used by reprocessors should be audited and updated regularly to remain appropriate for use. They feel this should be done with key stakeholders from the waste management and reprocessing sectors.

## 11.8. Question 63

### 11.8.1. Do you agree or disagree that minimum output material quality standards



### should be set for sorted packaging materials at a material facility?

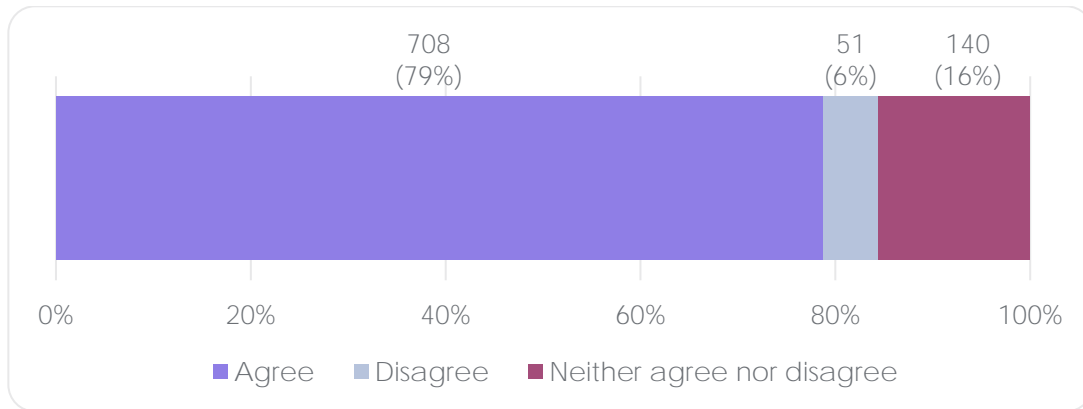


Figure 59: Question 63, (n=899)

### 11.8.2. If you disagree, please provide the reason for your response

This question was answered by 279 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
63: Minimum output material quality standards should be set for sorted packaging materials at a material facility   Suggestion   standards	9%	14%	7%	7%	3%	17%
63: Minimum output material quality standards should be set for sorted packaging materials at a material facility   Concern   effectiveness	5%	0%	21%	0%	0%	10%
63: Minimum output material quality standards should be set for sorted packaging materials at a material facility   Support   general	5%	1%	7%	4%	5%	3%
63: Minimum output material quality standards should be set for sorted packaging materials at a material facility   Suggestion   implementation	5%	1%	18%	1%	2%	9%
63: Minimum output material quality standards should be set for sorted packaging materials at a material facility   Concern   economic impact	4%	0%	20%	0%	0%	1%

#### Support

Some respondents express support for minimum output material quality standards being set for sorted packaging materials at a material facility. They feel this this would help protect the sector long-term and ensure that standards in packaging recycling were high. Some respondents also feel that these standards would be essential in better understanding how quality moves through the recycling process, and may help maintain high quality, in-country recycling.

A few respondents express positive comments towards the proposed approach on the condition that there is a carefully considered design process, resulting in robust standards.



## Concerns

Many respondents express concern that it may not always be realistic to provide materials to reprocessors at their requested standards if these are set too high.

Some respondents express concerns regarding the costs associated with meeting the new standards. They also feel that determining quality acceptance standards should lie with the reprocessor, rather than being set by Government. Some of these respondents suggest that any new standards would need to be designed with great care so as not to allow reprocessors to shift costs on to material recovery facilities or collectors.

A few respondents express concerns over details of the proposed standards which they feel are missing. These include:

- how material quality would be tested;
- what consequences there would be if facilities or materials fall below standards;
- what payment, monitoring and enforcement mechanisms would be put in place; and
- how and by whom standards would be developed.

A few respondents express concerns about how these proposals will be implemented. These concerns include:

- what standards would be set considering the quality of materials could be quite diverse;
- if it is realistic for material to be presented at a level reprocessors would want it; and
- how payments will be made to Collection authorities if facilities cannot meet the required standard.

## Suggestions

Many respondents suggest that the quality standards benchmark for sorting should be raised in the new EPR, and should focus on outputs as well as inputs. They feel this will ensure outputs add value to the market, whilst remaining realistic. Specifically, some respondents suggest that standards for fibre-based materials should follow existing European standards (BS EN643).

Some respondents suggest that the development of standards should take into consideration the multitude of possible end markets for recyclables. They feel this is necessary so that the implementation of minimum standards would not hinder recycling or close off certain markets. Some of these respondents suggest that recycling markets should determine sufficient material quality and, that if introduced, standards should not be compulsory as this may inhibit innovation.

### 11.9. Question 64

**11.9.1. Do you agree or disagree that material facilities that undertake sorting prior to sending the material to a reprocessor or exporter should have to meet those minimum standards in addition to just assessing and reporting against them?**



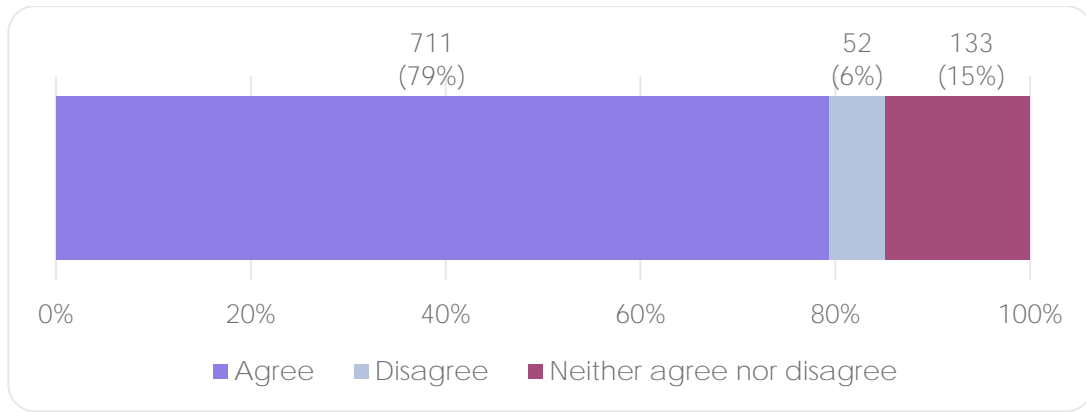


Figure 60: Question 64, (n=896)

### 11.9.2. If you disagree, please provide the reason for your response.

This question was answered by 198 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
64: Material facilities that undertake sorting prior to sending the material to a reprocessor or exporter should have to meet those minimum standards in addition to just assessing and reporting   Suggestion   implementation	3%	0%	13%	0%	0%	6%
64: Material facilities that undertake sorting prior to sending the material to a reprocessor or exporter should have to meet those minimum standards in addition to just assessing and reporting   Suggestion   standards	3%	1%	6%	3%	1%	6%
64: Material facilities that undertake sorting prior to sending the material to a reprocessor or exporter should have to meet those minimum standards in addition to just assessing and reporting   Suggestion   responsibility	2%	1%	9%	0%	0%	9%
64: Material facilities that undertake sorting prior to sending the material to a reprocessor or exporter should have to meet those minimum standards in addition to just assessing and reporting   Support   general	2%	0%	2%	1%	4%	7%
64: Material facilities that undertake sorting prior to sending the material to a reprocessor or exporter should have to meet those minimum standards in addition to just assessing and reporting   Concern   lack of detail	2%	1%	3%	0%	0%	17%



## Support

Some respondents express general support for the proposal. They feel this may reduce the amount of export fraud and distortion. Some other respondents feel this may help support closed loop recycling for glass.

## Concerns

Some respondents express concern that the output quality from waste processing facilities may be significantly determined by the quality of the input. They also feel that although materials may not meet a minimum standard, they could still have a market value. Respondents suggest that the market would ensure quality standards.

A few respondents express concerns that the proposals may allow reprocessors to pass elements of their costs down the chain to collectors. They feel that therefore it may be very important to clearly define what minimum output material standards should be.

Some respondents express concerns regarding who would have liability for meeting minimum standards, as compliance schemes would own the material in Options 2 and 3.

Other concerns raised by a few respondents include:

- what would happen to recyclable material which failed to meet the minimum standards;
- what the minimum standards would be; and
- how quality would be measured.

## Suggestions

Many respondents make various suggestions for how they think minimum standards and reporting should be implemented, or for alternative approaches to those proposed. These include:

- ensuring the system takes into account a variety of end markets;
- using the Full Net Cost Recovery payments for any additional costs;
- putting in place a robust auditing process;
- recording materials included in rejected loads and other waste sent for incineration, with the appropriate payments being adjusted based on how much of each material is recycled
- allowing recycling markets to determine if a material is of sufficient quality to be recycled;
- Ensuring acceptance quality sits with the reprocessor; and
- accepting that where a materials recovery facility can prove their output material was genuinely recycled, that should be sufficient evidence that the quality was good enough.

Individual respondents make the following suggestions:

- sorting to meet standards should take place further down the chain or at the most economically viable point;
- quality could be improved by introducing consistent collections;
- the highest priority should be given to collecting glass and paper separately; and
- waste should not be exported.

Some respondents suggest that minimum standards should be applied across all sorting



activities, and that Government should ensure that secondary materials are not accidentally put at a disadvantage to raw materials.

### 11.10. Question 65

#### 11.10.1. Do you think any existing industry grades and standards could be used as minimal output material quality standards?

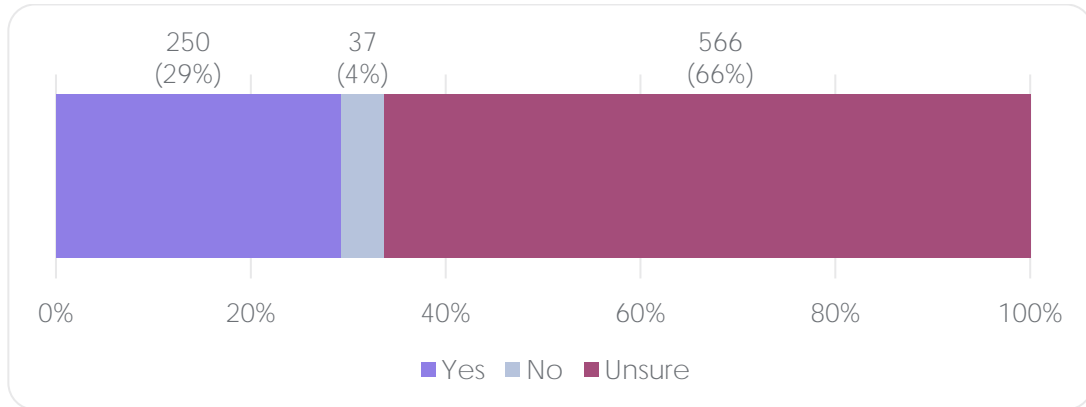


Figure 6123: Question 65, (n=853)

#### 11.10.2. If you answered 'yes' please provide evidence of standards you think would be suitable for use as minimal output material standards.

This question was answered by 208 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
65: Do you think any existing industry grades and standards could be used as minimal output material quality standards?   Suggestion   existing standard	7%	6%	2%	8%	2%	38%
65: Do you think any existing industry grades and standards could be used as minimal output material quality standards?   Suggestion   implementation	6%	3%	14%	3%	3%	19%
65: Do you think any existing industry grades and standards could be used as minimal output material quality standards?   Concern   effectiveness	1%	1%	0%	1%	0%	7%
65: Do you think any existing industry grades and standards could be used as minimal output material quality standards?   Concern   existing standard	1%	1%	2%	1%	0%	6%
65: Do you think any existing industry grades and standards could be used as minimal output material quality standards?   Concern   simplicity/clarity	1%	0%	3%	0%	0%	3%

### Support

A few respondents express general support for the practical nature of using existing



industry grades and standards as minimal output quality standards, as they feel they will be effective and simpler to implement.

### Concerns

Some respondents express concerns as to the efficacy of this proposal and feel it could depend on the material in question. They feel that plastics and glass may be more complex than other materials due to a lack of accepted minimum contamination standards in the market.

Some respondents express concerns that current grades and standards do not provide enough clarity and they believe the existing standards need to be reviewed before a decision can be taken.

A few respondents express concern that if Government develops and implements minimal output quality standards separately from industry grade standards and specifications, this may cause confusion for LAs. These respondents feel there should be a periodic review of standards to ensure simplicity and consistency.

### Suggestions

Many respondents suggest that the standard EN643 for paper and packaging would be suitable.

Many other respondents make suggestions based on different approaches. These include:

- the adoption of End-of-Waste and application of those protocols;
- the introduction of a mechanism to promote continuous improvement in the minimum output material standard; and
- that this should be determined by relevant industry bodies, Government, materials recovery facilities operators and reprocessors.

## 12. Payments for managing packaging waste: reporting and payment cycles

### 12.1. Question 66

#### 12.1.1. Do you agree or disagree that local authority payments should be made quarterly, on a financial year basis?

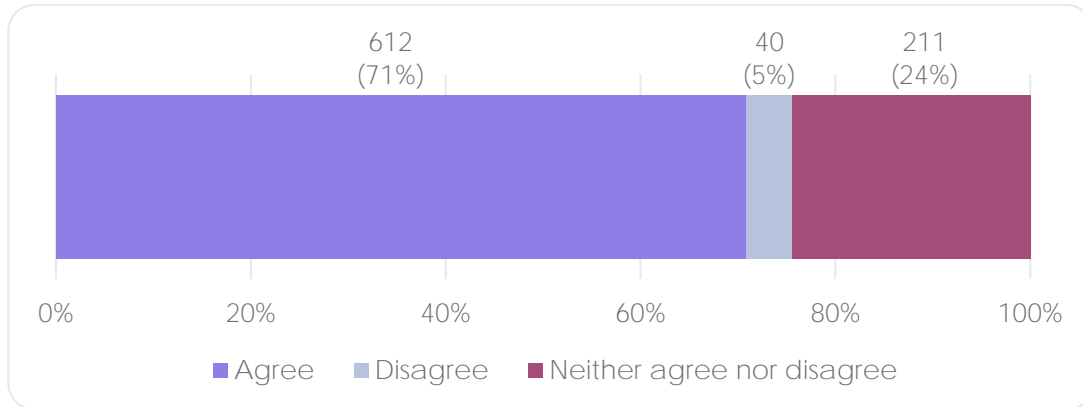


Figure 62: Question 66, (n=863)

#### 12.1.2. If you disagree, please provide the reason for your response and/or suggest any alternative proposals.

This question was answered by 208 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
66: Do you agree or disagree that local authority payments should be made quarterly, on a financial year basis?   Support   general	7%	1%	25%	2%	5%	4%
66: Do you agree or disagree that local authority payments should be made quarterly, on a financial year basis?   Suggestion   implementation	3%	1%	12%	0%	1%	0%
66: Do you agree or disagree that local authority payments should be made quarterly, on a financial year basis?   Concern   timescale (too short)	2%	3%	1%	1%	6%	0%
66: Do you agree or disagree that local authority payments should be made quarterly, on a financial year basis?   Concern   lack of detail	2%	1%	11%	0%	0%	0%
66: Do you agree or disagree that local authority payments should be made quarterly, on a financial year basis?   Suggestion   alternative approach	2%	0%	8%	0%	0%	0%



## Support

Many respondents express broad support for quarterly payments for LAs, without offering further clarification.

## Concerns

Some respondents express concerns that the timeline proposed is unrealistic. They feel that the data submission deadline of January will not allow all the requisite data to be incorporated into submissions.

Some respondents express concern that the proposed payment schedule is too complicated to implement and would require too much additional administration.

A few respondents express concerns that payment in arrears could negatively impact LAs' funding, particularly during the transition between existing funding and the start of EPR payments.

A few respondents express concerns that the scheduling for the first year payments is unclear and request further clarification on the potential additional reporting requirements placed on LAs.

## Suggestions

Some respondents suggest that payments should align with other reporting cycles and that annual reconciliation would be beneficial to ensure that data matches the corresponding payments. A few of these respondents also suggest this should be determined by the Scheme Administrator in line with discussions with LAs.

A few respondents suggest a hybrid approach to payments made up of a fixed element representing 75-80% of the regular annual costs which should be paid in quarterly instalments. They suggest the other 20-25% should be based on a performance rating.

A few respondents suggest that local authority payments should be made annually as more frequent payments would lead to an increase in administration costs.

## 12.2. Question 67

### 12.2.1. Do you agree or disagree that household and business packaging waste management payments should be based on previous year's data?

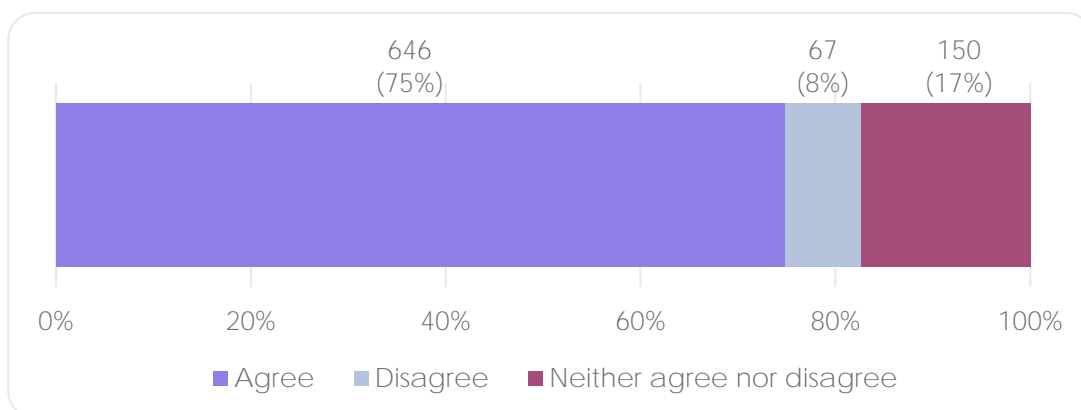


Figure 63: Question 67, (n=863)

### 12.2.2. If you disagree, please provide any concerns you have with the proposed

**approach and/or any alternative proposals.**

This question was answered by 225 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
67: Do you agree or disagree that household and business packaging waste management payments should be based on <b>previous year's data?</b>   Suggestion   alternative approach	6%	3%	19%	1%	1%	16%
67: Do you agree or disagree that household and business packaging waste management payments should be based on <b>previous year's data?</b>   Suggestion   implementation	6%	0%	23%	1%	2%	6%
67: Do you agree or disagree that household and business packaging waste management payments should be based on <b>previous year's data?</b>   Support   general	5%	2%	12%	1%	3%	1%
67: Do you agree or disagree that household and business packaging waste management payments should be based on <b>previous year's data?</b>   Concern   effectiveness	5%	1%	17%	0%	3%	10%
67: Do you agree or disagree that household and business packaging waste management payments should be based on <b>previous year's data?</b>   Concern   lack of detail	2%	0%	8%	0%	1%	3%

### Support

Some respondents express support for the proposed approach. These respondents feel it will provide greater cost certainty to producers, and ensures time for due diligence to be carried out to verify the robustness of the data. Some respondents caveat their support by suggesting it is an effective initial approach but ought to be reconsidered after the project is implemented, whilst others specify their support for this approach only applies to household waste.

### Concerns

Some respondents express concerns about the effectiveness of basing the payments on previous year's data. These concerns include:

- how this would account for dramatic year-on-year changes;
- how to finance the first year of waste collection;
- that the proposals could actually remove the connection between payments and performance; and
- that this would not take into account the seasonality impacts on waste production.

A few respondents express concern that the system would not be able to react to unusual circumstances such as those brought about by Covid-19.



Some respondents express concerns about a lack of detail on the following points:

- how new-start businesses will be assessed;
- what data management processes will be used; and
- will Government cover the first year's payment if spending is required to align services with upcoming changes?

### Suggestions

Many respondents suggest alternative approaches to determining waste management payments, these include:

- using live data to determine payments;
- basing payments on forecasting at the beginning of the year, with an end of year redress;
- using a rolling 12-month data set to potentially better capture seasonality of waste; and
- basing payments on a number of years to minimise influence of anomalous years.

A few respondents suggest various approaches to implementing the payment system. These include:

- giving businesses capacity for adjustment if they face a dramatic drop in output;
- giving consideration to how timing of this interacts with local authority budget-setting processes;
- revising timelines in Table 8 in the consultation document to be consistent with the recommendation to change to coordinated policy implementation in 2024; and
- ensuring last year's data includes all relevant costs to ensure the producers take full financial responsibility for the packaging they place on the market.





## 13. Litter payments

### 13.1. Question 68

**13.1.1. Do you agree or disagree that the costs of litter management should be borne by the producers of commonly littered items based on their prevalence in the litter waste stream as determined by a composition analysis which is described in option 2?**

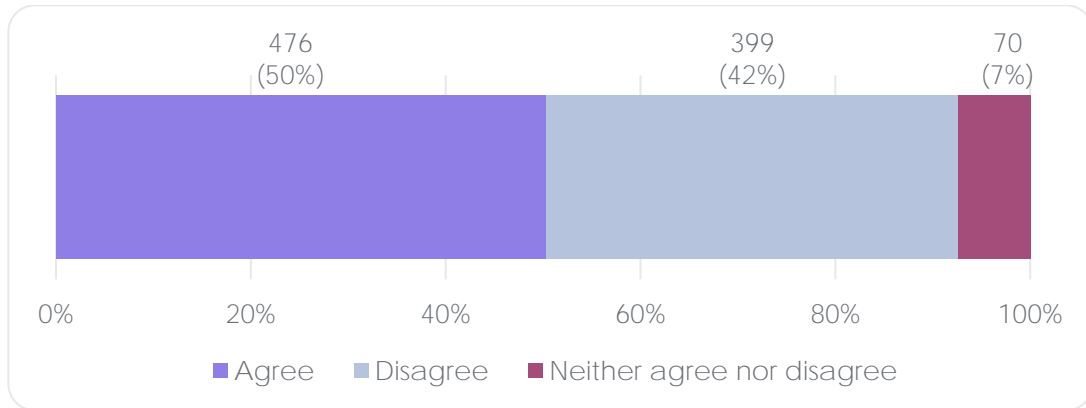


Figure 64: Question 68, (n=945)

**13.1.2. If you disagree, please provide the reason for your response and/or provide an alternative approach to litter management costs being based on a commonly littered basis.**

This question was answered by 565 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
68: Costs of litter management should be borne by the producers of commonly littered items based on their prevalence in the litter waste stream   Concern   responsibility	29%	34%	4%	42%	34%	16%
68: Costs of litter management should be borne by the producers of commonly littered items based on their prevalence in the litter waste stream   Concern   lack of detail	14%	8%	28%	8%	15%	3%
68: Costs of litter management should be borne by the producers of commonly littered items based on their prevalence in the litter waste stream   Suggestion   implementation	13%	9%	33%	10%	11%	4%
68: Costs of litter management should be borne by the producers of commonly littered items based on their prevalence in the litter waste stream   Suggestion   litter management	12%	10%	8%	15%	14%	3%
68: Costs of litter management should be borne by the producers of commonly littered items based on their prevalence	7%	23%	5%	9%	5%	7%



in the litter waste stream   Concern   effectiveness						
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## Support

Some respondents express general support for Option 2 citing it as being the most pragmatic option and provides an incentive for producers to create products with less chance of being littered, for example by removing hard-to-recycle parts or using multiple components. A few respondents express support for Option 2 because they believe it is in line with the producer pays principle.

