

Agenda Item	8
Report No	CP/3/20

HIGHLAND COUNCIL

Committee: Communities and Place

Date: 26 February 2020

Report Title: Response to the Scottish Government’s consultation “Developing Scotland’s circular economy: Proposals for Legislation.”

Report By: Executive Chief Officer Communities and Place

1. Purpose/Executive Summary

- 1.1 The Scottish Government’s consultation [“Developing Scotland’s circular economy: Proposals for Legislation”](#) was published on 7 November 2019 and closed six weeks later, 19 December 2019. The proposals form part of wider plans for a change in the approach to reducing, reusing and recycling materials to help drive Scotland’s circular economy, as part of Scotland’s transition to net zero emissions.
- 1.2 The consultation included proposals to tackle our disposable culture, encourage use and reuse of materials, improve the approach to household recycling, tackle waste crime and littering from vehicles.
- 1.3 A circular economy is one where resources are kept in use for as long as possible. According to the Sustainable Scotland Network, a circular economy ‘can benefit the environment, by cutting waste and carbon emissions; the economy, by improving productivity and opening up new markets; and communities, by providing local employment opportunities’
- 1.4 With a short timescale to respond to the consultation, homologation of the response submitted in December 2019 is requested of the Committee. This is an early consultation on proposed legislation and there will be other opportunities for the Council to engage at different stages in the Parliamentary process and in secondary legislation.

2. Recommendations

2.1 Members are asked to:

1. Note the consultation carried out by the Scottish Government on Developing Scotland’s circular economy: Proposals for Legislation;

2. Homologate the Council's submitted consultation response as detailed in Appendix 1 to this report;
3. Note the subsequent letter from the Council Leader to the Minister, attached at Appendix 2, regarding the challenges faced in rural and island areas and the request for engagement on solutions and resourcing any new services arising from legislation.

3. Implications

- 3.1 Resource – Resource implications are not fully known at this time; however, concerns about the potential resources required to deliver new or extended services across the region are highlighted in the Leader's letter to the Minister regarding the proposed legislation. Potential changes to the range and reach of the waste services we currently provide, and contained in the consultation document, are listed in paragraph 5.4 below.
- 3.2 Legal – Any new legislation will bring duties for the Council. These will become clearer as the Bill progresses through Parliament and in subsequent engagement the Council has with the Government.
- 3.3 Community (Equality, Poverty and Rural) – Community impacts will become clearer as the Bill progresses through Parliament and in subsequent engagement the Council has with the Government. Opportunities to support local employment and lower cost options to access goods have been described in previous Government documents.
- 3.4 Climate Change / Carbon Clever – It is intended that the Bill will help drive Scotland's circular economy as part of the transition towards net zero emissions thus contributing to mitigating climate change.
- 3.5 Risk – The key risks relate to resourcing any new requirements arising from legislation. These will become clearer as the Bill progresses through Parliament and in subsequent engagement the Council has with the Government. The letter from the Council Leader invites discussion about the challenges we face in service delivery.
- 3.6 Gaelic - There are no known Gaelic implications.

4. Background

- 4.1 In 2016, the Scottish Government published 'Making things last', a circular economy strategy. This consultation focuses on proposals to build on that foundation and develop actions to take Scotland into the future, reflecting the renewed focus and targets on the climate emergency.
- 4.2 A circular economy is an alternative approach to this, in which resources are kept in use for as long as possible, the maximum value is extracted from them whilst in use and then products and materials are recovered and regenerated at the end of each product's viable life.
- 4.3 A more circular economy can benefit:
 - a. the environment, by cutting waste and carbon emissions;
 - b. the economy, by improving productivity and opening up new markets; and
 - c. communities, by providing local employment opportunities and lower cost options to access the goods we need.

- 4.4 The consultation on Developing Scotland's circular economy contained proposals for a circular economy Bill and sets a legislative framework for taking action in the future. The consultation was launched on 7 November 2019 and closed on 19 December 2019. This was a 6-week consultation period and out with any Committee timescale for reporting.
- 4.5 The consultation included proposals to tackle the throwaway culture, encourage use and reuse of materials, improve the approach to household recycling and tackle waste crime and littering from vehicles. It is intended that the Bill will help drive Scotland's circular economy as part of the transition towards net zero emissions.