Some respondents express support for Option 2 but with some qualification to their support. Some are supportive as long as producers are obligated for the full financial responsibility for packaging litter management, including disposal costs. Others express support as long as:

- work is undertaken toward reducing littering;
- there is a clearly defined amount with strict parameters around what is funded; and
- producers do not bear the sole responsibility for the activity of consumers.

A few respondents express support for option 3 because they believe it provides a stronger incentive for individual firms to address littering; some respondents view it as fairer.

## Concerns

Many respondents express various concerns about making producers responsible for litter, including there being a limited extent to which producers can **influence consumers'** littering behaviour and current low levels of legal enforcement of anti-littering fines.

Many respondents feel this proposal may encourage further littering as consumers feel absolved of responsibility. Some of these respondents express support for producers assisting with litter prevention schemes, such as anti-littering communication campaigns, but believe producers are not responsible for **consumers'** littering. Some of these respondents believe that responsibility ought to be shared, for example between producers, retailers, LAs and other stakeholders. They feel this reflects the fact that provision of waste management infrastructure that prevents litter, such as bins, is the responsibility of retailers and LAs and not producers.

Many respondents express concerns about how effective this would be. They feel this may be counter-effective as producers may cease collecting litter themselves as well as disincentivising LAs from enforcement activities. They also feel that producers paying for litter management would not impact on consumer behaviour. Some also feel that it is unfair as some commonly littered items, such as cigarette butts and chewing gum, are not included.

Some respondents express general concerns about the costs of litter management for producers. They feel these costs are potentially open-ended and question whether they will include cleaning legacy litter as well. Some respondents express concerns about the added cost of the compositional analysis and comment that producers should not fund litter that is not individually measured.



Some respondents feel that the system would be complex, potentially delaying litter payments, and taking more resources to implement robustly. Some also question if it would be fair if LAs increase their litter collection objectives or producers pay for litter in the scope of the deposit return scheme.

Some respondents express concerns about a lack of detail in the proposal. These include what the costs are likely to be; whether fly-tipped packaging will be included; how payments to LAs will be calculated; who will complete the composition analysis; how the composition analysis will take account of regional, geographic and temporal variations; and whether the analysis will be based on item size, number of items, weight or volume.

### Suggestions

Many respondents suggest alternative approaches to litter management. These included:

- greater enforcement of and strengthening the laws around littering;
- setting targets for enforcement of anti-littering laws;
- anti-littering education campaigns led by Government, producers or both; and
- more bins in public spaces provided by LAs and regular emptying of these bins.

Some respondents suggested other sources of funding for litter management and waste compositional analyses, including covering these costs through council tax, new taxes on products that are regularly littered, or stronger fines on littering.

## 13.2. Question 69

### 13.2.1. In addition to local authorities, which of the following duty bodies do you agree should also receive full net cost payments for managing littered packaging? Selecting multiple options is allowed.

278 respondents who responded by email provided comments to Question 73, even though it was a closed question.

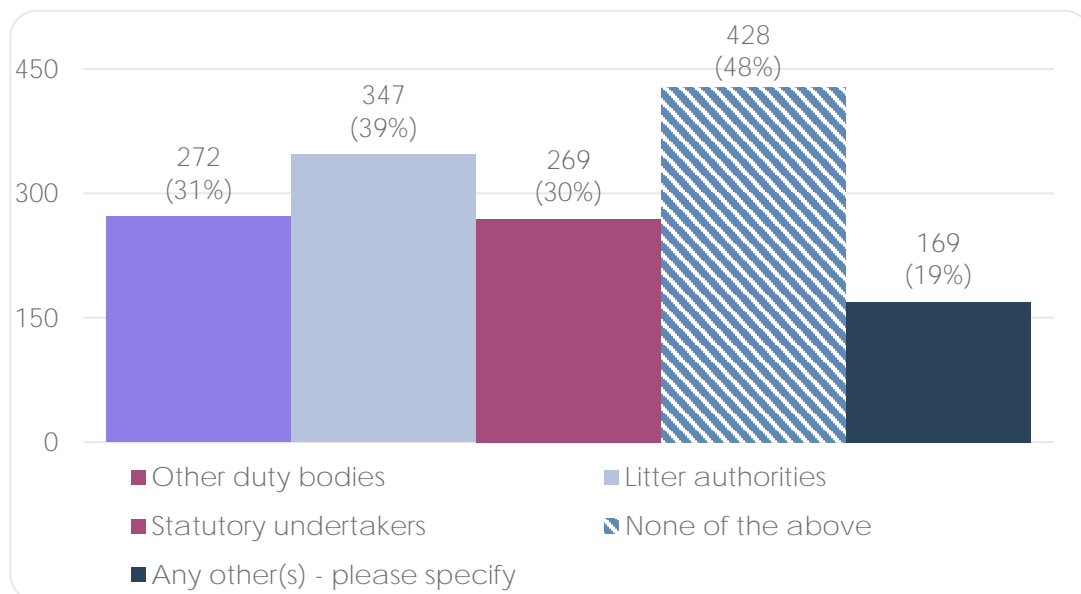


Figure 65: Question 69, Respondents could select more than one option and the base number (n) is the number of respondents who selected at least one option, with all percentages calculated in relation to this figure (n=883)



	All	Group 1	Group 2	Group 3	Group 4	Group 5
69: Which of the following duty bodies do you agree should also receive full net cost payments for managing littered packaging?   Suggestion   implementation	14%	23%	26%	3%	10%	10%
69: Which of the following duty bodies do you agree should also receive full net cost payments for managing littered packaging?   Suggestion   government bodies/bodies legally obliged to clear litter	11%	17%	31%	2%	5%	12%
69: Which of the following duty bodies do you agree should also receive full net cost payments for managing littered packaging?   Concern   lack of detail	7%	1%	25%	4%	3%	0%
69: Which of the following duty bodies do you agree should also receive full net cost payments for managing littered packaging?   Concern   responsibility	4%	5%	0%	7%	5%	0%
69: Which of the following duty bodies do you agree should also receive full net cost payments for managing littered packaging?   Suggestion   NGO/charity/volunteer organisations	4%	4%	12%	0%	0%	12%

## Concerns

Some respondents express concerns about the effectiveness of providing net cost payments in terms of tackling the general issue of littering. They do not support extending funding to any of the bodies listed, until such a time as litter reduction itself is prioritised.

Some respondents express concern that since littering is a criminal act, they do not feel it should be included in any EPR costs.

A few respondents express concern that when implementing the scheme, unless suitable access to funding is provided, there may be a lack of fairness, and that producers may face a potentially open-ended commitment, especially in the apparent absence of a clear estimation of costs.

Many respondents express concerns about a lack of clarity in the definitions given for options a-c.

## Suggestions

Many respondents have various suggestions regarding the implementation of these payments. These include:

- confining funding to LAs;
- implementing core EPR measures first; and
- tasking LAs with distributing payments to smaller bodies within their jurisdiction, from their own larger payment received under EPR.



Many respondents suggest alternative groups that should receive the full net costs of littering. These include:

- anyone who incurs any cost from managing litter or incurs an obligation to clear litter;
- voluntary and community organisations such as English Heritage and the National Trust;
- schools and landowners;

Conversely some respondents suggest that bodies referred to in option a (other duty bodies) and NGOs should be responsible for their own litter management, as some bodies such as the National Trust, market and sell refreshments in single use packaging.

### 13.3. Question 70

#### 13.3.1. Do you agree or disagree that producers should contribute to the costs of litter prevention and management activities on other land?

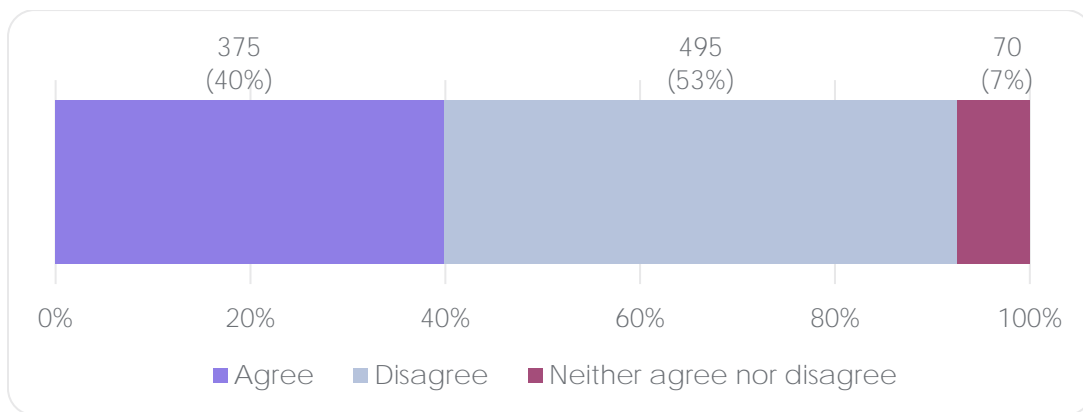


Figure 66: Question 70, (n=940)

#### 13.3.2. If you disagree, please provide the reason for your response.

This part of the question was answered by 559 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
70: Do you agree or disagree that producers should contribute to the costs of litter prevention and management activities on other land?   Concern   responsibility	22%	12%	2%	31%	33%	13%
70: Do you agree or disagree that producers should contribute to the costs of litter prevention and management activities on other land?   Suggestion   responsibility	14%	27%	1%	21%	11%	14%
70: Do you agree or disagree that producers should contribute to the costs of litter prevention and management activities on other land?   Suggestion   implementation	7%	3%	18%	3%	9%	1%



70: Do you agree or disagree that producers should contribute to the costs of litter prevention and management activities on other land?   Suggestion   litter management	4%	3%	2%	8%	4%	3%
70: Do you agree or disagree that producers should contribute to the costs of litter prevention and management activities on other land?   Concern   effectiveness	3%	3%	7%	1%	4%	0%

## Support

A few respondents express general support for Option 1 as a way to ensure producers pay for litter clean-up.

Some respondents express general support for Option 2 as the most pragmatic approach. They feel this fulfils the polluter pays principle and is a more zero-tolerance approach, since it applies to all publicly accessible land, as well as having a greater focus on prevention of waste. Other reasons respondents comment favourably on Option 2 include:

- it ensures funding for LAs;
- it supports voluntary bodies; and
- it does not extend to fly-tipping.

## Concerns

Many respondents express concerns about producers bearing responsibility for the costs of litter prevention and management on other land, rather than those who drop litter or the landowners bearing responsibility. Concerns include:

- this is beyond the remit of the polluter pays principle;
- that producers should not be responsible for the costs of an illegal activity; and
- only sectors that contribute significantly to litter should contribute to the costs.

Some respondents express concerns about the effectiveness of producers paying for litter management as it breaks the link of responsibility to an offender who litters.

A few respondents express concerns that paying for litter prevention and management could lead to unlimited costs and that producers could be paying twice for the same piece of packaging.

Some respondents express concerns about a lack of detail in the proposals. These include whether fly-tipping would be included and how this will be managed.

## Suggestions

Many respondents suggest landowners have a responsibility to prevent littering through providing waste disposal facilities. Some of these respondents suggest that producers could make some contribution to litter payments, but that this should be shared between producers and landowners.

Some respondents make suggestions about the implementation of the proposal. These



include:

- that litter management and prevention on other land should be deprioritised compared to the successful implementation of the key components of EPR;
- that a distinction is needed between littering that falls under the payments remit and fly-tipping;
- that details and definitions are worked through with stakeholders before regulations and guidance are published;
- that the Scheme Administrator should decide whether to include other land, in consultation with relevant bodies;
- that privately owned land with no or only some public access should be excluded; and
- that the criteria by which organisations become eligible for funding is as transparent as possible.

Other suggestions about how litter should be managed made by some respondents include:

- producers should contribute to changing behaviours via providing education and infrastructure;
- that LAs should be set a target for enforcement of litter fines;
- there should be a greater focus on enforcing or strengthening existing laws;
- running nationwide campaigns focused on prevention and behaviour change; and
- using a circular economy model where those who collect litter are reimbursed for it.

### 13.4. Question 71

#### 13.4.1. Do you agree or disagree that local authority litter payments should be linked to improved data reporting?

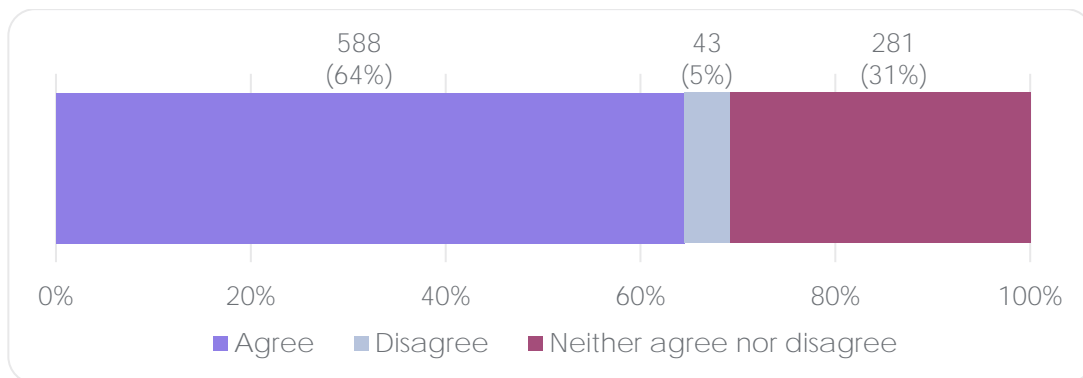


Figure 67: Question 71, (n=912)

#### 13.4.2. If you disagree, please detail why you think litter payments should not be linked to improved data reporting.

This part of the question was answered by 377 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
71: Do you agree or disagree that local authority litter payments should be linked to improved data reporting?	11%	16%	4%	17%	5%	10%



Suggestion   criteria for litter payments						
71: Do you agree or disagree that local authority litter payments should be linked to improved data reporting?   Suggestion   implementation	10%	3%	42%	0%	4%	3%
71: Do you agree or disagree that local authority litter payments should be linked to improved data reporting?   Concern   lack of detail	7%	1%	37%	0%	0%	0%
71: Do you agree or disagree that local authority litter payments should be linked to improved data reporting?   Suggestion   funding	6%	1%	29%	0%	0%	1%
71: Do you agree or disagree that local authority litter payments should be linked to improved data reporting?   Support   support with caveats	6%	3%	27%	0%	1%	0%

### Support

Some respondents express general support, providing that:

- the process for collecting that data is clear; and
- additional support is provided to geographical areas with challenges such as high deprivation.

### Concerns

Some respondents express concerns that the proposal only refers to EPR packaging and not to other types of litter. They feel that recording a mix of litter may be difficult, and that there may be potential for assessments to be subjective, influenced by built environment or demographics. They express concern that this would increase LA administration for no benefit.

Some respondents comment on various other concerns about the proposals, these include:

- the operational cost, requirements and impact associated with capturing data, which may not be achievable for all LAs;
- that the cost of reporting will be prohibitive;
- that LAs may not be accurate with their data;
- that enforcing penalties for the illegal act of littering should be outside the scope of EPR;
- that payments could be based on subjective cleanliness standards; and
- that data systems for reporting are not clear or standardised.

### Suggestions

Many respondents suggest clear definitions are needed between litter and fly-tipping. They also suggest data on enforcement and performance should be reported to the Scheme Administrator, with consistent data collection methods that are not biased to





some LAs. A few of these respondents suggest Government should focus and strengthen existing laws on littering.

Many respondents suggest that linking payments to prevention, performance and accountability will provide a good incentive to tackle littering.

Some respondents say that costs associated with changes in data reporting must fall within the remit of litter payments, given any changes to data reporting would be as a result of the EPR policy.

### 13.5. Question 72

#### 13.5.1. Do you agree or disagree that payments should be linked to standards of local cleanliness over time?

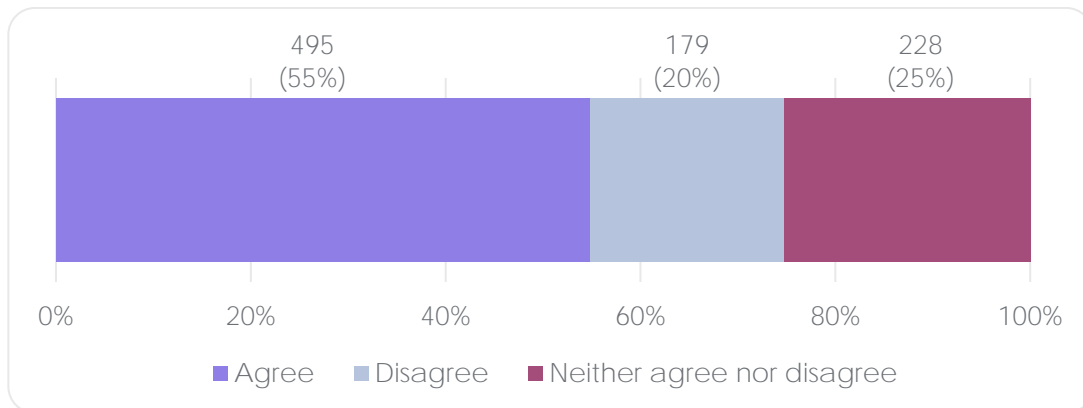


Figure 68: Question 72, (n=902)

#### 13.5.2. If you disagree, please provide the reason for your response

This part of the question was answered by 372 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
72: Do you agree or disagree that payments should be linked to standards of local cleanliness over time?   Concern   responsibility	16%	3%	56%	9%	4%	0%
72: Do you agree or disagree that payments should be linked to standards of local cleanliness over time?   Suggestion   implementation	15%	9%	41%	9%	4%	4%
72: Do you agree or disagree that payments should be linked to standards of local cleanliness over time?   Concern   lack of detail	7%	1%	32%	0%	1%	0%
72: Do you agree or disagree that payments should be linked to standards of local cleanliness over time?   Concern   implementation	6%	1%	30%	0%	0%	1%
72: Do you agree or disagree that payments should be linked to standards of local cleanliness over time?   Concern   economic impact	5%	0%	24%	0%	0%	0%



## Support

A few respondents express general support for the policy as they believe it will incentivise councils to improve cleanliness and that improved cleanliness may lead to less littering in the future.

## Concerns

Many respondents express concerns about the extent to which the LA has control over the amount of litter dropped. Some of these respondents express concerns about producers being held responsible for litter in the first place, while others express concerns about this scheme incentivising more expensive litter management techniques by LAs which the producers then may have to be responsible for funding. Some respondents also feel it will be ineffective as it doesn't incentivise LAs to prevent littering in the first instance.

Some respondents express concern that local councils will have to cover the cost of monitoring and reporting standards and thus litter payments may not equate to full net cost recovery.

Some respondents comment on the Litter Monitoring System in Scotland, and how this will need to be modified and informed by and changes that EPR would make to this.

Other concerns a few respondents comment on include:

- how cleanliness will be measured;
- if there is adequate infrastructure to measure cleanliness;
- that litter should be out of scope of EPR; and
- some littering is not directly related to packaging.

## Suggestions

Many respondents suggest various approaches to implementing the proposals. These include:

- distinguishing between packaging and non-packaging litter in the cleanliness measurement;
- linking payments to enforcement activity;
- incorporating data on rurality and deprivation in the cleanliness measurement;
- measuring local authority performance against comparative LAs; and
- implementing this after EPR is running as this may ensure more robust data.

A few respondents suggest there should be an increased focus on litter prevention as opposed to litter management.

### **13.6. Additional comments provided on the topic of litter payments**

24 respondents commented on issues relating to questions 72 to 76 without clearly referring to any specific section of the proposals. These comments are summarised below.

## Support

A few respondents express general support for the littering proposals.



## Concerns

A few respondents express concern about the littering proposals. These include:

- that the proposals may misallocate responsibility for littering;
- these go beyond the polluter pays principle;
- the cost to businesses of the proposals;
- they do not address the cause of littering; and
- there is a lack of detail in the proposals.

## Suggestions

Some respondents make suggestions about the littering proposals. These include:

- individuals who litter, LAs, enforcement agencies and retailers should be responsible for the costs of litter clean up;
- cigarette companies should pay for cleaning up cigarette butts; and
- the Scheme Administrator should consult producers prior to deciding payments; and
- using technology to ensure litterers could be identified.

Respondents make suggestions for how litter should be managed, such as reverse vending machines, recycling bins near retail outlets, and printing the registration plate number of customers' cars onto takeaway food packaging.



## 14. Scheme Administration and Governance

### 14.1. Question 73

**14.1.1. Do you agree or disagree that the functions relating to the management of producer obligations in respect of household packaging waste and litter including the distribution of payments to local authorities are managed by a single organisation?**

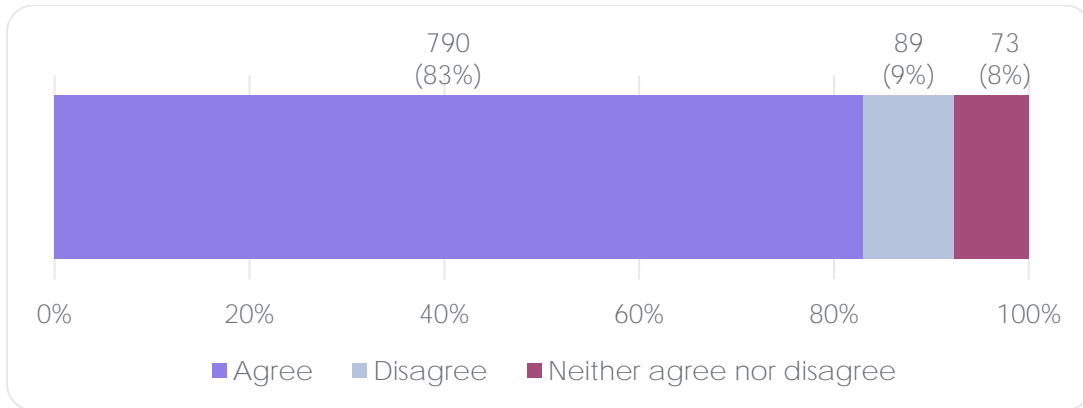


Figure 69: Question 73, (n=952)

### 14.2. Question 74

**14.2.1. Overall which governance and administrative option do you prefer?**

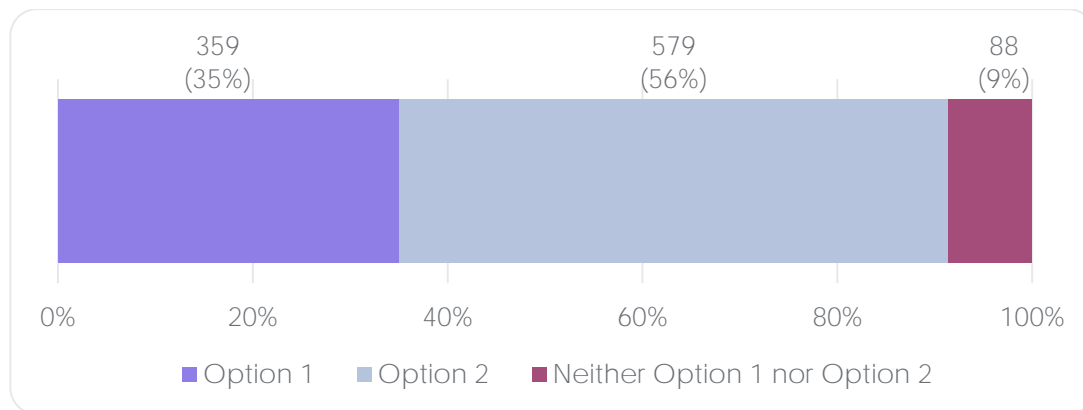


Figure 70: Question 74, (n=1,026)

**14.2.2. Please provide the reason for your response.**

This question was answered by 716 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
74: Overall which governance and administrative option do you prefer?   Support   option 2   compliance schemes	14%	13%	0%	27%	11%	9%



74: Overall which governance and administrative option do you prefer?   Support   option 1   effectiveness	12%	6%	43%	2%	6%	1%
74: Overall which governance and administrative option do you prefer?   Support   option 2   competition	10%	8%	0%	13%	21%	6%
74: Overall which governance and administrative option do you prefer?   Support   option 2   effectiveness	9%	16%	0%	8%	9%	10%
74: Overall which governance and administrative option do you prefer?   Support   option 1   consistency	9%	3%	36%	1%	3%	4%

## Support

### Option 1

Some respondents express support for Option 1 as they feel that a single organisation will be simpler for administration, communication and payments. These respondents also feel that a single organisation will offer greater clarity and oversight for all parties involved.

Many respondents express support for Option 1 as they believe it will:

- lead to accurate data reporting;
- be more streamlined;
- allow for more scrutiny; and
- enable the role and responsibilities of the organisation to be clearly defined.

A few respondents support Option 1 as they feel it will lead to a more consistent strategic oversight of the scheme which in turn may lead to other positive outcomes such as better packaging design and more recycling. They also comment that LAs may welcome the consistency of receiving payments from one body rather than multiple. Other respondents believe that one organisation may mean fewer procurement or contracting issues.

A few respondents express support for Option 1, provided that:

- there is a separate system for business and commercial waste involving a compliance scheme buying evidence and handling data;
- there will be local government representation within the Scheme Administrator to ensure it is not purely producer led; and
- governance arrangements are in place to ensure only direct costs are covered by producers.

A few respondents express support for Option 1 as they believe producers should be directly involved in running the new organisation on the basis that they will be paying for the total net costs of managing packaging waste.

A few respondents express support for Option 1 as they believe the data demonstrates that a Single Management Organisation will be more cost effective than the combined running costs of a Scheme Administrator and compliance schemes.

### Option 2

A few respondents express support for Option 2 as they feel it delivers the best outcome



for all stakeholders and best meets the governing principles of Extended Producers Responsibility.

Many respondents express support for Option 2 as they believe this Option will retain compliance scheme's existing knowledge and expertise. Respondents also comment that this Option will ensure support is provided to producers, as well as providing value for money.

Many respondents express support for the open market approach of Option 2 which they think will create competition and lead to greater efficiency, lower costs, and increase innovation, while also providing choice for producers. Respondents also express support for the opportunity of choice which may be created by Option 2 and feel that it may lead to a more agile and responsive approach.

A few respondents express support for Option 2 as they believe that the retained knowledge in existing compliance schemes and competition between schemes may reduce complexity for the Scheme Administrator and allow it to focus on wider strategic objectives and interacting with LAs.

A few respondents express support for a combination of Options 1 and 2, such as a single administrative body to set the framework but with costs and payments made through a competitive system.

## Concerns

### Option 1

Some respondents express the following concerns regarding Option 1:

- a single national Scheme Administrator may dilute the concept of EPR as the responsibility to meet recycling targets may be taken on by the Administrator rather than producers;
- a large Scheme Administrator may not be able to offer the correct level of support to producers and smaller actors in the system and may be overly bureaucratic and inefficient;
- financial costs and administrative burdens to producers may be higher under Option 1;
- may result in the loss of knowledge, systems, resources and expertise that is present in existing compliance schemes and it may take time for this to be re-established in a central organisation;
- there may not be adequate monitoring and enforcement; and
- that there is a lack of detailed information given in the proposal relating to the potential role of a Scheme Administrator and how the organisation would be governed and held accountable;

### Option 2

Many respondents express the following concerns regarding Option 2:

- the introduction of compliance schemes may increase complexity and cost and that it may be inefficient for LAs to receive payments from different bodies for domestic and commercial waste;
- if compliance systems are only able to compete on management fees that this may



lead to reduced service levels or shortcomings in the recycling system as a means of cost cutting;

- competition may result in non-disclosure of cost and revenue details which may in turn lead to less transparency
- the costs of running numerous compliance schemes may compare poorly to the cost of running one overall organisation which may have the resources to benefit from economies of scale;
- the proposal may be contrary to competition law, referencing comments made in response to Question 58;
- the consultation does not appear to explain how producers and compliance schemes will access and link evidence to waste collections; and
- the consultation does not appear to provide enough detail in general to decide which option they prefer.

Some respondents express the following concerns:

- there may be no incentive to increase recycling beyond target levels;
- there may be occasions when the Scheme Administrator does not serve the public interest but may instead be focused on short term competitive pressures of producers;
- there is insufficient information contained in the proposal regarding the governance arrangements for any organisation that is created; and
- there is a risk of undue financial burdens on LAs that are not covered by payments from the system.

## Suggestions

Many respondents suggest that local government and the packaging industry should be involved in the Single Management Organisation

Some respondents make the following suggestions regarding Option 2:

- the Scheme Administrator should focus on communication with LAs and overarching strategic objectives;
- there could be government control over the organisation and that strategic considerations should be dealt with by the public sector; and
- the payment to LAs for both household waste and household-like waste should be administered by the single body rather than the compliance schemes.

A few respondents suggest that any system implemented should avoid focussing on profit, have full net cost recovery at its heart, and that aspects related to evidence and payments must be as simple and transparent as possible.

A few respondents suggest that the organisation should be a publicly accountable agency, tasked with serving the public interest. Others suggest that there should be two administrators – one for household packaging waste and the other for business packaging waste. Finally, respondents suggest that as many elements of the existing system should be maintained as possible to minimise the impact of change on businesses.

## 14.3. Question 75

### 14.3.1. How do you think in-year cost uncertainty to producers could be



### managed?

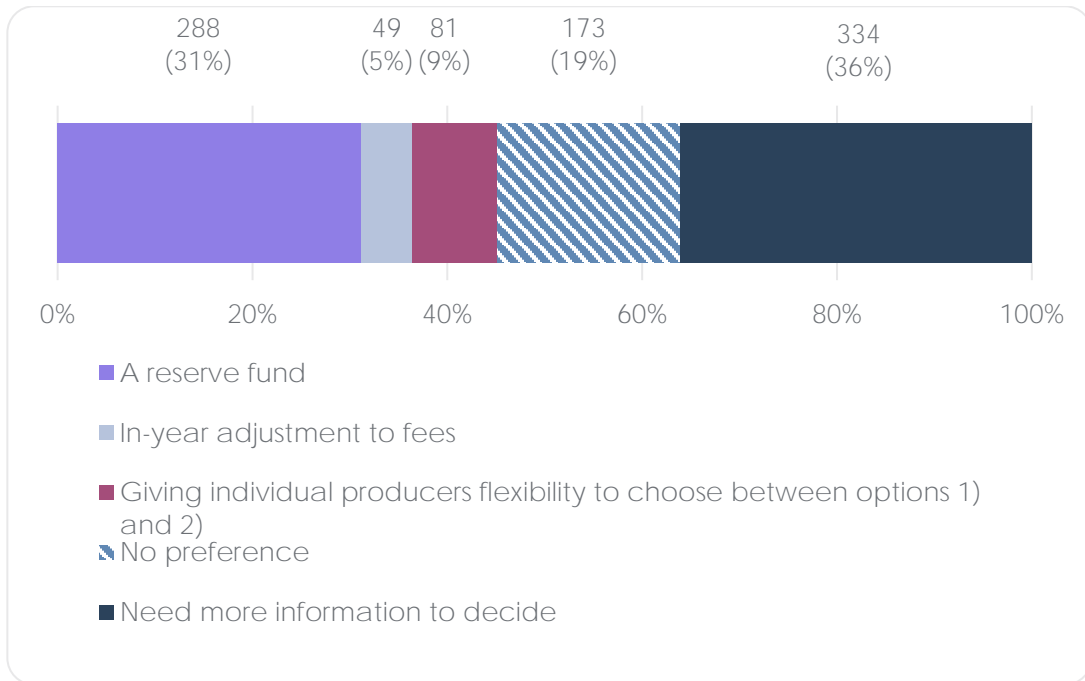


Figure 71: Question 75, (n=925)

36 respondents who responded by email provided comments to Question 79, even though it was a closed question. Their comments are summarised below:

	All	Group 1	Group 2	Group 3	Group 4	Group 5
75: How do you think in-year cost uncertainty to producers could be managed?   Support   option a (a reserve fund)   effectiveness	3%	1%	13%	0%	0%	1%
75: How do you think in-year cost uncertainty to producers could be managed?   Suggestion   option a (a reserve fund)   implementation	1%	0%	7%	0%	0%	0%
75: How do you think in-year cost uncertainty to producers could be managed?   Concern   general   lack of detail	1%	0%	3%	0%	0%	0%
75: How do you think in-year cost uncertainty to producers could be managed?   Concern   general   implementation	1%	0%	2%	0%	0%	0%
75: How do you think in-year cost uncertainty to producers could be managed?   Suggestion   alternative approach	0%	0%	0%	0%	0%	0%

### Support

Some respondents support a reserve fund, commenting that a reserve fund may permit innovation and step change, and may reduce the risk of cost fluctuations for producers.





## Concerns

In contrast to the above, a few respondents express concerns that a reserve fund may build up significantly over time, which they see as contradicting the principle of 'necessary costs', as well as generally leading to inefficiencies in the system.

A few respondents express concerns over the uncertainty LAs may experience when managing budgets for the provision of household packaging waste services.

## Suggestions

A few respondents suggest transparency is needed for effective producer engagement.

Respondents suggest that providing individual producers with flexibility between Options 1 and 2 may be achievable using individual compliance schemes.

A few respondents suggest any reserve fund would require a mechanism to be created for producers to contribute.

### 14.4. Question 76.

#### 14.4.1. Under Option 1, does the proposed initial contract period of 8-10 years (2023 to 2030/32) provide the necessary certainty for the Scheme Administrator to adopt a strategic approach to the management and delivery of its functions and make the investments necessary to deliver targets and outcomes?

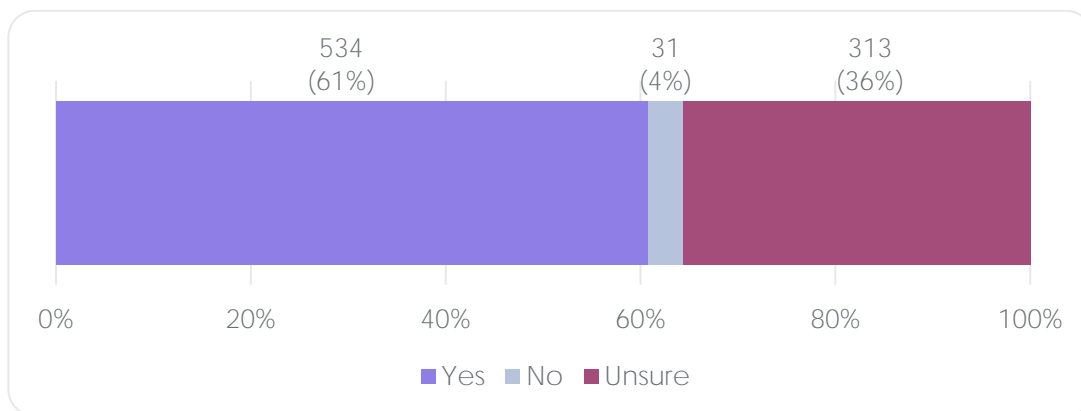


Figure72: Question 76, (n=878)

#### 14.4.2. If you answered 'no', please detail what you think would be an appropriate contract length.

This question was answered by 170 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
76: Under Option 1, does the proposed initial contract period provide the necessary certainty for the Scheme Administrator to adopt a strategic approach   Suggestion   contract length	4%	2%	15%	0%	2%	3%
76: Under Option 1, does the proposed initial contract period provide the necessary certainty for the Scheme Administrator to	4%	1%	16%	0%	0%	6%



adopt a strategic approach   Support   general						
76: Under Option 1, does the proposed initial contract period provide the necessary certainty for the Scheme Administrator to adopt a strategic approach   Suggestion   implementation	3%	2%	7%	0%	4%	4%
76: Under Option 1, does the proposed initial contract period provide the necessary certainty for the Scheme Administrator to adopt a strategic approach   Concern   implementation	3%	2%	7%	0%	3%	0%
76: Under Option 1, does the proposed initial contract period provide the necessary certainty for the Scheme Administrator to adopt a strategic approach   Concern   lack of detail	2%	0%	7%	0%	2%	1%

### Support

Some respondents express support for the proposed timeframe, which they comment allows investment confidence and time for a return on upfront investment whilst also providing some flexibility.

Some respondents express positive comments towards this proposal, but comment that the contract includes Scheme Administrator establishment, so operational time would be less than eight to ten years. Respondents express support, providing the process of appointing the Scheme Administrator is effective and that local authority representation is ensured.

### Concerns

Many respondents express several concerns regarding implementation of the proposals, including:

- the large scope of the Scheme Administrator's role;
- that it should not be the role of the Scheme Administrator to make investments;
- that the setup period for the Scheme Administrator is too long; delaying the onset of beneficial activities, and that Government should look to global examples of similar schemes to guide the implementation phase;
- that the EPR scheme will be complex and challenging to implement; and
- that compliance schemes will be essential and Option 1 not viable.

A few respondents express concerns that the proposed initial contract period is too long and may cause complacency, without assessment of the Scheme Administrator's competency or the scheme's efficacy.

In contrast, some respondents express concerns that the proposed initial contract period is too short, and may not be enough time for the scheme to be developed, implemented and maintained.



Some respondents express concerns that performance parameters are not clear, and that the role of the Scheme Administrator lacks clarity. They also express concerns over low levels of data in the proposal.

A few respondents reiterate their concerns over the principle of having a single administrator, as they feel the requirements may be too much for a single organisation to take on.

### Suggestions

Many respondents suggest there should be:

- a performance management framework;
- a contract length which is not related to Scheme Administrator investments (as respondents believe it is not the job of the Scheme Administrator to make investments);
- options to extend the contract if necessary; and
- contract termination clauses for failure to perform.

Many respondents suggest that the first two to five years of the initial contract period effectively may mainly be a setting up period. Respondents suggest the contract should be between 15 and 25 years to offer sufficient certainty for major investments. Some other respondents suggest that a five-year contract is necessary to permit regular reviews.

A few respondents suggest flexibility is required in case the approach needs to change before 2030. Respondents suggest a competitive scheme environment may be needed with many options for producers.

Some respondents suggest that accountability could be maintained by LAs and other representatives monitoring the Scheme Administrator, potentially in formal reviews every two years. Respondents suggest LAs may require training and familiarisation time, and that global EPR initiatives should be used to inform the implementation approach.

## 14.5. Question 77

### 14.5.1. Under Option 2, does the proposed initial contract period of 8-10 years (2023 to 2030/32) provide the necessary certainty for the Scheme Administrator to adopt a strategic approach to the management and delivery of its functions and make the investments necessary to deliver targets and outcomes?

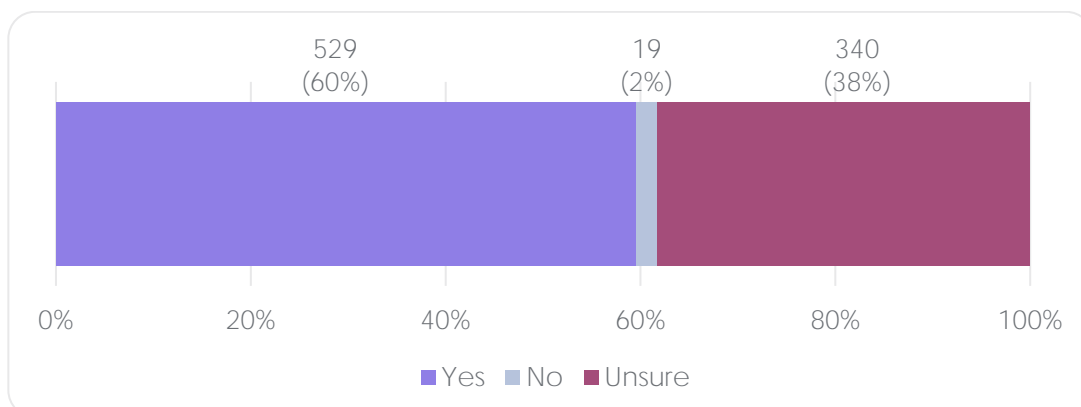




Figure 73: Question 77, (n=888)

### 14.5.2. If you answered 'no', please detail what you think would be an appropriate contract length.

This question was answered by 174 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
77: Under Option 2, does the proposed initial contract period provide the necessary certainty for the Scheme Administrator to adopt a strategic approach   Suggestion   implementation	6%	4%	13%	1%	5%	4%
77: Under Option 2, does the proposed initial contract period provide the necessary certainty for the Scheme Administrator to adopt a strategic approach   Concern   option 2	3%	1%	16%	0%	0%	1%
77: Under Option 2, does the proposed initial contract period provide the necessary certainty for the Scheme Administrator to adopt a strategic approach   Support   general	2%	1%	11%	0%	1%	0%
77: Under Option 2, does the proposed initial contract period provide the necessary certainty for the Scheme Administrator to adopt a strategic approach   Concern   timescale (too short)	2%	1%	8%	0%	0%	0%
77: Under Option 2, does the proposed initial contract period provide the necessary certainty for the Scheme Administrator to adopt a strategic approach   Suggestion   contract length	2%	3%	0%	1%	2%	0%

#### Support

A few respondents express positive comments towards these proposals as they consider the timeframe to give the right balance of stability for making investments and flexibility to adapt.

A few respondents re-iterate their support for keeping all administrative functions under a single organisation, which they believe will lead to better accountability and knowledge transfer.

A few respondents express support on the condition that contracts are regularly reviewed and have break clauses.

#### Concerns

A few respondents express concerns that there is a lack of detail in the consultation document about the governance arrangements expected of the Scheme Administrator. They also express concern that it is difficult to comment on whether the proposed contract length is sufficient as it would be difficult for any organisations to submit a robust



proposal to operate as Scheme Administrator while the proposals are still conceptual.

A few respondents express concerns that, should the scheme not be working, eight to ten years is too long for an initial contract period.

Conversely a few respondents express concerns that eight to ten years might be too short as, given the time taken to establish the Scheme Administrator it will not have had sufficient time to become efficient.

### Suggestions

Many respondents suggest that the contract should be terminated if the Scheme Administrator fails to perform adequately. They also point out that the initial contract period would include setting up the Scheme Administrator and as a result the operational period may be less than eight to ten years. They also suggest a shorter term may be appropriate as well as an option to extend the term.

Some respondents suggest an ongoing contract between Government and the Scheme Administrator to offer a long term view, while others suggest a term of five years may be appropriate with the potential for a five year extension.

## 14.6. Question 78

### 14.6.1. Do you agree or disagree with the timeline proposed for the appointment of the Scheme Administrator?

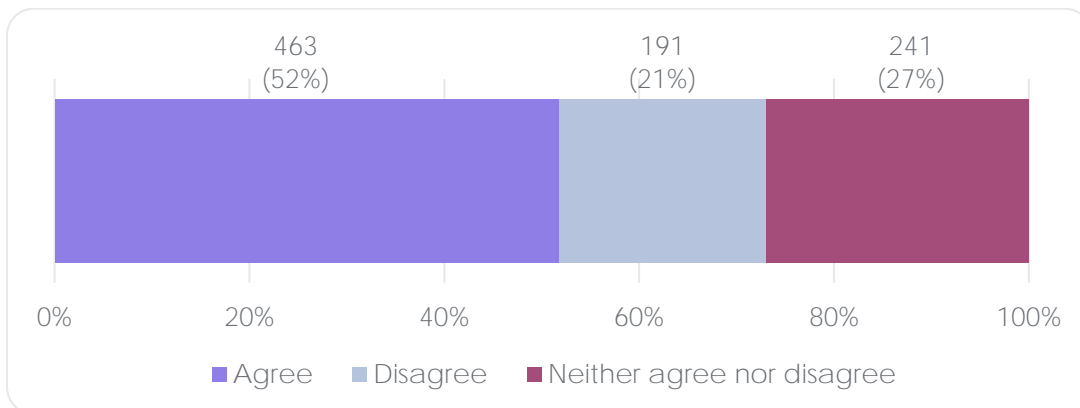


Figure 74: Question 78, (n=895)

### 14.6.2. If you disagree, please provide the reason for your response.

This question was answered by 340 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
78: Do you agree or disagree with the timeline proposed for the appointment of the Scheme Administrator?   Concern   timescale (too short)	21%	16%	49%	13%	16%	7%
78: Do you agree or disagree with the timeline proposed for the appointment of the Scheme Administrator?   Suggestion   timescale	5%	6%	2%	3%	8%	3%



78: Do you agree or disagree with the timeline proposed for the appointment of the Scheme Administrator?   Suggestion   implementation	5%	3%	6%	6%	3%	4%
78: Do you agree or disagree with the timeline proposed for the appointment of the Scheme Administrator?   Support   general	4%	1%	15%	0%	3%	0%
78: Do you agree or disagree with the timeline proposed for the appointment of the Scheme Administrator?   Concern   lack of detail	3%	0%	14%	0%	1%	1%

## Support

Some respondents offer broad support for the proposed timetable in which a Scheme Administrator will be appointed. Respondents also comment that it is important to have a Scheme Administrator in place as soon as possible.

## Concerns

Many respondents express concern that the proposed timeline for the appointment of the Scheme Administrator does not leave sufficient time for a functioning body to prepare to take on all its functions. They feel that as well as taking on the responsibility, the Scheme Administrator will need to undertake various administration tasks so they can start to process local authority payments.