5. Main provisions of the Bill

- 5.1 The proposals in the Bill form part of wider plans for a change in the approach to reducing, reusing and recycling materials to help drive Scotland's circular economy, as part of Scotland's transition to net zero emissions.
- 5.2 The consultation includes proposals to tackle the 'throwaway culture', encourage use and reuse of materials, improve the approach to household recycling, tackle waste crime and littering from vehicles.
- 5.3 The Circular Economy Bill is intended to have a complementary relationship with other Scottish Government proposals for reaching a net-zero carbon target in 2045.
- 5.4 The main provisions of the Bill are as follows:
- The review the current rural exemption that applies to the requirement for the Council to provide separate collection of Food Waste;
 - A potential obligation for food waste sites over a certain size to redistribute edible products;
 - A mandatory national food waste reduction target;
 - The creation of an Extended Producer Responsibility (EPR) scheme, whereby producers will be liable to pay the full cost of dealing with packaging waste, while stimulating investment in collection, sorting and reprocessing;
 - The requirement to collect textile waste separately for reuse / recycling from 1.1.25;
 - A re-evaluation of the Scottish Household Recycling Charter and Code of Practice to ensure that it aligns with the Deposit Return Scheme to be introduced on 1.4.21. This could involve moving away from the existing voluntary approach, and could specify the materials to be collected and how they are collected;
 - The introduction of new secondary legislation making it mandatory for public bodies to include circular economy and climate change obligations in their procurement strategies;
 - The introduction of enforcement powers to seize vehicles linked to waste crime;
 - The introduction of a Fixed Penalty Regime in relation to littering from vehicles;
 - Increasing the carrier bag charge from 5p to 10p;
 - Placing a tax on single-use coffee cups; and
 - Introducing mandatory reporting of waste and unwanted surplus stock held by businesses for clothing and textiles.

6. The Highland Council's Response

- 6.1 The proposals relating to additional requirements of local authorities in relation to household recycling and a statutory obligation to implement the Household Recycling

Charter (HRC) and Code of Practice (CoP) have the potential to result in significantly increased costs for local authorities. However, the degree of impact is not easily quantified prior to the Review of the HRC and Rural Food Waste exemption, or without further clarification regarding specific proposed policies and secondary legislation.

- 6.2 With regards to the economy of the Highlands, and the impact that the proposals will have, a Business Risk Impact Assessment should be carried out for the key economic sectors within the Highlands such as agriculture, fisheries and tourism.
- 6.3 The rural and island implications of the proposals need to be made clearer to allow them to be understood properly. These should also be considered separately and with as much care and attention as the impact assessments done for equalities, business and the environment.
- 6.4 Whilst the Council supports measures aligned with the ambition to improve both the quality and quantity of material collected for recycling in the Highlands, it does not agree that the current proposal to adopt a mandatory approach to the Charter is the sole or most effective means of achieving these outcomes.
- 6.5 To develop an approach to service delivery that is socially, environmentally and economically achievable and sustainable, recognition of the diverse contexts in which Local Authorities deliver waste management services and challenges to implementation need to be addressed. These considerations include, but are not limited to, population density, geographical area, proximity to markets, existing and proposed infrastructure and socio-demographic considerations.
- 6.6 The response submitted by the deadline in December covers these points and answers all the questions posed. It is attached at Appendix 1.
- 6.7 The Leader of the Council has written to the Minister this month to follow up the consultation response. This provided an opportunity to highlight the challenges arising in rural and island communities in waste collection and disposal and to seek discussion on solutions and resourcing for extending any services in the Highlands. A copy of the Leader's letter is attached at Appendix 2.