Conversely, a few respondents express concern that the timetable is too long and think the Scheme Administrator should be appointed earlier than proposed. A few respondents believe that under the proposals, businesses will start to be charged fees before the Scheme Administrator is in place. They feel that an earlier appointment of the Scheme Administrator would leave more time for implementing the scheme.

Some respondents express concern about the level of detail currently provided and raise the need for further clarification to be in place before a Scheme Administrator is appointed in 2023. Areas where they feel more detail is needed include:

- the regulations against which a Scheme Administrator would be appointed;
- the governance process for the Scheme Administrator;
- what the final scope of the Scheme Administrator's functions will be; and
- how businesses can gather data prior to 2023 when what they need to record won't be clear until after the appointment of a Scheme Administrator.

Some respondents express general concern about whether the timetable is feasible and could realistically be implemented. They question if sufficient measures will be in place in time to support a Scheme Administrator, such as supporting legislation.

## Suggestions

Some respondents suggest that it may be possible to appoint a Scheme Administrator sooner and that they should be appointed as soon as the relevant legislation is passed.

Some respondents make more general suggestions related to the timeline following the appointment of a Scheme Administrator, these include:



- if sticking to the current timeline for an appointment, that the new system comes into force on the 1<sup>st</sup> of January 2024;
- delaying the start of the scheme if the appointment of the Scheme Administrator is not brought forward;
- having a transition period from 2023 to 2026 to allow for other measures to become established such as the DRS and plastic packaging tax; and
- an extension in the timeline (unspecified for how long) to allow for unforeseen hiccups or potential challenges to the bidding process.

A few respondents suggest it would be beneficial to have the Scheme Administrator in place when new reporting requirements are introduced to help businesses adapt to the new reporting requirements.

Other suggestions made by a few respondents include engaging with the industry to refine and develop a more detailed timeline.

## 14.7. Question 79

### 14.7.1. If the Scheme Administrator is appointed in January 2023 as proposed, would it have sufficient time to mobilise in order to make payments to local authorities from October 2023?

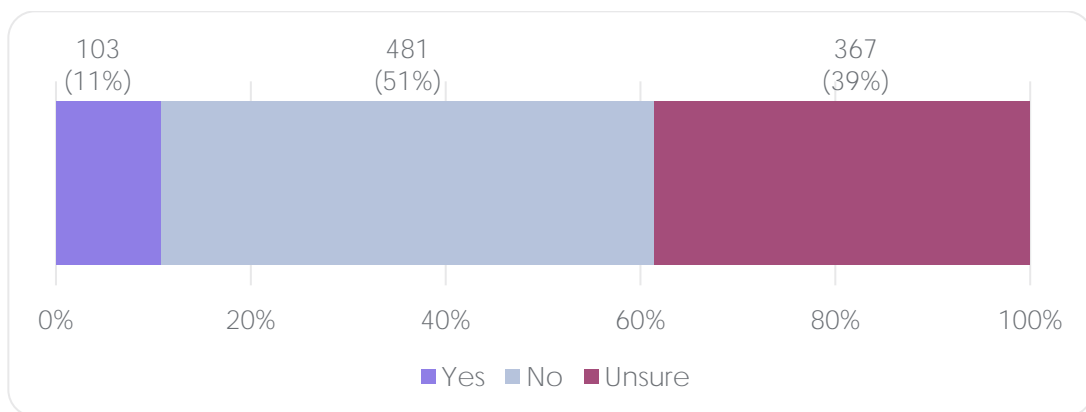


Figure 75: Question 79, (n=951)

### 14.7.2. If you answered 'no' please provide the reason for your response.

This question was answered by 567 respondents. Their views are summarised below.



	All	Group 1	Group 2	Group 3	Group 4	Group 5
79: If the Scheme Administrator is appointed in January 2023, would it have sufficient time to mobilise in order to make payments to local authorities   Concern   timescale (too short)	39%	37%	54%	34%	33%	22%
79: If the Scheme Administrator is appointed in January 2023, would it have sufficient time to mobilise in order to make payments to local authorities   Suggestion   implementation	9%	4%	36%	2%	3%	3%
79: If the Scheme Administrator is appointed in January 2023, would it have sufficient time to mobilise in order to make payments to local authorities   Suggestion   timescale	4%	4%	0%	3%	8%	0%
79: If the Scheme Administrator is appointed in January 2023, would it have sufficient time to mobilise in order to make payments to local authorities   Concern   implementation	3%	1%	3%	1%	5%	3%
79: If the Scheme Administrator is appointed in January 2023, would it have sufficient time to mobilise in order to make payments to local authorities   Support   timescale	2%	1%	11%	0%	0%	1%

## Support

Some respondents express support for the October 2023 implementation date being achieved so that payments will not be delayed. They also feel this will not cause any negative consequences for interested parties who are looking to fulfil the role of the Scheme Administrator, as they will already be preparing to apply.

## Concerns

Conversely many respondents express concern that the proposed timeline is unrealistic and may not be achievable. They suggest there are a large number of complex tasks required of the Scheme Administrator, including:

- to establish their organisation;
- to consult and build relationships with other organisations;
- to gather data and establish performance criteria; and
- to receive and disperse payments.

Many respondents also comment on the impact this timeline would have on businesses as there is no leeway for any delays which may occur in the mobilisation of a Scheme Administrator. They suggest any delays could disrupt businesses and also express concern that the quicker that business have to adapt, the higher the costs would be.

Some respondents express concern that it will not be possible to appoint a Scheme Administrator in the timeline outlined. They feel that the necessary legislation and implementation plans are unlikely to be in place in time, given likely Government delays and external factors such as Covid-19.





A few respondents express concern about a lack of detail in the proposals as they feel they do not explain how the scheme will work and how payments to LAs, especially non-unitary ones (in England) such as Joint Waste Disposal Authorities, will be calculated. They feel this will make it difficult for businesses and LAs to start planning and budgeting, investing in the development of their processes, and start compiling data to be ready by January 2022.

### Suggestions

Many respondents make several suggestions about the implementation of processes to permit payments to LAs. These include:

- the need for engagement with, and training for, local authority finance officers;
- ensuring prospective bidders demonstrate how they would realistically meet the timeline;
- aligning the start of the system with the beginning of the compliance or financial year;
- the need for early communication with all stakeholders and provision of guidance on future requirements;
- providing funding to LAs for set-up and communications costs before the scheme's launch;
- fixed payments to LAs in initial years; and
- retaining expertise and reporting systems of the existing compliance scheme.

Some respondents also suggest changes to the proposed timeline, including:

- allowing the Scheme Administrator 12, 18 or 24 months to set up;
- delaying the payments to LAs until January or April 2024, or even January 2025; and
- appointing the Scheme Administrator or putting systems in place earlier than 2023.

## 14.8. Question 80

### 14.8.1. Do you agree or disagree with the approval criteria proposed for compliance schemes?

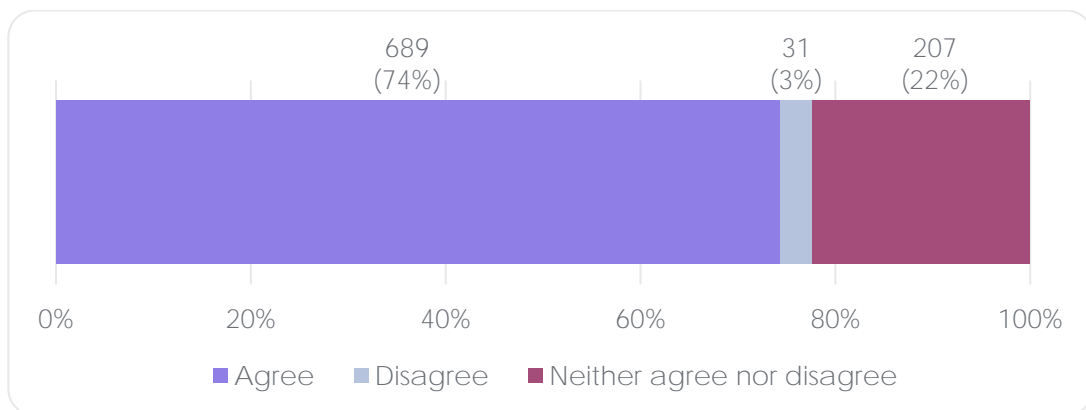


Figure 76: Question 80, (n=927)

### 14.8.2. If you disagree, please provide the reason for your response.

This question was answered by 96 respondents.



	All	Group 1	Group 2	Group 3	Group 4	Group 5
80: Do you agree or disagree with the approval criteria proposed for compliance schemes?   Concern   effectiveness	2%	3%	3%	0%	0%	3%
80: Do you agree or disagree with the approval criteria proposed for compliance schemes?   Suggestion   criteria	1%	1%	0%	0%	1%	6%
80: Do you agree or disagree with the approval criteria proposed for compliance schemes?   Suggestion   implementation	1%	1%	3%	0%	1%	0%
80: Do you agree or disagree with the approval criteria proposed for compliance schemes?   Support   general	1%	0%	3%	0%	1%	1%
80: Do you agree or disagree with the approval criteria proposed for compliance schemes?   Concern   lack of detail	1%	0%	4%	0%	0%	1%

## Support

A few respondents express general support for the approval criteria proposed for compliance schemes.

A few respondents express their support for the proposals, on the condition that compliance schemes or producer responsibility organisations (PROs) will be a feature of the new system.

## Concerns

Many respondents express concern about the effectiveness of the proposals. Some of these respondents feel that the process proposed is overly complicated, especially in relation to monitoring and auditing of recycling data obtained from the supply chain. Some respondents don't feel that the proposals are the correct approach, deeming them to be unrealistic in terms of effectiveness, logistics and timescale.

A few respondents express concern regarding the proposals in terms of compliance and misuse. Some respondents feel that determining what has been recycled from the First Point of Consolidation is beset with issues including data inaccuracy and transparency, the risk of fraud, and that the sharing of commercially sensitive information might not be as practicable as hoped.

Some respondents feel that the Scheme Administrator needs to be confident in the compliance schemes it works with, and that rigorous checks will be needed, as well as transparency with producers about how their fees are spent.

Other respondents express concerns over a lack of detail in the proposals, particularly around timescales and other logistics, stating that they do not have enough knowledge to inform their response.



Some respondents express concern about whether the environmental regulators are the appropriate bodies to undertake the demands of a scheme of such financial magnitude.

Some respondents refer to the Scheme Administrator, stating their view that since it controls most of the levers that will affect achievement, as well as overseeing certain operations, they fail to understand why it would be compliance schemes who are responsible for meeting targets or monitoring and auditing data and evidence. Some respondents feel that compliance schemes have no role to play in the running of EPR.

## Suggestions

Many respondents make suggestions regarding compliance schemes, including:

- that the approval criteria should include a compliance scheme's plan for putting in place arrangements to underpin infrastructure;
- placing a cap on the number of schemes (e.g. six);
- carrying forward existing schemes where possible; and
- including stronger financial criteria in approval criteria.

Respondents make suggestions regarding how proposals should be implemented, including:

- cross referencing proposals to ensure that numerous schemes aren't working on the same evidence or opportunities thus creating inefficiencies;
- ensuring coherence of approaches taken by regulators; and
- accompanying regulator responsibilities with enforceable Codes of Practice to ensure that any enforcement required can be undertaken quickly.

Some respondents make suggestions regarding whose responsibility certain aspects of the proposal should be. Respondents suggest that producers should have some say in the proposals, with appropriate oversight to ensure that the main objectives of the EPR reforms can be achieved. Some respondents stress that the tasks involved in the proposals should be allocated to a more appropriately qualified body (without specifying further), even extending this requirement to the audit of producer packaging data.

## 14.9. Question 81

### 14.9.1. Should Government consider introducing a Compliance Scheme Code of Practice and/or a 'fit and proper person' test?

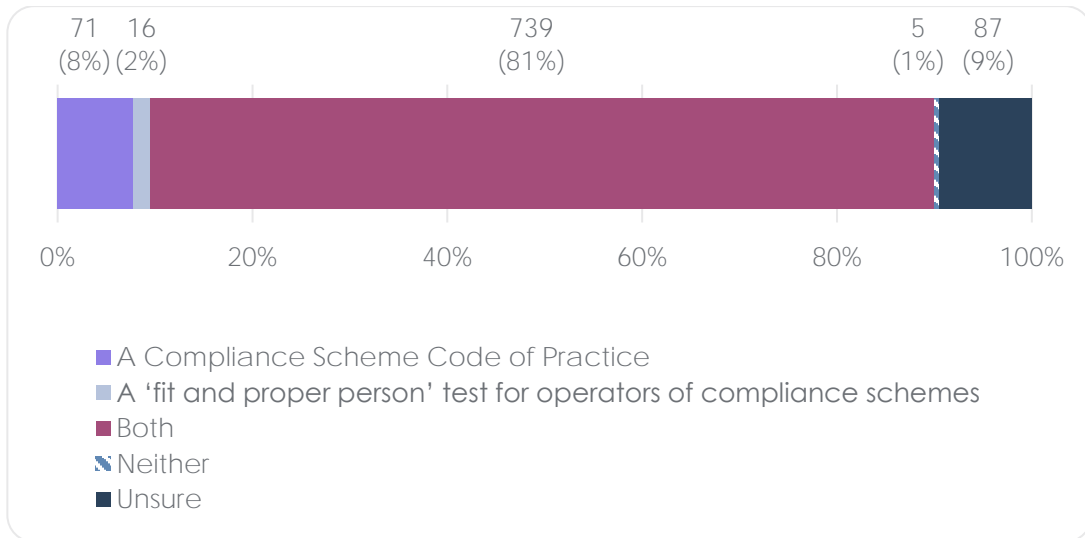


Figure 247: Question 81, (n=918)

### 14.9.2. Please provide the reason for your response.

This question was answered by 377 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
81: Should Government consider introducing a Compliance Scheme Code of Practice and/or a 'fit and proper person' test?   Support   both	19%	12%	29%	21%	16%	9%
81: Should Government consider introducing a Compliance Scheme Code of Practice and/or a 'fit and proper person' test?   Support   a Compliance Scheme Code of Practice	3%	3%	3%	2%	5%	1%
81: Should Government consider introducing a Compliance Scheme Code of Practice and/or a 'fit and proper person' test?   Concern   compliance schemes	3%	3%	4%	1%	2%	4%
81: Should Government consider introducing a Compliance Scheme Code of Practice and/or a 'fit and proper person' test?   Concern   compliance/misuse	2%	3%	7%	0%	2%	3%
81: Should Government consider introducing a Compliance Scheme Code of Practice and/or a 'fit and proper person' test?   Concern   implementation	2%	3%	2%	0%	3%	4%

### Support

Many respondents express positive comments towards both options as they feel that together they would add a greater degree of accountability. These respondents feel that



due to the large amount of money being managed, it is essential that the responsible parties are fit to take on the obligations.

Some respondents support a rigorous approach towards appointing compliance schemes. Respondents feel that the system needs rules and has to be seen as credible.

Some respondents support a Code of Practice as they feel it would ensure consistency across the country. They feel businesses will find it easy to navigate as they are already familiar with codes of practice.

A few respondents support a 'fit and proper person' test as they feel it adds an appropriate level of scrutiny, provides the opportunity for continuous professional development and may ensure that best practice is kept up to date.

### Concerns

Some respondents express concerns that higher transparency requirements for producers may be needed. They feel that any code of practice should be rigorous and strictly enforced.

A few respondents express concerns around compliance schemes as they feel the existing schemes do not have the appropriate knowledge and skills to operate in this sector.

A few respondents express concerns that a code of practice may be insufficient without considerable Government enforcement. They note that members can leave a scheme and seek a new compliance partner if they deem the scheme to be overcharging them.

A few respondents express concerns about the implementation of the proposals. These include:

- the potential expense of training and certification;
- the timeframe needed for the schemes to adjust to these new requirements; and
- the need for effective auditing methods.

A few respondents express concerns that not enough information has been provided, and that more is needed before they can make an informed decision, particularly around what the Code of Practice is likely to contain. They feel that more clarity is needed around the role of the Scheme Administrator within the scheme.

### Suggestions

Some respondents suggest that there should be a recognised baseline for all companies to be measured against. They feel that further investment in waste management infrastructure is needed. Respondents feel that financial and operational tests should be carried out to ensure that companies can comply with the new system.

A few respondents suggest that joining a compliance scheme should be a mandatory requirement rather than voluntary. They feel that regulators, should be consistent in their approach and that a star rating system would make selection (of a compliance scheme) easier.

A few respondents suggest that the code and conditions of the 'fit and proper person' test should be communicated in good time ahead of compliance schemes operating in



EPR system, including the definition of key personnel. These respondents feel that the rules should apply not only to the organisation applying for approval, but also to any companies associated with that organisation.

A few respondents suggest that an Ofcom-style system may achieve better compliance or that the proposals should go further and that schemes should be champions of best practice.

## 14.10. Question 82

### 14.10.1. Do you agree or disagree with the proposed reporting requirements for Option 1?

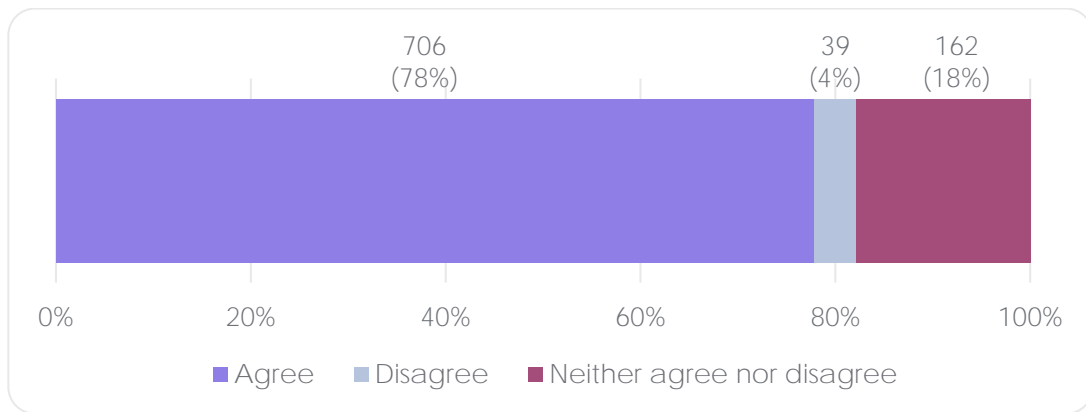


Figure 78: Question 82, (n=907)

38 respondents who responded by email provided comments to Question 86, even though it was a closed question.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
82: Do you agree or disagree with the proposed reporting requirements for Option 1?   Suggestion   implementation	2%	0%	7%	0%	0%	1%
82: Do you agree or disagree with the proposed reporting requirements for Option 1?   Support   general	1%	0%	2%	0%	1%	0%
82: Do you agree or disagree with the proposed reporting requirements for Option 1?   Support   effectiveness	1%	2%	0%	0%	0%	0%
82: Do you agree or disagree with the proposed reporting requirements for Option 1?   Concern   effectiveness	0%	0%	0%	0%	0%	0%

## Support

A few respondents express support for the proposed reporting requirements for Option 1, stating that trust, transparency and accountable behaviour can be achieved with clear reporting requirements.

A few respondents express support for the proposed reporting requirements for Option 1, stating that it is important for generating confidence in the new system. Respondents



express support for LAs to contribute to Scheme Administrator reporting and suggest that annual reports by the Scheme Administrator should be the minimum required.

### Suggestions

A few respondents suggest that:

- reports should set out the details required, and set out the materials to be added to compulsory collections in future, such as cartons and plastic film, to avoid unplanned periods of transition;
- reporting requirements should include performance indicators; and
- reports should be made public.

Respondents suggest that Government should decide if the reporting requirements proposed in the consultation are appropriate. Other respondents comment that the Scheme Administrator should maintain high standards.

## 14.11. Question 83

### 14.11.1. Do you agree or disagree with the proposed reporting requirements for Option 2?

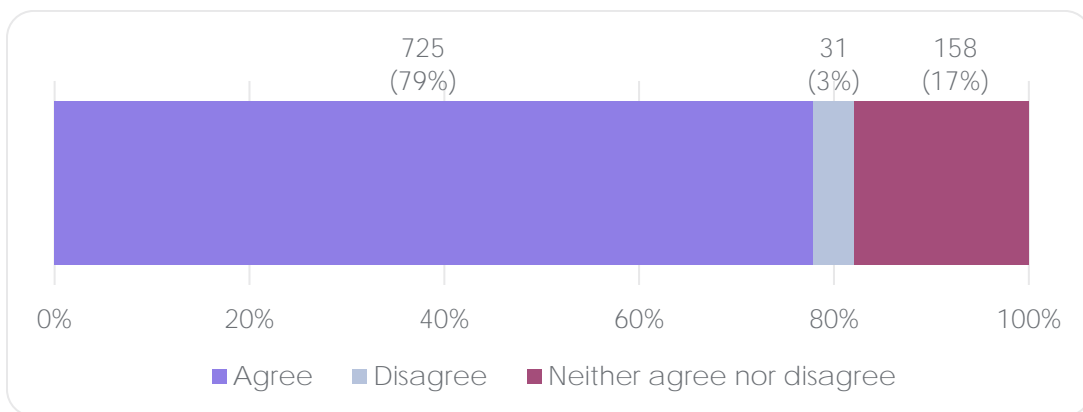


Figure 79: Question 83, (n=914)

38 respondents who responded by email provided comments to Question 87, even though it was a closed question.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
83: Do you agree or disagree with the proposed reporting requirements for Option 2?   Suggestion   implementation	2%	1%	7%	0%	0%	0%
83: Do you agree or disagree with the proposed reporting requirements for Option 2?   Support   effectiveness	1%	1%	2%	0%	0%	1%
83: Do you agree or disagree with the proposed reporting requirements for Option 2?   Concern   prefer Option 1	0%	0%	1%	0%	0%	0%



## Support

A few respondents express positive comments towards these proposals, due to the transparency they feel will be introduced, and comment that this is vital for a new system in order to create confidence, trust and accountability. Some respondents express general support for an annual report and do not distinguish between the merits of either Option 1 or 2 since this is a feature of both.

## Suggestions

A few respondents suggest additional details are required regarding what is reported. Specifically, that there should be detailed reporting requirements to help ensure that progress remains on track. These respondents also suggest that annual reporting by the Scheme Administrator and schemes may mean additional burdens on local authority, which they believe should be paid for by producers. Respondents suggest the use of metrics to measure whether compliance schemes are effective within the overall EPR scheme are required.





## 15. Reprocessors and exporters

### 15.1. Question 84

#### 15.1.1. Do you agree or disagree with the proposal that all reprocessors and exporters handling packaging waste will be required to register with a regulator?

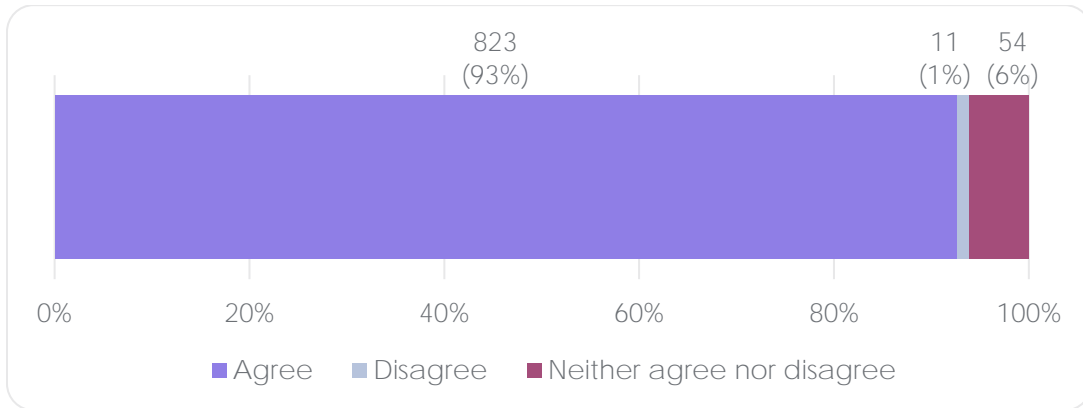


Figure 80: Question 84, (n=888)

#### 15.1.2. If you disagree, please provide the reason for your response and detail any exemptions to the registration requirement that should apply.

This question was answered by 124 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
84: Proposal that all reprocessors and exporters handling packaging waste will be required to register with a regulator?   Support   compliance/misuse	3%	1%	10%	1%	1%	6%
84: Proposal that all reprocessors and exporters handling packaging waste will be required to register with a regulator?   Concern   economic impact	2%	0%	0%	1%	4%	14%
84: Proposal that all reprocessors and exporters handling packaging waste will be required to register with a regulator?   Suggestion   implementation	2%	0%	8%	0%	1%	1%
84: Proposal that all reprocessors and exporters handling packaging waste will be required to register with a regulator?   Support   general	2%	0%	3%	0%	3%	3%
84: Proposal that all reprocessors and exporters handling packaging waste will be required to register with a regulator?   Suggestion   funding	1%	0%	0%	0%	0%	10%



## Support

Some respondents offer broad support of the proposal as they feel it will ensure a consistent level of standards. Some of these respondents also feel it will reduce opportunities for illegal and low-quality exports.

## Concerns

Some respondents express concerns that exporters may have to pay regulatory costs of inspection under this proposal and should therefore be reimbursed for mandatory participation. They also feel that if the new requirements are too severe it may discourage new entrants and new investment into the reprocessing market.

A few respondents express concerns that there may not be an incentive for reprocessors and exporters to constructively participate in the proposed system and question what ramifications there would be for those who do not register.

A further few respondents express concerns that this proposal may just be adding unnecessary administration costs to a struggling industry. They feel that reprocessors and exporters should not face additional regulation if they are not receiving payments from the Scheme Administrator.

A few respondents express concerns about how the waste can be practically measured, especially if the packaging material is processed along with other materials such as metal scrap, which they feel is particularly hard to measure.

## Suggestions

A few respondents make various suggestions about reprocessors and exporters registering with a regulator. These include:

- that there should be a shift towards UK reprocessing and circularity, and a move away from exports;
- that any fees for inspections should be funded by EPR;
- that further work is undertaken on the recognition and accreditation of reprocessors and exporters; and
- ensuring a new system has incentives not just burdens.

## 15.2. Question 85

### 15.2.1. Do you agree or disagree that all reprocessors and exporters should report on the quality and quantity, of packaging waste received?

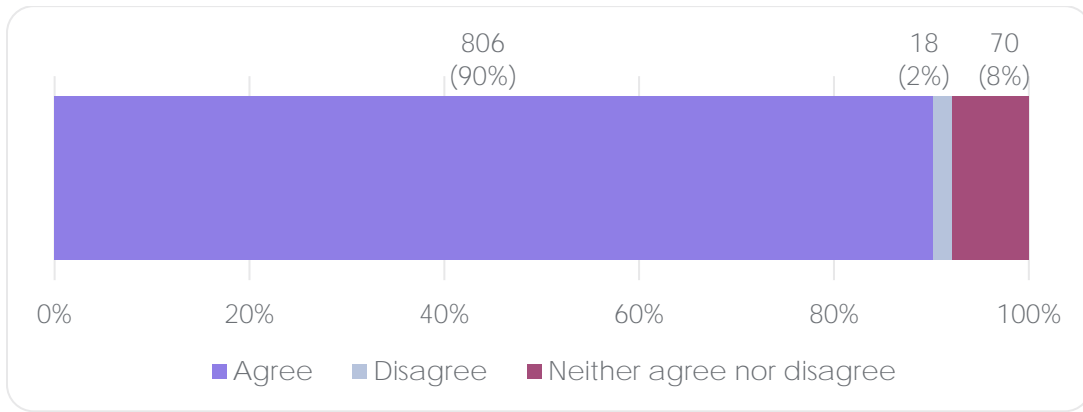


Figure 81: Question 85, (n=894)

41 respondents who responded by email provided comments to Question 89, even though it was a closed question.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
85: Do you agree or disagree that all reprocessors and exporters should report on quality and quantity, of packaging waste received?   Support   general	3%	1%	12%	0%	0%	3%
85: Do you agree or disagree that all reprocessors and exporters should report on quality and quantity, of packaging waste received?   Suggestion   implementation	2%	0%	8%	0%	0%	1%
85: Do you agree or disagree that all reprocessors and exporters should report on quality and quantity, of packaging waste received?   Concern   effectiveness	1%	1%	4%	0%	0%	0%

### Support

Some respondents express support for this quantity and quality reporting as they see it as essential for transparency and effective monitoring. They support the prospect of all reprocessors and exporters being asked to submit reports.

### Concerns

A few respondents, express concern that reprocessors and exporters could pass on costs and issues to other industries in the waste and recycling chain if unnecessarily stringent standards are applied. A few respondents also question how this could be measured accurately.

### Suggestions

Some respondents feel that official quality standards are generally not in place for plastics, so suggest that regulators work with the waste industry to set requirements for reprocessors and exporters. They suggest that export quality should be no lower than UK standards, and should align with destinations' higher standards if they exist.

## 15.3. Question 86



### 15.3.1. What challenges would there be in reporting on the quality and quantity of packaging waste received at the point of reprocessing and/or export?

This question was answered by 649 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
86: What challenges would there be in reporting on the quality and quantity of packaging waste received at the point of reprocessing and/or export?   Suggestion   implementation	24%	15%	47%	26%	10%	39%
86: What challenges would there be in reporting on the quality and quantity of packaging waste received at the point of reprocessing and/or export?   Concern   implementation	18%	14%	40%	15%	9%	28%
86: What challenges would there be in reporting on the quality and quantity of packaging waste received at the point of reprocessing and/or export?   Concern   economic impact	6%	5%	11%	10%	2%	6%
86: What challenges would there be in reporting on the quality and quantity of packaging waste received at the point of reprocessing and/or export?   Concern   compliance/misuse	4%	4%	12%	0%	3%	13%
86: What challenges would there be in reporting on the quality and quantity of packaging waste received at the point of reprocessing and/or export?   Suggestion   infrastructure	2%	4%	1%	1%	5%	1%

#### Support

Some respondents express general support for the proposals because they believe reprocessors already track the quality of materials, and quantity reporting is a condition of accreditation that is required to issue a Packaging Recovery Note.

#### Concerns

Many respondents express concerns about the implementation of the proposals. These include concern that:

- reprocessors may struggle to identify the source of materials;
- low quality or contaminated materials may be sent to recycling;
- accurate data reporting may be difficult;
- small scrapyards that recycle metal may not report data;
- sampling may be costly and unrepresentative of overall tonnages; and
- regulators may not have the necessary skills to audit data.

Some respondents express concerns that additional reporting requirements may add a financial and administrative burden on businesses and require additional time, staff, and training. Some respondents think investment in sampling infrastructure may be needed.

Some respondents express concerns over compliance with the proposals. These



respondents think misreporting and fraud may be possible, so enforcement and inspections may be needed to prevent this.

A few respondents express concerns that the transition to EPR may create uncertainty in market values and disincentivise investment in infrastructure.

A few respondents express concerns that the proposals lack detail about how the proposals will define and measure the 'quality' of materials, use the information that is gathered, and account for different recycling systems in countries of export.

### Suggestions

A few respondents suggest that there is no benefit to reporting the quality of materials such as wood, which is directly recycled into new products, and aluminium, because it may be bulked before reaching a reprocessor. Other respondents suggest that exporting waste for reprocessing should be of lower priority than domestic recycling.

Many respondents make suggestions for the implementation of the proposals, including:

- calculating the volume of recycled material after reprocessing;
- avoiding making reporting more onerous than under the Package Recovery Note system;
- developing a standard methodology for assessing material quality;
- enforcing minimum industry standards on exporters;
- ensuring the regulator has the proper skillset to audit data;
- requiring exporters to explain why material can't be handled domestically;
- ensuring a robust data reporting system and accreditation programme; and
- compensating reprocessors and exporters for capturing quality data, as currently happens with the Package Recovery Note scheme.

A few respondents make other suggestions about reporting data, these include:

- upgrading and investing in the Environment Agency's National Packaging Waste Database; and
- considering how waste can be reused rather than simply recycled.

## 15.4. Question 87

**15.4.1. Do you think contractual arrangements between reprocessors and material facilities or with waste collectors and carriers are a suitable means for facilitating the apportionment and flow of recycling data back through the system to support EPR payment mechanisms, incentives and targets?**

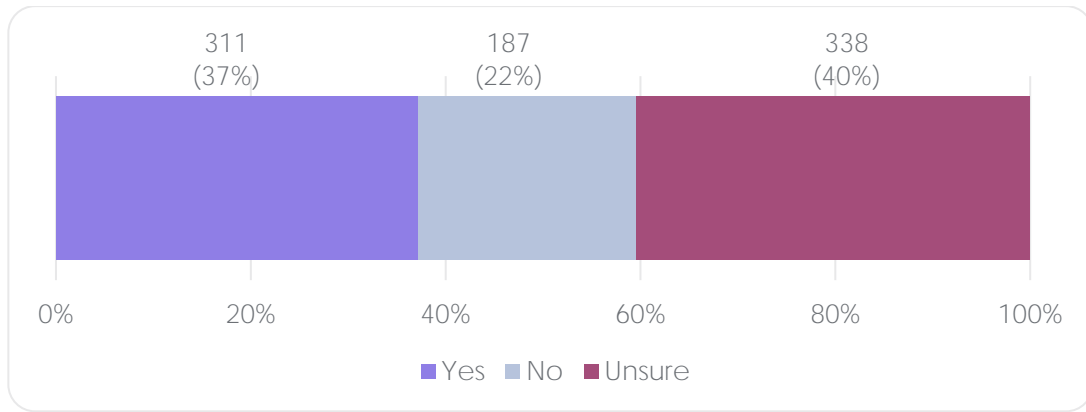


Figure 82: Question 87, (n=836)

**15.4.2. If you answered 'no', please provide the reason for your response and suggest any alternative proposals for using the quantity and quality data reported to support payments, incentives and targets.**

This question was answered by 329 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
87: Do you think contractual arrangements are a suitable means for facilitating the apportionment and flow of recycling data back through the system   Concern   effectiveness	11%	3%	40%	8%	1%	6%
87: Do you think contractual arrangements are a suitable means for facilitating the apportionment and flow of recycling data back through the system   Suggestion   funding	5%	0%	28%	0%	0%	0%
87: Do you think contractual arrangements are a suitable means for facilitating the apportionment and flow of recycling data back through the system   Concern   compliance/misuse	5%	3%	14%	1%	3%	4%
87: Do you think contractual arrangements are a suitable means for facilitating the apportionment and flow of recycling data back through the system   Concern   competition	4%	4%	0%	6%	2%	6%
87: Do you think contractual arrangements are a suitable means for facilitating the apportionment and flow of recycling data back through the system   Suggestion   implementation	4%	3%	7%	3%	3%	3%

Support

A few respondents express positive comments for having contractual arrangements in place as it may create a level playing field and ensure the required data is obtained in order to support payment mechanisms. It should mean that both reproprocessors and First



Collection Points can be effectively monitored and regulated. A few of these respondents feel their support is contingent on ensuring reprocessors are obliged to report on material flows.

## Concerns

Many respondents express concerns that it may be difficult to identify the source of material collected through the kerbside once it has been bulked. They therefore question whether the expected levels of reporting will be achievable under the current contract arrangements.

Some respondents express concerns that contractual arrangements may not be sufficient without additional regulation to ensure that data is reported accurately and on time.

A few respondents express other concerns about the contractual arrangements. These include:

- that waste managers have been incorporated into the proposals in a way that could create a monopoly;
- the reporting will lead to additional costs;
- the timescale is too short for the data to be collected and reported on; and
- it is unclear whether there are different types of contractual arrangements proposed or one standard arrangement.

## Suggestions

Many respondents suggest that any new data systems should have their implementation and ongoing costs covered by producer payments.

Some respondents suggest that the EPR Scheme Administrator needs access to all relevant data to support the payment mechanism and fees modulation, which would require a robust and secure IT system. Respondents suggest that the system be traceable for all stakeholders, with a clear mechanism by which producers can demonstrate achievement of targets.

A few respondents suggest that there should be a legislative requirement that links to Defra's digital waste tracking programme.

## 15.5. Question 88

### **15.5.1. Do you agree or disagree that exporters should be required to provide evidence that exported waste has been received and processed by an overseas reprocessor?**

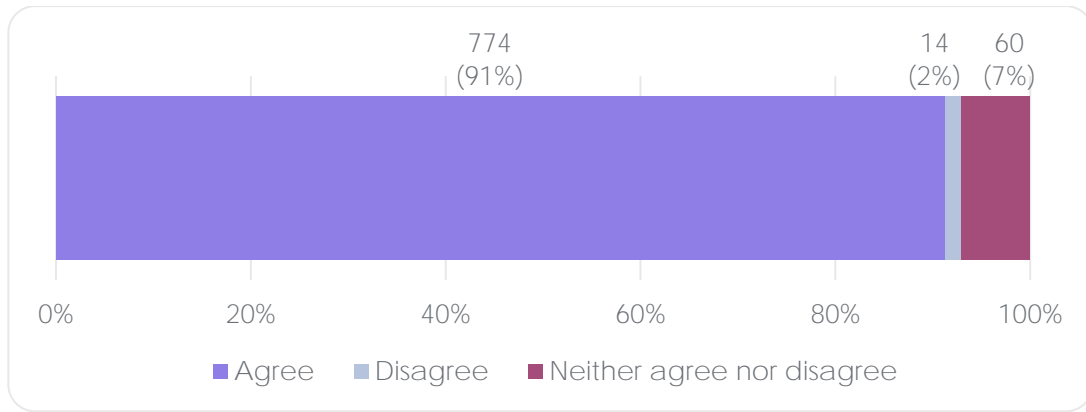


Figure 83: Question 88, (n=848)

### 15.5.2. If you disagree, please detail why you think exporters should not have to provide this evidence.

This question was answered by 177 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
88: Do you agree or disagree that exporters should be required to provide evidence that exported waste has been received and processed by an overseas reprocessor?   Support   effectiveness	7%	4%	11%	6%	5%	4%
88: Do you agree or disagree that exporters should be required to provide evidence that exported waste has been received and processed by an overseas reprocessor?   Concern   implementation	4%	3%	8%	0%	1%	20%
88: Do you agree or disagree that exporters should be required to provide evidence that exported waste has been received and processed by an overseas reprocessor?   Suggestion   implementation	2%	2%	1%	0%	1%	12%
88: Do you agree or disagree that exporters should be required to provide evidence that exported waste has been received and processed by an overseas reprocessor?   Support   general	2%	3%	5%	0%	1%	3%
88: Do you agree or disagree that exporters should be required to provide evidence that exported waste has been received and processed by an overseas reprocessor?   Concern   effectiveness	1%	2%	0%	0%	0%	1%

#### Support

A few respondents express general support for requiring evidence that exported waste





has been received and processed by an overseas reprocessor.

Some respondents express positive comments towards these proposals as they believe it may mean domestic reproducers are treated equally to exporters. Some respondents feel it will give the public confidence in the outcomes of EPR.

### Concerns

Some respondents express concerns that it may be difficult for overseas reproducers to provide the required evidence, since separating waste originating in the UK from non-UK waste may not be possible.

A few respondents feel that the proposal for exporters to provide evidence about exported waste would be ineffective. Some of these respondents express concern that there may be a chance of fraud if material is simply received by the reprocessor. Some other respondents feel the proposal may increase bureaucracy for producers.

### Suggestions

Some respondents suggest that digital tracking may make the collection of the data more efficient. They also suggest that a publicly available register of what a business does with its waste, plus auditing or accreditation by a regulator, could be used to provide transparency to the wider public and Government.

A few respondents suggest that UK waste material should be kept and reprocessed within the UK to ensure that material is processed in accordance with the requirements and avoid the additional carbon footprint that may be created by exporting the material.

## 15.6. Question 89

### 15.6.1. Do you agree or disagree that only packaging waste that has achieved end of waste status should be able to be exported and count towards the achievement of recycling targets?

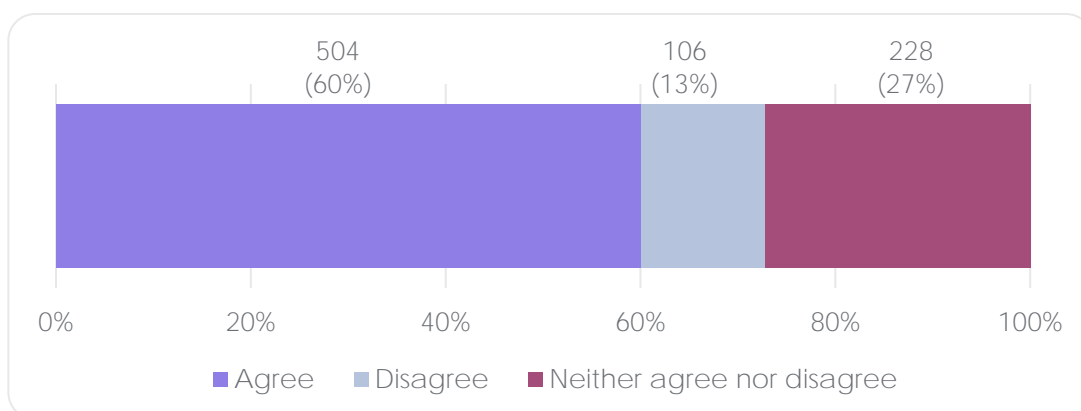


Figure 84: Question 89: (n=838)

### 15.6.2. If you disagree, please detail why you think it would not be necessary for waste to meet end of waste status prior to export.

This question was answered by 259 respondents.



	All	Group 1	Group 2	Group 3	Group 4	Group 5
89: Do you agree or disagree that only packaging waste that has achieved end of waste status should be able to be exported and count towards the achievement of recycling targets?   Concern   implementation	8%	7%	15%	4%	3%	26%
89: Do you agree or disagree that only packaging waste that has achieved end of waste status should be able to be exported and count towards the achievement of recycling targets?   Concern   lack of detail	7%	3%	18%	7%	3%	12%
89: Do you agree or disagree that only packaging waste that has achieved end of waste status should be able to be exported and count towards the achievement of recycling targets?   Concern   effectiveness	6%	6%	13%	5%	1%	13%
89: Do you agree or disagree that only packaging waste that has achieved end of waste status should be able to be exported and count towards the achievement of recycling targets?   Suggestion   implementation	5%	5%	2%	4%	2%	17%
89: Do you agree or disagree that only packaging waste that has achieved end of waste status should be able to be exported and count towards the achievement of recycling targets?   Support   general	3%	2%	6%	1%	4%	7%

### Support

Some respondents express general support for the proposal that only packaging waste that has achieved end of waste status should be able to be exported and count toward recycling targets.

A few respondents feel that if waste was exported but had not met these criteria, then it would not be in line with the objectives of EPR.

### Concerns

A few respondents express general opposition to end of waste status packaging being exported at all. A few respondents feel that there is an environmental duty to deal with waste generated in the United Kingdom in the United Kingdom, rather than exporting it.

Many respondents express concerns that the situation may be complicated for metals. These could be classed as a raw material and therefore their legal status as recycled material may be unclear. Some other respondents also express concern regarding



potential for abuse of the guidelines and ask whether end of waste is a concept that is accepted outside of the waste management industry.

In a related manner, some respondents express concern that there may have been an inconsistent approach to end of waste in the past and as a result it may be difficult to interpret the end of waste status.

Some respondents express concern that the UK may not have enough infrastructure to facilitate this for all of the material required.

A few respondents express other concerns, these include:

- there may be weak enforcement of the rules which may lead to the creation of loopholes that could be exploited;
- that end of waste classification is usually applied as a result of materials going through treatment processes, so it is not clear how the label could be applied to waste yet to be recycled; and
- that the timescale may be too short to implement the proposals.

### Suggestions

Many respondents suggest there may be benefit to a transition period where end of waste products can still be exported. Other respondents suggest that the same standards should be applied to waste that is processed in the UK and waste that is exported.

Some respondents suggest Government should aim to keep material in the UK rather than exporting it.

## 15.7. Question 90

### 15.7.1. Do you agree or disagree that there should be a mandatory requirement for exporters to submit fully completed Annex VII forms, contracts and other audit documentation as part of the supporting information when reporting on the export of packaging waste?

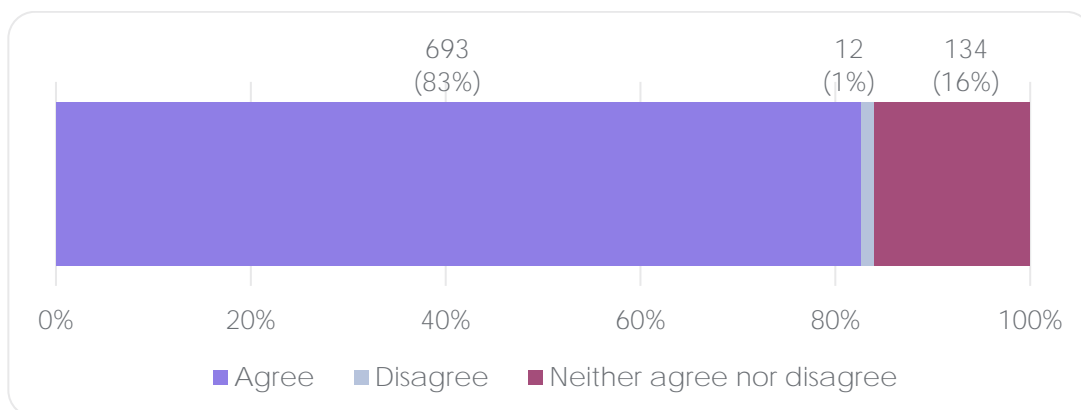


Figure 85: Question 90, (n=839)

### 15.7.2. If you disagree, please detail why you think these additional registration requirements on exporters are not required.