Designation: Executive Chief Officer Communities and Place

Date: 17 February 2020

Author: Andy Summers, Head of Environmental and Amenity Services

Appendix 1 – Highland Council Response to Circular Economy Bill Consultation

Developing Scotland's Circular Economy



Scottish Government
Riaghaltas na h-Alba
gov.scot

RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:
<https://beta.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

The Highland Council

Phone number

01463 702927

Address

Council Headquarters, Glenurquhart Road, Inverness

Postcode

IV3 5NX

Email

Andy.summers2@highland.gov.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
 Publish response only (without name)
 Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

No

CONSULTATION QUESTIONNAIRE

1: Reduce: tackling our throwaway culture

1. Do you agree in principle that Scottish Ministers should have the power to set charges for environmentally harmful items, for example single-use disposable beverage cups?

A) Yes

B) No

C) Neither agree nor disagree

2. Do you agree with the proposal to prioritise introduction of charges for single-use disposable beverage cups?

A) Yes

B) No

C) Neither agree nor disagree

3. Are there any other items that these new powers for environmental charging should be applied to in the future?

A) Yes

B) No

C) Don't know

If yes, please specify:

2: Reuse: encouraging use and reuse to prevent waste

4. To strengthen monitoring, measurement and reporting of waste across all sectors, do you agree with the principle that Scottish Ministers should have the power to require mandatory public reporting of:

I – business *waste*?

A) Yes

B) No

C) Neither agree nor disagree

II – business *surplus*?

A) Yes

B) No

C) Neither agree nor disagree

5. Do you agree with the proposal to prioritise introduction of mandatory public reporting for businesses of:

I – food *waste*?

A) Yes

B) No

C) Neither agree nor disagree

II – food *surplus*?

- A) Yes
- B) No
- C) Neither agree nor disagree

6. Are there any other items, such as textiles and clothing, that mandatory reporting requirements on waste and surplus should be expanded to in the future?

- A) Yes
- B) No
- C) Don't know

If yes, please specify:

The Highland Council recognises the benefit of introducing mandatory reporting requirements in relation to textiles and clothing. Additional sources of waste and surplus for consideration could also include printed promotional and marketing materials to encourage use of alternative communications channels and waste minimisation. Requirements in relation to furniture and fittings and ICT equipment may encourage greater reuse, redistribution and repair among businesses and organisations.

7. Do you have any suggestions on how to encourage the reuse and redistribution of unwanted surplus stock, such as clothing and textiles?

- A) Yes
- B) No
- C) Don't know

If yes, please specify:

The Highland Council would welcome the development of a Resource Redistribution Network Platform implemented and administrated at the national level but prioritising redistribution within regions to reflect the proximity principle, limit carbon impacts associated with transport and generate visible benefits within communities. Where applicable, engagement with the network could be facilitated through the Circular Region initiatives implemented by Zero Waste Scotland.

To ensure effective use of resources and that undue burden was not borne by recipient organisations due to over-supply, provision in lots may be necessary. Consideration would be required as to whom should bear the costs associated with transport.

3: Recycle: maximising value of materials

8. Do you agree with the principle of enabling Scottish Ministers to place additional requirements on local authorities in order to increase rates and quality of household recycling?

- A) Yes
- B) No
- C) Neither agree nor disagree

If yes, what should these “additional requirements” be?

Takeaway containers e.g. plastic boxes, pizza boxes etc. But there should be an opportunity to review on an annual basis as the ability to charge for any items that

could be deemed single use or disposable would be helpful, but is likely to change over time.

9. Do you agree with the principle of greater consistency in household recycling collections in different local authority areas?

- A) Yes
- B) No
- C) Neither agree nor disagree

10. Do you consider that we should move away from the current voluntary approach to Scotland's Household Recycling Charter towards a more mandated approach, whereby implementation of the Charter and its supporting Code of Practice becomes a statutory obligation?

- A) Yes
- B) No
- C) Don't know

11. Do you consider that householders' existing obligations are sufficient?

- A) Yes
- B) No
- C) Don't know

12. Are there any other measures that you consider Scottish Government should take to help accelerate the rate and quality of household recycling in Scotland, taking account of experience and approaches elsewhere and existing householder behaviours?