This question was answered by 259 respondents.



	All	Group 1	Group 2	Group 3	Group 4	Group 5
90: Do you agree or disagree that there should be a mandatory requirement for exporters to submit fully completed Annex VII forms, contracts and other audit documentation   Support   effectiveness	2%	1%	11%	0%	0%	1%
90: Do you agree or disagree that there should be a mandatory requirement for exporters to submit fully completed Annex VII forms, contracts and other audit documentation   Concern   implementation	2%	1%	2%	1%	1%	6%
90: Do you agree or disagree that there should be a mandatory requirement for exporters to submit fully completed Annex VII forms, contracts and other audit documentation   Support   general	1%	1%	1%	1%	0%	4%
90: Do you agree or disagree that there should be a mandatory requirement for exporters to submit fully completed Annex VII forms, contracts and other audit documentation   Concern   effectiveness	1%	3%	1%	1%	0%	0%
90: Do you agree or disagree that there should be a mandatory requirement for exporters to submit fully completed Annex VII forms, contracts and other audit documentation   Concern   lack of detail	1%	1%	1%	0%	0%	6%

### Support

Many respondents express positive comments towards the proposals for these mandatory requirements, they feel that maintaining accurate data for material that has been recycled is key to the success of the scheme.

Some respondents express positive comments towards these proposals as they believe it will reduce the chances of fraud or waste going to a non-responsible reprocessor, and will build UK waste credentials.

### Concerns

Some respondents feel this may be difficult to implement. They express concern about the level of funding for enforcement and monitoring of the documentation to ensure that exporters comply with this.

Some respondents express concerns that waste being exported that does not adhere to the conditions mentioned in the proposal would be irresponsibly treated and therefore would not be in line with EPR objectives. Some of these respondents believe the UK should



not be exporting any waste at all.

A few respondents feel that more detail is required about what audit documentation would be included. They also believe that certain terms such as 'waste' may need to be defined and suggest this could involve discussion directly with the recycling industry.

### Suggestions

A few respondents suggest that the proposal may be easier to achieve once all forms and documentation are digital.

A few respondents suggest that further discussion with the recycling industry may help to ensure that the information provided is not burdensome for producers and they believe it should be outcome, not process, orientated.

## 15.8. Question 91

### 15.8.1. Do you agree or disagree that regulators seek to undertake additional inspections of receiving sites, via 3rd party operators?

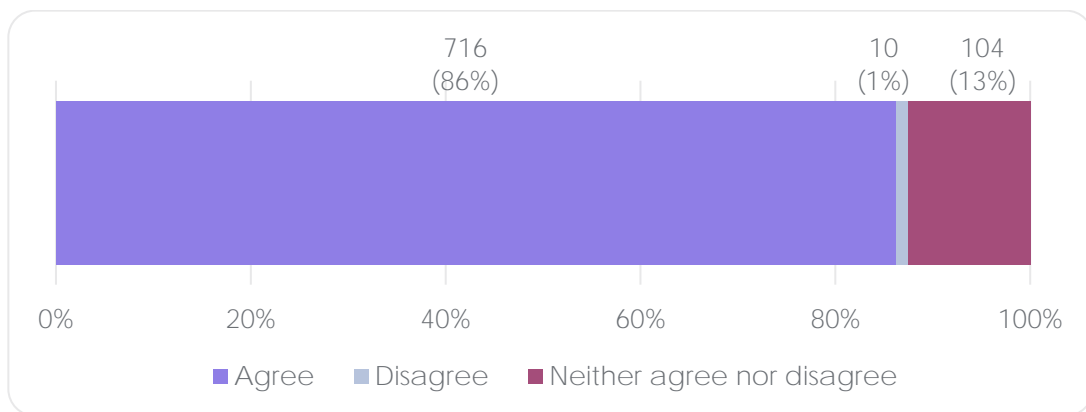


Figure 8625: Question 91, (n=830)

### 15.8.2. If you disagree, please detail why you think it would not be necessary to undertake additional inspections and provide any alternative arrangements which could be implemented.

This question was answered by 134 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
91: Do you agree or disagree that regulators seek to undertake additional inspections of receiving sites, via 3rd party operators?   Support   general	3%	1%	13%	0%	0%	1%
91: Do you agree or disagree that regulators seek to undertake additional inspections of receiving sites, via 3rd party operators?   Suggestion   compliance/misuse	2%	3%	1%	5%	0%	4%
91: Do you agree or disagree that regulators seek to undertake additional inspections of receiving sites, via 3rd party	2%	1%	3%	0%	0%	12%



operators?   Suggestion   implementation						
91: Do you agree or disagree that regulators seek to undertake additional inspections of receiving sites, via 3rd party operators?   Support   effectiveness	2%	0%	6%	0%	0%	4%
91: Do you agree or disagree that regulators seek to undertake additional inspections of receiving sites, via 3rd party operators?   Concern   lack of detail	1%	0%	3%	0%	0%	0%

## Support

Many respondents express positive comments for the introduction of additional inspections at sites receiving recycling exports from the UK as they would build confidence in and create a suitable audit trail.

Some respondents express positive comments for additional inspection requirements, as a logical measure considering the financial investments producers would need to make under EPR.

## Concerns

Some respondents express concerns about the potential burden of additional inspections at receiving sites. They feel that undertaking additional inspections is unnecessary.

A few respondents express concerns that compulsory additional inspections are not the most appropriate way to strengthen arrangements for packaging waste exports. They feel that there are too many potential sites requiring inspection, and question how such inspections would be funded.

A few respondents express concerns that the proposal to introduce compulsory inspections at export receiving sites lacks key information. This includes:

- how the proposed approach would handle recyclables traded during transit;
- the expected standards from overseas regulators; and
- the performance indicators to measure efficacy and financial value.

## Suggestions

Many respondents suggest that this should be implemented in partnership with other international stakeholders to ensure consistency in regulation. Some of these respondents suggest EPR should require producers to justify exporting over UK processing, thus building an understanding of infrastructure gaps and disincentivising exports.

Some respondents suggest that if third party regulators were to conduct inspections of receiving sites those third parties would need to be carefully regulated to ensure they do not misuse information they acquire. A few respondents suggest that the proposed additional inspections should be managed by UK regulators partnering with competent authorities in countries receiving UK recycling export, rather than undertaken by third party



operators.

A few respondents suggest that costs of additional inspections should be transparent to encourage producers and reprocessors to work together to reduce overall exports. They also suggest ensuring regulators are adequately resourced to undertake the role.

### **15.9. Additional comments provided on the topic of Reprocessors and exporters**

5 respondents commented on issues relating to questions 88 to 95 without clearly referring to any specific section of the proposals. These comments are summarised below.

#### Concerns

A few respondents express concerns about the proposals for reprocessors and exporters. These include:

- a lack of detail regarding the ownership of collected commercial and industrial waste;
- the certification needed for export;
- that these proposals will add further complexity to waste management;
- the difficulties of employing detailed specifications for plastics, given its variability dependent on source, collection, season, and treatment methods; and
- the potential for an increase in exports to circumvent regulations.

#### Suggestions

A few respondents suggest that the verification process of reprocessor or exporter sites would need an ISO (International Organisation for Standards) standard to maintain quality levels.

## 16. Compliance and enforcement

### 16.1. Question 92

#### 16.1.1. Do you agree or disagree with the proposed approach to regulating the packaging EPR system?

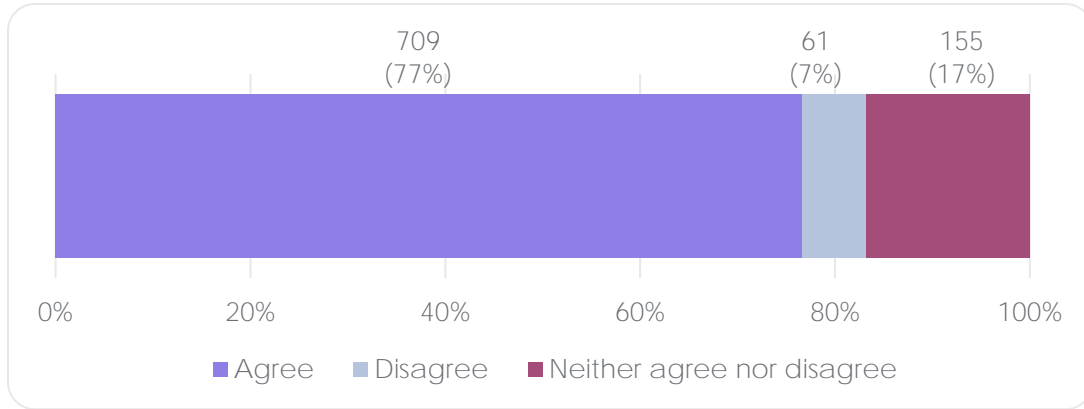


Figure 87: Question 92, (n=925)

#### 16.1.2. If you disagree, please detail any perceived problem or issues with the proposed regulation of the system and provide comments on how the system could be regulated more effectively.

This question was answered by 272 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
92: Do you agree or disagree with the proposed approach to regulating the packaging EPR system?   Concern   funding	8%	3%	25%	2%	6%	4%
92: Do you agree or disagree with the proposed approach to regulating the packaging EPR system?   Concern   compliance/misuse	6%	8%	3%	9%	3%	7%
92: Do you agree or disagree with the proposed approach to regulating the packaging EPR system?   Concern   implementation	6%	5%	16%	2%	3%	7%
92: Do you agree or disagree with the proposed approach to regulating the packaging EPR system?   Support   general	5%	3%	14%	1%	6%	3%
92: Do you agree or disagree with the proposed approach to regulating the packaging EPR system?   Suggestion   implementation	3%	3%	4%	2%	3%	3%

#### Support

Some respondents express general support for the proposed approach to regulating the EPR, emphasising the need for transparency, adequate resources and funds.





## Concerns

Many respondents express concerns about the effective and consistent enforcement of regulation if funding and capacity/expertise are not appropriate. These respondents feel there are inconsistencies between the UK environment agencies and that it has been challenging for these agencies to regulate appropriately due to historic cost-cutting.

Some respondents feel that given the timescale for introducing the proposed scheme, it would be difficult to implement the proposed regulation system.

A few respondents request more information about these proposals.

## Suggestions

Some respondents make several suggestions about how the system could be regulated more effectively, these include:

- setting up a formalised Technical Liaison Group;
- increasing data traceability and analysis with a fit for purpose data collection system;
- allocating the regulation to other qualified bodies rather than the environmental agencies; and
- applying additional charges for non-compliance to be paid by the receiving parties.

Some respondents suggest an efficient and trained regulation unit is established for each of the devolved administrations.

## 16.2. Question 93

### 16.2.1. Do you have further suggestions on what environmental regulators should include in their monitoring and inspection plans that they do not at present?

This question was answered by 577 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
93: Do you have further suggestions on what environmental regulators should include in their monitoring and inspection plans that they do not at present?   Suggestion   monitoring and inspection plans	3%	4%	1%	2%	4%	3%
93: Do you have further suggestions on what environmental regulators should include in their monitoring and inspection plans that they do not at present?   Suggestion   compliance/misuse	3%	4%	4%	2%	2%	1%
93: Do you have further suggestions on what environmental regulators should include in their monitoring and inspection plans that they do not at present?   Suggestion   implementation	3%	1%	9%	1%	3%	1%



93: Do you have further suggestions on what environmental regulators should include in their monitoring and inspection plans that they do not at present?   Concern   effectiveness	2%	1%	0%	1%	3%	6%
93: Do you have further suggestions on what environmental regulators should include in their monitoring and inspection plans that they do not at present?   Suggestion   infrastructure	1%	1%	0%	1%	2%	4%

### Support

A few respondents express general agreement with the enforcement of statutory targets to monitor and enforce against.

### Concerns

Some respondents suggest that current monitoring that is inconsistent and not always sufficiently thorough. Some of these respondents say that monitoring overseas sites is a positive step but say there need to be adequate checks that material has been correctly handled and exported, for example through targeted audits.

A few respondents express concern that resources allocated to regulators will be inadequate, leading to weak enforcement.

### Suggestions

Many respondents suggest that monitoring criteria need to be clearly published and made available. They feel they should be available for other industry bodies to review and see if they can identify any improvements or efficiencies. Some of these respondents suggest that evidence collected could be made more effective by:

- including photographs and videos;
- measuring the accuracy of producer reporting;
- focusing on high export sites; and
- including carbon accounting.

Many respondents identify a number of ways monitoring and inspection plans could be implemented to be effective. These include:

- working with export bodies;
- improving inspection and export regulation;
- enhanced data collection across all parts of the chain;
- cross-examining recycling data with HMRC export and VAT data; and
- extending Waste Data Flow used by LAs to the waste industry.

A few respondents suggest greater funding and powers for the enforcement agencies, and stricter requirements for organisations. They also feel financial penalties should be increased, for example to enable regulation to be self-funding.

A few respondents suggest modifications to physical recycling infrastructure. These include:



- single glass kerbside collection;
- modifications to data and reporting infrastructure, including introducing third party data sources to the analysis of recycling flows;
- establishing a single system to gather all information so that producers can have a single platform to complete returns; and
- introducing a whistleblowing scheme.

A few respondents make other suggestions including:

- making a single regulator which would take up the regulation duties for the new DRS as well;
- limiting the scope to monitoring the Scheme Administrator and compliance schemes;
- identifying leaks of plastic in the supply chain and ensuring companies dealing with plastic pellets, flakes or powders be subject to audits to ensure best practice;
- monitoring waste collection to discern the changes caused by EPR; and
- monitoring biodegradable waste sites for non-biodegradable items.

### 16.3. Question 94

#### 16.3.1. In principle, what are your views if the regulator fees and charges were used for enforcement?

This question was answered by 577 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
94: In principle, what are your views if the regulator fees and charges were used for enforcement?   Support   general	37%	44%	59%	28%	30%	29%
94: In principle, what are your views if the regulator fees and charges were used for enforcement?   Support   effectiveness	4%	8%	1%	8%	1%	4%
94: In principle, what are your views if the regulator fees and charges were used for enforcement?   Suggestion   implementation	4%	1%	10%	0%	5%	3%
94: In principle, what are your views if the regulator fees and charges were used for enforcement?   Support   support with caveats	4%	2%	7%	2%	4%	3%
94: In principle, what are your views if the regulator fees and charges were used for enforcement?   Concern   fairness	2%	2%	0%	1%	5%	0%

#### Support

Many respondents express their support for the proposals, agreeing that regulator fees and charges should be used for enforcement.



Some respondents are supportive of the proposals since they feel that enforcement will certainly be necessary and that the measures proposed would be effective in bringing companies into compliance.

A few respondents express positive comments but have various qualifications to their support. These include:

- ensuring that the system is fair and proportionate;
- ensuring that it drives good recycling practices;
- ensuring that the funds are ring-fenced and used solely for monitoring and enforcement of EPR;
- ensuring money is used transparently, including visibility of outcomes; and
- ensuring that the proposed approach for using fees and charges for enforcement does not negatively impact on funding to LAs.

### Concerns

Some respondents express concerns regarding the fairness of the proposals, stating that they must be fairly enforced and treat all businesses equally. These respondents also feel the system must be transparent.

A few respondents express concern about the ability to enforce the compliance or the potential for the proposed approach to incentivise the application of more frequent fees and charges. These respondents feel that depending on business size and profitability fees might not be a sufficient deterrent.

Other concerns a few respondents comment on include:

- the economic impact of the proposals on businesses already facing high costs;
- that fees and charges would only cover some of the costs of enforcement; and
- a lack of detail about how the proposals would work in practice.

### Suggestions

Many respondents have various suggestions regarding the implementation of the proposals. These include:

- fully funding the costs of new regulatory bodies in line with the 'polluter pays' principle;
- using funds for education and investment across the waste industry, to communicate the benefits of a circular economy and support its development
- ensuring accountability of producers, compliance schemes and the Scheme Administrator; and
- some form of written agreement/understanding between the four regulators, the EPR Scheme Administrator and the four governments of the UK.

A few respondents have various funding suggestions including:

- the inclusion of enforcement costs in the producer fee, alongside the regulator fees;
- ensuring that late registration fees are sufficient to encourage on-time registration; and
- charging a subsistence fee to adequately fund enforcement agency activities.

A few respondents have various suggestions regarding the use of fees. These include:



- ring-fencing the fees and using them to monitor and enforce EPR;
- using fees to provide support to producers and businesses, training and guidance.

A few respondents suggest strengthening current penalties to provide a greater deterrent.

## 16.4. Question 95

### 16.4.1. Would you prefer to see an instant monetary penalty for a non-compliance, or another sanction as listed in the consultation document, such as prosecution?

This question was answered by 577 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
95: Would you prefer to see an instant monetary penalty for a non-compliance, or another sanction as listed below, such as prosecution?   Suggestion   criteria for enforcement	30%	18%	70%	22%	23%	20%
95: Would you prefer to see an instant monetary penalty for a non-compliance, or another sanction as listed below, such as prosecution?   Suggestion   other sanctions (specified)	14%	28%	17%	10%	11%	17%
95: Would you prefer to see an instant monetary penalty for a non-compliance, or another sanction as listed below, such as prosecution?   Suggestion   sanctions (unspecified)	13%	9%	22%	11%	13%	3%
95: Would you prefer to see an instant monetary penalty for a non-compliance, or another sanction as listed below, such as prosecution?   Suggestion   monetary penalty	8%	11%	6%	7%	6%	14%
95: Would you prefer to see an instant monetary penalty for a non-compliance, or another sanction as listed below, such as prosecution?   Support   general	4%	3%	8%	2%	3%	9%

#### Support

A few respondents express general support for the proposals, stating that they are fair and in-line with other Government enforcement, and in compliance with environmental legislation.

Some respondents express positive comments towards the proposals, in particular in relation to compliance and misuse. These respondents feel that proportionate enforcement action is vital to deter a minority from 'free riding' at the expense of the majority.

#### Concerns

Some respondents express concerns regarding monetary penalties. These respondents



feel that monetary penalties would only be effective when they are greater than the money the offender has saved through non-compliance. Some respondents feel that a fine might not rectify a problem, as they feel the key is to find a solution for the non-compliance rather than gaining money from its occurrence.

A few respondents express concern regarding the effectiveness of the proposals. These respondents feel that measures put in place are sufficient to act as a deterrent but that the enforcement process of sanctions needs to be faster.

Other concerns a few respondents comment on include:

- the fairness of the proposed sanctions if based on subjective measures;
- that for lower level offences the penalties imposed do not serve the public interest; and
- the need for more detail on how the scheme will run or on what the penalties will look like.

### Suggestions

Many respondents suggest a sliding scale of penalties, applied depending on the severity of non-compliance, with some suggesting monetary penalties for the lower end of the scale and prosecution for the higher end. Some respondents stress the need to differentiate between what they describe as 'honest mistakes' and deliberate fraud.

Some respondents suggest a combination of sanctions, highlighting those outlined in paragraph 12.26 of the consultation document as viable options. Some other respondents suggest sanctions could include:

- education and warnings prior to any formal penalties;
- monetary penalties and prosecution (as outlined in the proposals); and
- naming and shaming offenders.

Conversely, some respondents suggest that instant monetary penalties should be the first response to non-compliance, stipulating that these should be proportionate to the offence committed and increased in line with the number of occurrences.

Other suggestions made by a few respondents include:

- an escalation process after a first warning;
- penalties should be levied immediately, with advice and guidance following thereafter;
- any implementations should be introduced in such a way that there is an orderly transition;
- that appropriate resources should be allocated to environmental agencies so that they can enforce rules; and
- alternative approaches such as working with companies to offer guidance instead.

## 16.5. Additional comments provided on the topic of payments for managing packaging waste from households

8 respondents commented on issues relating to questions 96 to 99 without clearly referring to any specific section of the proposals. These comments are summarised below.



## Concerns

A few respondents ask for more detail about enforcement response, including how packaging composition, especially on imports, will be verified, how online sellers will be monitored, and why the Scheme Administrator or local authority, as they understand it, may only receive sanctions in the event of a significant failure.

A few respondents express concern that fraud and waste crime may need to be prevented in Northern Ireland due to suggested issues with border control with the Republic of Ireland. These respondents express concern that regulators' proposed transparency and accountability standards do not seem different to their current standards, and they express concern that the Office for Environmental Protection may not be independent enough to ensure Government accountability.

Some respondents express concern that the Environment Agency may lack technical and operational ability due to a lack of resources. Respondents express concern that lack of regulation may invite fraud.

## Suggestions

A few respondents suggest that enforcement should be conducted by national or international police officers, HMRC or Trading Standards, alongside auditors with experience in waste systems who understand the potential loopholes. Comments suggest the regulator should be bespoke and should not have another role such as advisory roles, registration or policy development. Respondents suggest penalties should be higher and late registration should be considered an offence.

## 17. Implementation timeline

### 17.1. Question 96

#### 17.1.1. Do you agree or disagree with the activities that the Scheme Administrator would need to undertake in order to make initial payments to local authorities in 2023 (as described above under Phase 1)?

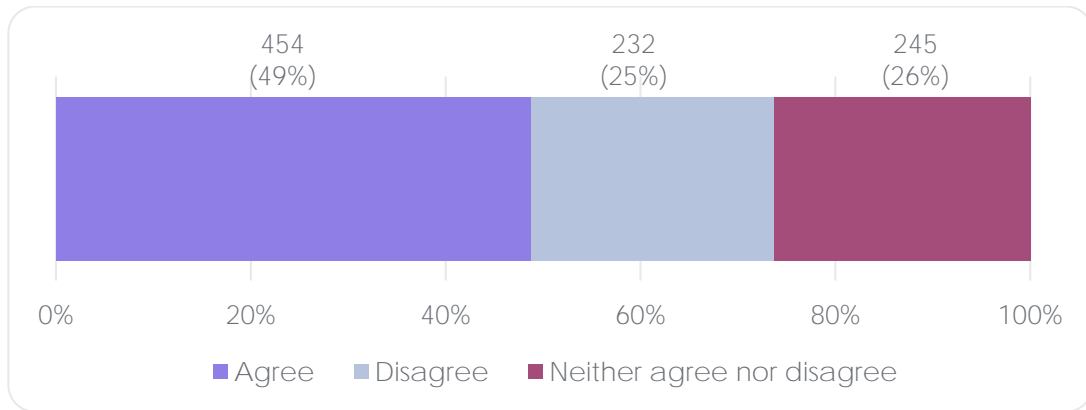


Figure 89: Question 96, (n=931)

#### 17.1.2. If you disagree, please provide the reason for your response.

This question was answered by 402 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
96: Do you agree or disagree with the activities that the Scheme Administrator would need to undertake in order to make initial payments to local authorities in 2023   Concern   timescale (too short)	18%	16%	9%	19%	27%	4%
96: Do you agree or disagree with the activities that the Scheme Administrator would need to undertake in order to make initial payments to local authorities in 2023   Support   general	14%	6%	32%	8%	12%	4%
96: Do you agree or disagree with the activities that the Scheme Administrator would need to undertake in order to make initial payments to local authorities in 2023   Concern   lack of detail	9%	4%	32%	6%	4%	0%
96: Do you agree or disagree with the activities that the Scheme Administrator would need to undertake in order to make initial payments to local authorities in 2023   Suggestion   implementation	9%	2%	37%	0%	4%	4%





96: Do you agree or disagree with the activities that the Scheme Administrator would need to undertake in order to make initial payments to local authorities in 2023   Concern   implementation	9%	6%	15%	9%	9%	4%
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## Support

Many respondents express broad support for the proposed activities of the Scheme Administrator, before adding some clarifications about additional activities that the Scheme Administrator would need to undertake. Where appropriate these are included in the sections about concerns or where suggestions have been made below.

Specific aspects of the proposals some respondents support include the timescale between appointing a Scheme Administrator and implementing the payments to LAs, and that payments would go directly (in England) to the tier of Government responsible for the delivery of the scheme.

## Concerns

Many respondents express concern that the timescale is unfeasible. They highlight the scale and complexity of the Scheme Administrator and LAs' tasks and the industry's need for adequate preparation time for data reporting and changes to packaging.

Many respondents express various concerns about how the proposals will be implemented. These concerns include:

- not enough time for prior work to be completed before phase 1 can be implemented, such as the passing of legislation and the appointment of the scheme administrator;
- the fairness of non-performance-based payments and the risk of double charging producers;
- the Scheme Administrator may not adopt Government's proposed mechanisms and modelling work;
- the proposed system does not allow for estimates in the data and will be reliant on receiving data from importers without adequate data systems in place;
- disaggregating data by nation makes it complex for Brand Owners to compile the data;
- phased implementation will cause confusion for all stakeholders;
- if the Scheme Administrator will also have to make arrangements for setting payments to different LAs;
- if there will be sufficient resources in place to ensure the system can be suitably regulated; and
- the proposals will be "unworkable".

In line with responses to other questions, some respondents express concern about the financial burdens the proposals will place on producers and how these will be exacerbated by other pressures such as Covid-19.

Some respondents express concern about the cash flow to LAs and the sources of funding. They feel that the proposed transition period and time lag on business payments



could lead to insufficient funding for LAs to support existing recycling and waste collection services. They also express concern that there may not be adequate resources in place for the Scheme Administrator's preparatory work including data production and analysis.

Many respondents also express concern about a perceived lack of detail in the proposal and when more details will become available. Areas where more detail is requested include:

- if the proposed activities are comprehensive or other activities will be required;
- what will be required of LAs and businesses; and
- how (producer) fees will be modulated and payments allocated (to local authorities).

### Suggestions

Many respondents make various suggestions about the implementation of the activities and potential organisations that should be consulted going forward. These include:

- retrospectively adjusting (local authority) payments once performance data is available or make fixed payments initially when data may not be available;
- that the Scheme Administrator should engage further with LAs;
- that Government should signpost the activities early to assist producer and local authority financial forecasting;
- that the Government should ensure that as part of the invitation to tender for the Scheme Administrator, bidders set out all activities that are required; and
- general suggestions that there should be a focus on harmonising recycling provision across local authority areas.

In line with other questions some respondents suggest delaying payments by producers and to LAs by 18 months or more.

## 17.2. Question 97

### 17.2.1. Do you think a phased approach to the implementation of packaging EPR, starting in 2023 is feasible and practical?

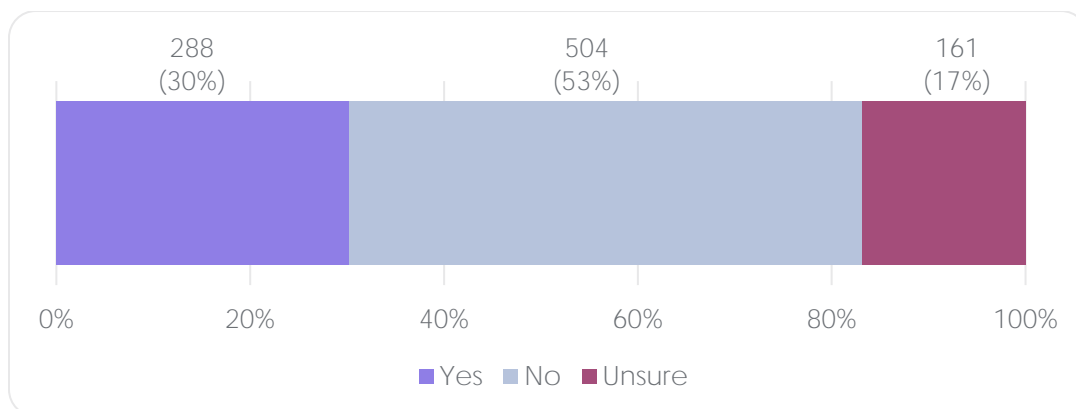


Figure 90: Question 97, (n=953)

### 17.2.2. If you answered 'no', please provide the reason for your response and detail any practical issues with the proposed approach.



This question was answered by 596 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
97: Do you think a phased approach to the implementation of packaging EPR, starting in 2023 is feasible and practical?   Concern   timescale (too short)	19%	12%	30%	13%	21%	3%
97: Do you think a phased approach to the implementation of packaging EPR, starting in 2023 is feasible and practical?   Suggestion   timescale	19%	31%	2%	23%	23%	13%
97: Do you think a phased approach to the implementation of packaging EPR, starting in 2023 is feasible and practical?   Suggestion   implementation	11%	6%	7%	13%	14%	14%
97: Do you think a phased approach to the implementation of packaging EPR, starting in 2023 is feasible and practical?   Concern   economic impact	7%	4%	3%	3%	16%	1%
97: Do you think a phased approach to the implementation of packaging EPR, starting in 2023 is feasible and practical?   Concern   effectiveness	5%	6%	1%	8%	6%	6%

## Support

Some respondents express positive comments for a phased approach and for payments to LAs starting in 2023. These respondents often comment that it seems 'feasible' or 'practical' without offering further clarification.

## Concerns

Many respondents commonly express concern that the timeline for implementing packaging EPR in 2023 is too ambitious or unfeasible given the time required to allow businesses to prepare. They also feel that there is a risk of rushing and as a result reducing the quality of the scheme. These respondents feel that there is currently a lack of any contingency for overruns or delays.

Many respondents express concerns about the timescale including:

- the complexity of the Scheme Administrator's tasks;
- the amount of further development of proposals needed;
- the delays caused by EU Exit;
- the delays caused by Covid-19;
- the size of the proposed changes; and
- the reliance of the timeline on legislation being in place and the Scheme Administrator being appointed.

Many respondents express concern about the potential economic impact of the EPR scheme on businesses, especially as they will have to pay the financial and reporting costs for both Package Recovery Note (PRN) and EPR in 2023.

Some respondents express concern that a phased approach will create complexity,



confusion and additional costs. These respondents feel the nature of using multiple systems could lead to missed payments for some or double costs for others resulting in a loss of credibility for the scheme.

Some respondents express concern that the proposals are too complex to be practical. They feel that reprocessors and exporters currently receiving Producer Responsibility funding would face a cliff edge and an abrupt change in operations.

Some respondents express various other concerns, these include:

- the proposed scheme does not take into account variability in the ease of recycling different forms of packaging;
- the rate of progress of necessary legislation and the appointment of the Scheme Administrator;
- the interdependence of the timelines for the Consistency in Household and Business Recycling (in England) proposals and deposit return scheme implementation;
- challenges caused by not having compliance measures in place;
- limited sell-on markets for some of the recycled materials that authorities will be paid to collect;
- obstacles to data reporting, such as not knowing in which nation packaging will be placed on the market;
- a lack of skilled persons and sufficiently developed data systems in the industry; and
- if businesses will be informed of the requisite details in time to update their own systems and take account of compliance costs.

## Suggestions

Many respondents also suggest timetables for when these changes could be introduced, these include:

- implementing the scheme as soon as feasible;
- January 2024;
- April 2024 to support a clean break from Package Recovery Note (PRN) system;
- extending the existing system to 2025 and providing details on modulated fees 24 months in advance of introduction of EPR; and
- aligning with the introduction of the DRS; and
- a later implementation in general.

Many respondents make various suggestions about how packaging EPR could be implemented, these include:

- ensuring that its implementation aligns with that of the Consistency in Household and Business Recycling (in England) and deposit return scheme proposals;
- that there is a revised, phased implementation that retains a form of Package Recovery Note (PRN) in the interim;
- a clear cut off where one scheme ends and the new one begins;
- more detailed and early communication of these changes;
- what liable businesses should do in advance; and
- a phased transfer of costs from the public to private sector.

A few respondents also suggest the infrastructure investments that may be required to



support the implementation of the scheme. These include:

- increased recycling capacity for more problematic packaging streams; and
- research and development into material technologies for materials that cannot currently be recycled easily such as food contact film.

A few respondents also suggest that taxes on products should vary according to their recyclability and that business waste collections should be separated from domestic collections.

### 17.3. Question 98

#### 17.3.1. Do you prefer a phased approach to implementing EPR starting in 2023 with partial recovery of the costs of managing packaging waste from households or later implementation, which could enable full cost recovery for household packaging waste from the start?

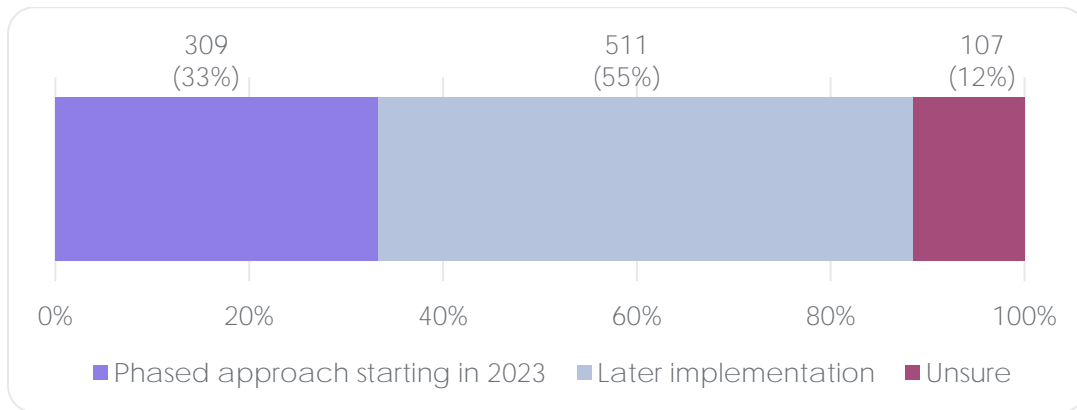


Figure 261: Question 98, (n=927)

#### 17.3.2. Please provide the reason for your response.

This question was answered by 570 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
98: Do you prefer a phased approach to implementing EPR or later implementation   Support   later implementation   timescale	14%	20%	5%	14%	19%	14%
98: Do you prefer a phased approach to implementing EPR or later implementation   Support   later implementation   effectiveness	11%	10%	4%	14%	15%	1%
98: Do you prefer a phased approach to implementing EPR or later implementation   Suggestion   timescale	9%	8%	5%	10%	11%	7%
98: Do you prefer a phased approach to implementing EPR or later implementation   Concern   economic impact	7%	3%	6%	3%	13%	3%
98: Do you prefer a phased approach to implementing EPR or later implementation	6%	3%	29%	0%	0%	1%



Support   phased approach   economic impact						
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## Support

Most respondents support the later implementation rather than adopting a phased approach from 2023. These respondents feel it will be easier to work towards one set date as this will provide a clearer timeline and avoids confusion.

Many respondents who support a later implementation often do so as they feel 2023 may be too optimistic and would not allow businesses time to prepare and build the requisite infrastructure. Many respondents feel that a later date may allow time for the Scheme Administrator to complete all the necessary tasks and allows for any delays in the implementation of other schemes (e.g. DRS) that may impact EPR. They also feel phased introduction in 2023 could be unfair as some Brand Owners may face a huge increase in compliance costs.

Some respondents state that an overlap with the deposit return scheme should be avoided so that businesses do not become overburdened.

Conversely some respondents express positive comments towards a phased approach as they feel it would allow for problems to be understood and resolved and the learning curve to be managed. They also feel a phased approach will ensure producer payments are made at the earliest opportunity, whilst recognising the tight timescales. Some respondents feel that payments by producers should commence in 2023 and there should not be any delays to this.

Some respondents also support a phased approach as it would allow for testing of the scheme. They feel this would help ensure that the implementation is successful, as well as allowing the scheme to be introduced as early as possible.

A few respondents support a phased approach as they feel it would allow for the implementation to be checked and adjusted as the process develops.

## Concerns

Many respondents also express concern that many Brand Owners would face a substantial increase in compliance costs if there was a hybrid arrangement, which would not represent good value for money. These respondents feel many companies are already affected by Covid-19 restrictions and are managing the effects of EU Exit, which may make them more vulnerable to other changes. They also suggest that a phased approach would be confusing and could take up a lot of businesses' operational bandwidth, which may be inefficient and unsustainable. Some respondents express concern about the financial costs to LAs and how much financial support will be made available at each phase.

Many respondents express concern that the timescale is too long and feel that producers should not be given the opportunity to delay. These respondents also feel that a phased approach in 2023 is too challenging and that companies may not be able to comply with a new system in time

A few respondents express concern that the implementation of the deposit return scheme



could bring delays which would have implications for the EPR scheme. They feel that for this reason further consideration around the timeline is needed.

Finally, a few respondents express concern about various issues, including:

- how the transition costs will be met; and
- (if adopted), the late introduction of local authority zoning which would give LAs the right to provide free bins to micro and small businesses.

### Suggestions

Some respondents suggest a variety of approaches as to how the scheme could be implemented, these include:

- aligning the implementation of EPR so it runs concurrently with the implementation of the deposit return scheme;
- for micro-businesses to have access to local authority collection services;
- LAs);
- systems to be aligned across administrations in the United Kingdom; and
- conducting audits so that the new system is transparent.

## 17.4. Question 99

### 17.4.1. Of the options presented for reporting of packaging data for 2022 which do you prefer?

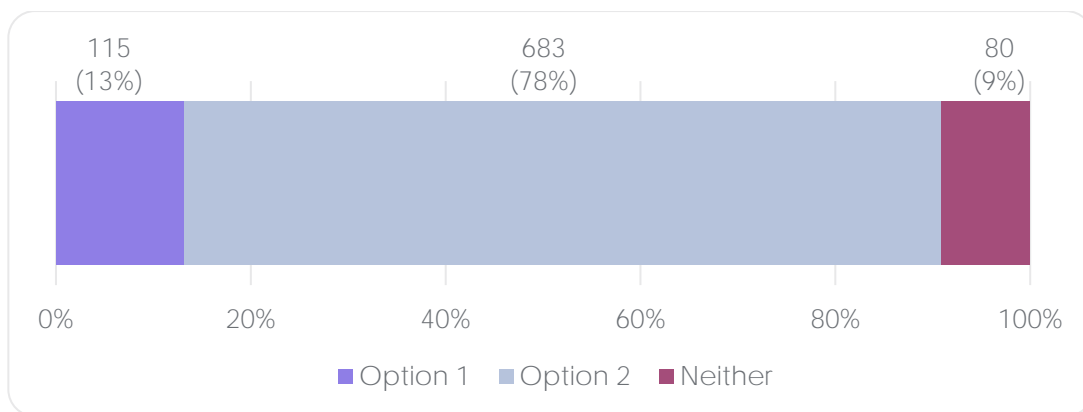


Figure 92: Question 99, (n=878)

### 17.4.2. If you answered 'neither' please suggest an alternative approach.

This question was answered by 246 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
99: Of the options presented for reporting of packaging data for 2022 which do you prefer?   Support   Option 2   effectiveness	4%	1%	20%	0%	0%	4%
99: Of the options presented for reporting of packaging data for 2022 which do you prefer?   Support   Option 2   general	4%	1%	10%	0%	4%	1%



99: Of the options presented for reporting of packaging data for 2022 which do you prefer?   Concern   option 2   compliance/misuse	3%	0%	16%	0%	0%	1%
99: Of the options presented for reporting of packaging data for 2022 which do you prefer?   Concern   general   timescale (too short)	2%	1%	0%	1%	5%	0%
99: Of the options presented for reporting of packaging data for 2022 which do you prefer?   Suggestion   timescale	2%	2%	0%	1%	5%	1%

### Support

Many respondents support Option 2 as it is in line with current practice. Other reasons given by some respondents for supporting Option 2 include it potentially provides a more holistic approach to reporting packaging data and is less intensive for producers.

A few respondents who express positive comments towards Option 1 do so because they feel it is simpler and focuses on the packaging waste that makes up most of LAs' waste streams.

### Concerns

Some respondents make general comments on the reporting of packaging data, not necessarily explicitly stating which option they are referring to, or make comments that apply to both options.

Some respondents express concern about the increased pressure on producers of an additional reporting system, particularly if it is only going to be in place for one year.

Other concerns a few respondents raise are that the exemption for self-managed waste will potentially allow companies to reduce their individual liability by setting up collection and takeback services on an individual basis.

Some respondents express concern about the lack of detail in the proposals and feel more guidance needs to be provided considering the imminent start date for when they would need to start collecting data. Specific areas respondents query include:

- how producers should determine the proportion of their packaging which is likely to arise as household waste;
- whether packaging data will continue to be collected under the 'PRN system' in 2022 and reported in 2023; and
- whether data from littering is included.

Some respondents express concern that the timescale is too short to allow producers to adapt, particularly with the currently limited guidance. These respondents also express concern that reporting on packaging by (plastic) polymer type and distributors reporting on behalf of producers who fall below the de-minimis limit are not realistic within the proposed timeline.

### Option 1





A few respondents comment on Option 1 and express concerns about the reporting of household packaging to ensure there isn't a loophole, for example with some wholesalers selling to members of the public as well as businesses.

Other concerns a few respondents raise about Option 1 include:

- how producers will be supported in understanding data requirements;
- how these data reporting requirements will be implemented before a Scheme Administrator is appointed; and
- the level of resources and costs required for producers to comply with Option 1.

Some respondents express concern that Option 2 is more open to fraud through over-reporting of self-managed waste to reduce producer payments and therefore requires a rigorous compliance and review process to ensure accurate reporting.

### Suggestions

Some respondents make various suggestions about potential changes to the timescale. These include:

- not requiring mandatory reporting until 2025 but providing an online calculator and data guidance from 2022 to support companies' to transition;
- delaying the implementation of distributor reporting for de-minimis producers until 1<sup>st</sup> January 2024;
- statutory reporting requirements (under the existing regulations) continuing until 31<sup>st</sup> December 2022 and new reporting requirements beginning 1<sup>st</sup> January 2023;
- delaying reporting under the EPR arrangements until 2024 for 2023 data; and
- obligated businesses shifting as early as possible to reporting all packaging.

A few respondents suggest that more guidance should be made available in advance of 2022 on how businesses should determine the proportion of packaging likely to become household waste, and that reasonable estimates should be permitted initially.

Other suggestions made by a few respondents include:

- keeping data requirements close to existing reporting principles;
- a clean break before adopting a new reporting system rather than a one-year interim arrangement;
- no penalties for late submissions in the first year;
- retailers should be responsible for reporting rather than 'brand owner' producers;
- reimbursing LAs for their data collection costs;
- transitioning from Option 1 to Option 2 over time;
- implementing Option 2 but at a later date; and
- focusing only on primary packaging in 2022.

## 17.5. Question 100

### 17.5.1. Are there other datasets required to be reported by producers in order for the Scheme Administrator to determine the costs to be paid by them in 2023?

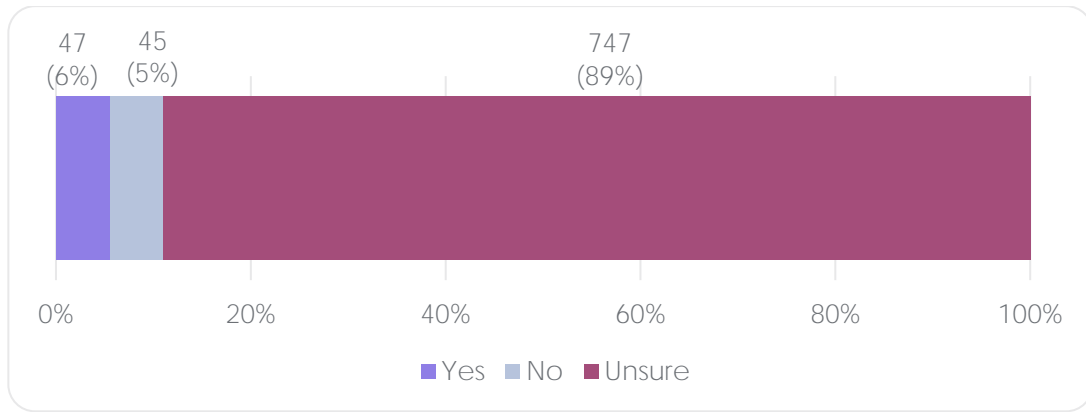


Figure 93: question 100, (n=839)

### 17.5.2. If you answered 'yes', please detail which datasets will be needed.

This question was answered by 144 respondents.

	All	Group 1	Group 2	Group 3	Group 4	Group 5
100: Are there other datasets required to be reported by producers in order for the Scheme Administrator to determine the costs to be paid by them in 2023?   Concern   lack of detail	3%	1%	5%	1%	7%	0%
100: Are there other datasets required to be reported by producers in order for the Scheme Administrator to determine the costs to be paid by them in 2023?   Suggestion   datasets	3%	3%	1%	2%	3%	1%
100: Are there other datasets required to be reported by producers in order for the Scheme Administrator to determine the costs to be paid by them in 2023?   Suggestion   implementation	3%	1%	7%	0%	5%	1%
100: Are there other datasets required to be reported by producers in order for the Scheme Administrator to determine the costs to be paid by them in 2023?   Concern   timescale	1%	2%	0%	1%	0%	0%
100: Are there other datasets required to be reported by producers in order for the Scheme Administrator to determine the costs to be paid by them in 2023?   Concern   implementation	1%	1%	0%	0%	1%	0%



## Concerns

## Suggestions

Some respondents suggest a variety of data that producers should be required to report. This generally falls into two types of data. Suggestions about data related to the movement of packaging, such as:

- the number of direct exports;
- the number of exports made through third parties;
- the number of imports that are subsequently exported;
- a breakdown of sales by nation;
- the amount of packaging collected from customers through take-back schemes; and
- how much stock is returned.

The other main category is data related to the nature of the packaging such as:

- if the packaging is biodegradable or compostable;
- the content of the packaging including how much of it is made from recycled products;
- if the contents of the packaging are hazardous and hence could hinder recyclability;
- the likely recycling method;
- components of the packaging that may determine if it can be recycled such as colour, polymer type, or use category.
- labelling compliance;
- re-use rates for secondary and tertiary packaging; and
- both the number of units and the weight of individual packaging items

A few respondents suggest that Government should allow estimates to be reported because producers may struggle to accurately capture data.

Other suggestions made by a few respondents about how the scheme is implemented include:

- that both EPR and deposit return scheme proposals should be introduced at the same date;
- packaging with high levels of recycled content should be rewarded with lower fee modulation;
- there should be greater financial incentives for reuse over recycling;
- aligning data requirements with those required in other countries, especially in Europe;
- delaying the proposals to allow businesses to prepare, particularly in light of Covid-19 and Brexit; and
- that the proposals should consider electrical waste as well as packaging.

## 17.6. Additional comments provided on the topic of implementation timeline



27 respondents commented on issues relating to questions 100 to 104 without clearly referring to any specific section of the proposals. These comments are summarised below.

## Concerns

A few respondents express concerns over the lack of simplicity and clarity of the proposals, for example citing the added complexity of the phased timeline, complexity arising from differences between the four regions, confusion over references to both tax year and calendar year, and whether accounting will be transitioned from one to the other. A few of these respondents seek more clarity on specific areas including:

- how EPR interfaces with other policies, including the Circular Economy Package (CEP), the Scottish deposit return scheme and the Northern Ireland environment strategy;
- whether there will be double charging for the same packaging in Q4 2023 where Phase 1 of the proposed EPR system may overlap with the existing PRN system; and
- whether implementation may be disrupted by any implications of the Internal Market Act.

Some respondents express concerns over the level of consistency across the proposals for EPR, deposit return scheme and Consistency in Household and Business Recycling (in England), such as:

- the implementation timetables being staggered despite the reforms being in parallel;
- a lack of discussion on the links between EPR, plastic packaging tax and the deposit return scheme; and
- the lack of a single implementation date potentially making it more challenging for producers.

Some respondents also express concerns that the timescale for consultation responses was too tight to provide detailed responses.

## Suggestions

A few respondents suggest alterations to the timescale such as:

- to appoint the Scheme Administrator by January 1st 2023 and implementation of EPR to commence January 1st 2024;
- to introduce EPR before the proposed deposit return scheme, as they see this as an easier approach to implementation; and
- alternatively, to implement EPR alongside the deposit return scheme for Scotland and the deposit return scheme for England, Wales and Northern Ireland.



## Appendix: List of organisations which responded

The following organisations responded to the consultation. This list only includes those which answered 'no' to the consultation question 'Would you like your response to be confidential?'.

360 Environmental Ltd
A. Hatzopoulos S.A.
AB Sports Nutrition
AB World Foods
Aberdeen City Council
Aberdeenshire Council
ABP Food Group
Acorn Web Offset Limited
Adur and Worthing Councils
Affinity Packaging Ltd
Agricultural Industries Confederation
Aimia Foods
Alcohols Ltd
Alexir Packaging Ltd
Alliance for Beverage Cartons and the Environment (ACE UK)
ALLIANCE WINE CO LTD
Allied Bakeries
ALPLA UK Ltd.
AM FRESH Group UK
AMDEA
Amipak
Anaerobic Digestion and Bioresources Association



Antrim and Newtownabbey Borough Council
apetito Ltd
Ardagh Group
Arjowiggins Scotland Limited
Armagh City Banbridge & Craigavon Borough Council
Asda
Ashford Borough Council
Association of the British Pharmaceutical Industry
Aston Manor Ltd
Automatic Vending Association
Avara Foods Ltd
AW Jenkinson Forest Products
AYMES International Ltd
b2b1 Print Solutions Ltd
Bak Ambalaj
Ballygarvey Eggs Limited
Barfoots of Botley
Barnet Council
Barnsley Metropolitan Borough Council
Basildon Borough Council
Basingstoke and Deane Borough Council
Bassetlaw District Council
Bathroom Manufacturers Association
Batt Cables PLC
BCP Council



BEAMA Ltd
Beaphar UK Ltd
Beardow & Adams (Adhesives) Ltd
Beeswift Limited
Belfast City Council (BCC)
Belmont Packaging Ltd
Benders Paper Cups
Bericap UK Ltd
Berry BPI Group
Betapack Ltd
Bettys & Taylors of Harrogate
Beucke & Söhne GmbH & Co. KG
Bidfood
Bidfood Foodservice Group
Bighams Limited
Biome Technologies plc
BioPak UK Ltd
Birmingham City Council
Blaby District Council
BMP Europe Ltd
BMPA
Bockatech
Bolton Council
Borden Parish Council
Boston Borough Council



BPIF Cartons
BPIF Labels
BPR Group
Brenntag UK Ltd
Bristol City Council
BRITA
British Aerosol Manufacturers' Association
British Airways
British and Beer and Pub Association (BBPA)
British Brands Group
British Ceramic Confederation (BCC)
British Coatings Federation
British Compressed Gases Association (BCGA)
British Footwear Association
British Frozen Food Federation
British Glass
British Plastics Federation
British Retail Consortium
British Retail Consortium (BRC)
British Soft Drinks Association (BSDA)
British Toy and Hobby Association
Britvic plc
Broadland District Council
Bromsgrove District Council
Brook Taverner Ltd





Brothers Drinks Co. Limited
Bryson Recycling
BTHA
BTK Quality
Budweiser Brewing Group UK&I
Bunzl Catering Supplies
Caerphilly County Borough Council
Cafe Connections Ltd
Cafepoint LLP
Caledonian Packaging Ltd
CalMac Ferries Ltd
Cambridgeshire County Council
Cambridgeshire County Council - RECAP Waste Management Partnership
Camden Friends of the Earth
Can Makers Committee
Candy Kittens
Canterbury City Council
Care Vending Services Limited
Carlisle City Council
Casepak
Cast Metals Federation
Castle Colour Packaging Ltd
Caterbar
Cavalier Carpets Ltd
Cawston Press Ltd.



CCF Ltd
Cedo Ltd
CEFLEX
Celebration Packaging Ltd
CELLOGRAFICA GEROSA
Central Bedfordshire Council
CERAMICA MERIDIANO SA
CFH Docmail Ltd
Chair of National Association of Waste Disposal Officers
Character Options Ltd
Character World Ltd
Charnwood Borough Council
Charpak Ltd
Chartered Institution of Wastes Management
Chatsworth Estate Trading
Chelmsford City Council
Chemical Industries Association
Cherwell District Council
Cherwell Laboratories Ltd
Cheshire East Council
Cheshire West and Chester
Chesterfield Borough Council (CBC)
Chevler Ltd
Chichester District Council
Chorley Council



Ciret Limited
Cirrus Plastics
Citron Hygiene UK Limited
City of Wakefield Council
City of York Council (CYC)
Climate Action Stokesley and Villages
Coca-Cola Europacific Partners
Coda Group
Coinadrink Ltd
Community Playthings
Complete Refreshment Solutions Ltd
Comply Direct Limited
Complypak
Confederation of Paper Industries
Confederation of Paper Industries - Swindon
Constantia Flexibles
Constellium
Continental Bottle Company Ltd
Cornwall Council
Cortus Trading Limited
Cosmetic, Toiletry and Perfumery Association (CTPA)
Council for Responsible Nutrition UK (CRN UK)
Coveris
Cranswick PLC
Cromwell Polythene Ltd



Crop's UK
Crown Aerosols UK Ltd
Crown Packaging Manufacturing UK Ltd
Crown Packaging Manufacturing UK Ltd (Wisbech)
Crown Promotional Packaging UK Ltd (Carlisle)
Crown UK Holdings Ltd
Croydex
Cumbria County Council
Cumbria Strategic Waste Partnership
Curtis Packaging
Cycle Link UK Ltd
Dacorum Borough Council
Dairy UK
Danone UK and Ireland
David Rose Packaging Solutions Ltd
DBS Clothing Limited T/A SikSilk/DBS Online Ltd.
Dempson Ltd
Denmaur Independent Papers Ltd
Derbyshire County Council
Derbyshire Dales District Council
Devon Contract Waste Ltd
Di Mauro Officine Grafiche
Direct Table Foods Ltd
Direct Wines Ltd
Diversey Ltd



Dixons Carphone plc
Doncaster Council
Dorset Council
Dow UK Ltd.
Dsposal Ltd
Dudley MBC
Duo Plast AG
E. P. Barrus Limited
East Devon District Council
East Herts Council and North Hertfordshire District Council
East London Waste Authority (ELWA)
East Renfrewshire Council
East Riding of Yorkshire Council
East Suffolk Council (ESC)
East Sussex Joint Waste Partnership
Ecogen Recycling Ltd
Ecosurety Ltd
Ecotone
ecoVeritas
Ekman Recycling Limited
Ella's Kitchen
Elopak UK Limited
Emballator UK Ltd
Emmi UK
Enva Northern Ireland Ltd



Enval
Envases Liverpool Limited
Environment Links UK (ELUK)
Environmental Services Association
Enviroo
Epsom & Ewell Borough Council
Equanimator Ltd
Essentra Packaging
Essex County Council
Essity UK Ltd.
European Carton Makers Association
Evergreen Garden Care (UK) Ltd
Excalibur Refreshed Ltd
Exeter City Council
F. W. Thorpe
Faerch UK Ltd
Fareham Borough Council
FCC Environment
Fencor Packaging Group
Fenland District Council
FERO Retail Marketing Ltd
FG Curtis PLC
Fiddes Payne
Fiesta Crafts Ltd
Fillcare Ltd



First Mile
FKA Brands Ltd
Flexible Packaging Europe
Floramedia UK Ltd
Food and Drink Federation
Foodservice Packaging Association
Frank Roberts and Sons Ltd
Franke UK
Frith Resource Management
Frontier Plastics Ltd
Future Recycling Ltd
GA1UK
Garden Industry Manufacturers Association
Gascogne Flexible
General Mills
George Anderson & sons
Gilmour and Dean Eurostampa UK
Global Brands Group
Glossop Cartons
Gloucestershire Resources and Waste Partnership
Go Pak UK Ltd
Goldcrest (Adhesive) Products Ltd
Goonvean Holdings Ltd
Go-Pak UK
Gousto



Gravesham Borough Council
Great Yarmouth Borough Council
Greater Manchester Combined Authority (GMCA)
Green Alliance
Greyparrot
Groupe SEB UK Ltd
Grundon Waste Management
GS1 UK
Gualapack Nadab Site
Gualapack Piacenza Site
Guildford Borough Council
Hackney Council
Hain Daniels
Halfords Ltd
Hambleton District Council
Harlow District Council
Harrison Packaging
Harrogate Borough Council
Hart District Council
Haverling Council
Health Facilities Scotland on behalf of NHS Scotland
Hella Ltd
HENKEL
Henkel Ltd
Hertfordshire County Council





Hertfordshire Waste Partnership
Hibiscus Plc
Hinckley and Bosworth Borough Council
Hippychick Ltd
Holmen Iggesund
Honest Burger LTD
Hornby Hobbies
Hotel Chocolat
Hull City Council
Huntingdonshire District Council
Iceland Foods Ltd
Ide PC Climate and Environment Emergency Working Group
IG Industries
imagedata Group Ltd
Imperial Brands
Industry Council for Packaging and the Environment - INCPEN
Inglehurst Foods Ltd
innocent drinks
Institute of Environmental Management & Assessment
International Forest Products
IOM3 - Institute of Materials, Minerals and Mining
Ipswich Borough Council (IBC)
Islington Council
J&B Recycling Ltd
Jaga Heating Products (UK) Ltd



James Cropper plc
James Jones & Sons (Pallets and Packaging) Ltd
James P Sim & Co Ltd
JFB Cores Limited
John Adams Leisure Ltd
Johnson & Johnson Family of Companies
Joint Waste Solutions
Joseph Robertson
Jotun Paints Europe Ltd
JYSK
Kab Seating
Karro Food Ltd
Keco Ltd
Keep Northern Ireland Beautiful
Keep Scotland Beautiful
KeepCup
Kellogg's Pringles
Kent Association of Local Councils
Kent County Council
Kent Resource Partnership
Kent Resource Partnership (KRP)
Kentmere Limited
Kersia UK (Kilco International)
Keycraft Global
Kirklees Council



Klinge Chemicals Ltd
Klockner Pentaplast
Klondyke Group
Knorr-Bremse Systems
Kohler Mira
Kronospan Limited
Kwan Yick (UK) Ltd
L&E International
<b>L'Oréal UK &amp; Ireland</b>
Lactalis Nestle UK Chilled Dairy LTD
Lactalis UK & Ireland
Lantmännen Unibake UK
LARAC (The Local Authority Recycling Advisory Committee)
Lavazza Professional
LEC L'POOL LTD
Leicester City Council
Leicestershire County Council
LEIPA Georg Leinfelder GmbH BU FlexPack
Lewes and Eastbourne councils
Lighting Industry Association
Lincolnshire County Council
Lincolnshire Waste Partnership
Linx Printing Technologies Ltd
Lisburn & Castlereagh City Council
Littercam Limited



Local Government Association
London Borough of Harrow Council
London Borough of Hillingdon
London Borough of Sutton
London Borough Wandsworth
Longley Farm
Luton Council
Lyreco UK Ltd.
Macpac Ltd
Maldon District Council
Malvern Hills District Council
Marks & Spencer plc
Mars UK
Marsh Footwear Brands Ltd
Marshalls Plc
Mazda UK
Medway Council
Mercona Limited
Merseyside and Halton Waste Partnership (MHWP)
Metal Packaging Manufacturers Association (MPMA)
Meyer Group Ltd
MGA Entertainment
Mid-Suffolk District Council
Mineral Products Association
MKD32



Mole Valley District Council
Molson Coors Beverage Company
Monarch Chemicals Limited
Mondelez International
Montagu Group
Moore's Furniture Group Ltd
Moulded Foams
Moulton Bulb Co Ltd
Nappy Alliance
National Association of Pallet Distributors (NAPD)
National Consumer Federation
National Cup Recycling Scheme
National Farmers' Union (England & Wales)
National Flexible
National Trust
Natura &Co
Natural Source Waters Association
Natural World Products Ltd
Neoperl
Neptune
Nestle UK&I
New England Seafood Intl Ltd
New Forest District Council
Newcastle City Council
Newport City Council



Newport Recycling Limited
NFRN
Nichols PLC
Nipak
Nomad Foods Europe
Norfolk County Council
Norfolk Waste Partnership
Norseland Ltd
North Kesteven District Council
North London Waste Authority
North West Leicestershire District Council
North West Vending
North Yorkshire County Council
Northern Ireland Local Government Association (NILGA)
Northumberland County Council
Nortrade Ltd
Novamont SpA
Novelis UK Ltd
Nuclear Decommissioning Authority
Nupik Flo UK Ltd
<b>O'Neills Nisa Extra</b>
Ocado Retail
Ocee Design
O-I Glass Limited
Old Hatfield Residents Association (OHRA)



Omnicell Limited
OPRL Ltd
Options Management Ltd
Oriel Printing Co Ltd
Orkney Islands Council
Orthofix Ltd
OSIFood Solutions uk Ltd
OSO Environmental Ltd
Oswestry Waste Paper Ltd
Oxford City Council (OCC)
Oxford Direct Services (ODS)
Oxfordshire County Council
Oxfordshire Resources & Waste Partnership
Pack IDS Ltd
Packaging Matters
Packaging Products Ltd
Pacwolf Fulfilment Ltd
PAGB
PAL Group (Operations) Ltd
Pam Jones Consultancy Services Ltd
Paper Cup Alliance
Paper Cup Recovery and Recycling Group
Paper Tech Europe Ltd
Paragon Customer Communications Ltd
Partyplastics



Pelican Healthcare Ltd
Perrys Recycling Ltd
Perth & Kinross Council
Pet Food Manufacturers' Association
Peter Marsh & Sons
Pioneer Foodservice Ltd
Pladis
Pladis Global
Planet Purbeck CIC
Planglow Ltd
Plasmech Packaging Ltd
Plastic Energy
Plastimak
PlayMonster UK Ltd
Plymouth City Council
Polytag
Portsmouth City Council
<b>Potato Processors' Association Ltd</b>
Pots & Co Ltd
Premier Foods
Princes Limited
Printing and Packaging Co Ltd
Project Integra
Properpak Ltd
Provision Trade Federation





Pukka Herbs Limited
Pureprint Group
PWS Distributors Ltd
Qualvis Print and Packaging Ltd
R&M Electrical Group Ltd
Rapid Action Packaging
Ravensden Plc
RB UK Commercial Ltd
RB UK Hygiene Home Commercial Ltd
RDF Industry Group
re3 (Bracknell Forest/Reading/Wokingham)
Reath Technology Ltd
Recolight
RECOUP
Recycle NI
Recycle Wales
Recycle-pak Ltd
Recycling UK Ltd
Recyda GmbH
Redditch Borough Council
Regalzone LLP
Regen Waste Limited
Reigate & Banstead Borough Council
ReLondon (previously the London Waste and Recycling Board)
ReNew ELP



Renfrewshire Council
REPIC Ltd
Resource Management Association Scotland
Reusable Packaging Europe (RPE)
RH Fibreboard Containers Ltd
Riverdale Paper PLC
Roberts Metal Packaging Ltd.
Robinson Healthcare (A Vernagroup Company)
Robinson plc
Rockwool Ltd
Rotherham Borough Council
Royal Borough of Greenwich
Royal Borough of Windsor and Maidenhead
Royal Swinkels Family Brewers
Royal Vaassen Flexible Packaging
Rushmoor Borough Council
Ryedale District Council
Sacchital spa
Safetykleen
SAICA FLEX UK Ltd
Sainsbury's
Saltaire Brewery Limited
Sandland Packaging Ltd
Saputo Dairy UK (T/A Dairy Crest Ltd)
Schur Flexibles



Scotch Whisky Association
Scottish Salmon Producers Organisation (SSPO)
Sealed Air Limited
Seda UK Ltd
Selby District Council
Selecta UK Limited
Selig Schweiz AG
Shand Higson & Co. Ltd
SHARPAK
Sharpak Yate
Sheffield City Council
Shropshire Council
SIG Combibloc Ltd.
Sika Limited
Silver Spoon
Silverline office equipment Ltd
Sinclair Animal and Household Care Ltd
Smart Comply Ltd
Smart Waste Recovery UK
SMC Pneumatics
Snowbird Foods Limited
Solihull Metropolitan Borough Council
Somerset Waste Partnership
Sonoco
South Cambs / Cambridge City Council



South Derbyshire District Council
South Devon Vending Ltd
South Hams District Council
South Holland District Council
South Norfolk Council
South Oxfordshire District Council (SODC)
South Ribble Borough Council
South Staffordshire Council.
South Tyne and Wear Waste Management Partnership (consisting Gateshead Council, South Tyneside Council, Sunderland City Council)
South Yorkshire Waste Partnership
Sovereign Partners Ltd
SPAR (UK) Limited
Spar Appleby Westward
Spar CJ Lang
Specialised Wiring Accessories Ltd
Speedibake
Speira
St John's Packaging (UK) Limited
Stephens and George Limited
Stevenage Borough Council
Stoke Climsland Climate Change Group
Sturdy Print & Design Ltd
SUEZ Recycling and Recovery UK Ltd (SUEZ)
Suffolk County Council
Suffolk Waste Partnership (SWP)



Surrey County Council
Surrey Environment Partnership
Sustainable Hackney
Swale Borough Council
Swipe Studio Ltd
Synergy Compliance Ltd
Tails.com
Tandom Metallurgical Group Ltd
Tarmac
Task Consumer Products
Tata Steel
Teignbridge District Council
Test Valley Borough Council
Tetra Pak
Thames Distillers Ltd
The Aluminium Packaging Recycling Organisation (Alupro)
The Association for Renewable Energy and Clean Technology
The AVA
The British Sandwich & Food to Go Association
The Canal & River Trust
The City of Edinburgh Council
The Collective Dairy
The Co-operative Group
The Corrugated Case Co Ltd
The Environment Exchange



The Financial Times
The Highland Spring Group
The Independent Packaging Environment Safety Forum
The Ink Bin
The International Meat Trade Association (IMTA)
The Jordans & Ryvita Company
The LEGO Group
The Packaging Federation
The Recycling Association Limited
The Society of Independent Brewers (SIBA)
The Upton Group
The West Sussex Waste Partnership
The Wine and Spirit Trade Association
The Wine Society
The Wood Recyclers' Association (WRA)
The GBN
Three Rivers District Council (TRDC)
TIGI, UK
TIMCON (The Timber Packaging & Pallet Confederation)
Timpson PLC
Tinmasters
Tinmasters Ltd
TIPA
TOMY UK Co. Ltd.
Tonbridge & Malling Borough Council



Torbay Council
Torfaen County Borough Council
Totus Environmental Limited
Town Head Farm Products Ltd
Trafalgar Scientific Ltd
Transition Presteigne, Powys
Travis Perkins plc
Trends UK Ltd.
Triton Showers
Trivium Packaging UK Ltd, Sutton-in Ashfield
Twinplast Ltd
TY UK Ltd
UK Cleaning Products Industry Association (uKCPI)
UK Distributors (Footwear) Ltd
UK Fashion & Textile Association
UK Flour Millers
UK Lubricants Association Ltd
UK Seafood Industry Alliance
UKELA (UK Environmental Law Association)
UK Hospitality
Uneek Clothing Co Ltd
Unilever UK
Unique Party
United Kingdom Without Incineration Network (UKWIN)
United Resource Operators Consortium ("UROC")



University of Manchester (Sustainable Materials Innovation Hub)
Unpackaged Innovation Ltd.
URM UK Ltd
Vale of White Horse District Council (VOWH)
Valpak
Vegware Ltd
Vending Solutions Ltd & therudefoodvendingco Ltd
Veolia
Vernacare Limited
Vision Direct Group
Vistry
Vitax Limited
Vivid / Goliath Group
VPK Packaging
Walgreens Boots Alliance
Warwickshire Waste Partnership
Waste disposal authority representing six west London Boroughs (Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond)
Wastepack EA
Wastepack GB SEPA
Wastepack NI
Weedon Holdings Limited
WEEE Scheme Forum
Welwyn Hatfield Council
WEPA UK
West Devon Borough Council





West Lothian Council
West Northamptonshire Council
West Oxfordshire District Council
West Suffolk Council
West Sussex County Council
Western Riverside Waste Authority
Westmill Foods
Westminster BIDs
WestRock's MPS
WhatSUP?
Whitehouse Leisure International Limited
Wickes
Wigan Council
Wightman and Parrish Limited
Wiltshire Council
Wineflair
Winfibre (UK) Company Limited
WM Morrisons PLC
WM Say & Co Ltd
Woking Borough Council
Wolseley UK Ltd
Wood Panel Industries Federation
Worcester City Council
Worcestershire County Council
WRAP (the Waste & Resources Action Programme)



Wurth UK Ltd
Wyre Forest DC
Yankee Candle Company (Europe) Ltd
Young Black Industrial Stapling Ltd