- A) Yes
- B) No
- C) Don't know

If yes, please specify:

In recognising that householders' motivations in relation to recycling vary widely and no single measure, such as pay as you throw, council tax reduction schemes or penalties for failing to recycle, will engage all householders, the Highland Council would welcome review of the practicality of implementing and the ability to draw from a range of approaches that both incentivise positive and disincentivise poor recycling behaviour amongst householders.

4: Improving enforcement

13. Do you agree that Scotland should have the power to seize vehicles suspected of waste crime, similar to the rest of the UK?

- A) Yes
- B) No
- C) Neither agree nor disagree

14. Do you agree Scottish Ministers should have powers to introduce a new fixed penalty regime for littering from vehicles?

- A) Yes
- B) No
- C) Neither agree nor disagree

15. Do you agree with the introduction of a new system that stipulates that the registered keeper of a vehicle is ultimately responsible for criminal offences such as littering from or in relation to their vehicle (for example by passengers or people using that vehicle at that time)?

- A) Yes
- B) No
- C) Neither agree nor disagree

5: Assessing impact of bill proposals

16. Taking into account the accompanying EQIA, are there any additional likely impacts the proposals contained in this consultation may have on particular groups of people, with reference to the 'protected characteristics' listed above? Please specify.

As detailed in the information provided in response to Question 22 relating to Section 2 of the consultation, measures may be required to ensure that requirements for mandatory reporting of business waste do not result in unanticipated equalities impacts.

17. Taking into account the accompanying BRIA, do you think that the proposals contained in this consultation are likely to increase or reduce the costs and burdens placed on any business or sector? Please specify.

The resource requirements of any new duties on The Highland Council, and other Public Sector organisations, as businesses in their own right need to be understood and fully funded by the Scottish Government.

Proposals relating to additional requirements of local authorities in relation to household recycling and a statutory obligation to implement the Household Recycling Charter (HRC) and Code of Practice (CoP) have the potential to result in significantly increased costs for local authorities. However, the degree of impact is likely to vary among local authorities and not easily quantified prior to the Review of the HRC and Rural Food Waste exemption or without further clarification regarding specific proposed policies and secondary legislation.

With regards to the economy of the Highlands, and the impact that the proposals will have, BRIA should be carried out for the key economic sectors within the Highlands such as agriculture, fisheries and tourism

Possible requirements for mitigating measures to ensure that costs and burdens are not disproportionately placed on the food retail sector, SMEs and businesses operating in areas of low population density are included in the response to question 22.

18. Do you think that the proposals contained in this consultation are likely to have an impact on the environment? If so, which ones and how? Please specify.

The range of proposals contained in this consultation are likely to have significant environmental benefit, particularly in relation to deterring use of single-use items and littering behaviour, enhancing the ubiquity of reusable items, addressing waste crime and encouraging greater waste and surplus intelligence, reuse and redistribution amongst businesses.

Any potential negative environmental impacts associated with the use of reusable or disposable substitutes, in lieu of items which environmental charges are applied to, are anticipated to be mitigated through lifecycle analysis during the development of policy measures and proposals for secondary legislation.

It is difficult, at this time, to determine the environmental impact of the proposals outlined in section 3 of the consultation. Current proposals seek to address both the supply and demand sides of waste generation. To ensure greatest economic and environmental efficiency, it will be necessary to understand how the suite of measures affect the composition and quantity of waste collected by local authorities prior to redesign of services to meet additional statutory obligations. The extent to which the EPR for Packaging will affect local authority funding models is also an important contributing factor. The degree of environmental benefit is likely in part to be determined by how prescriptive statutory requirements are in relation to the service models available to local authorities to deliver specified services or outcomes.

6: Proposals for secondary legislation

19. Do you agree with the proposal that procurement strategies published by relevant public bodies should include consideration of activity which supports the circular economy and action on climate change?

- A) Yes
- B) No
- C) Neither agree nor disagree

20. Do you agree with the proposal to increase the minimum charge on single-use carrier bags from 5p to 10p?

- A) Yes
- B) No
- C) Neither agree nor disagree

21. Do you agree that the initial 5p minimum charge on single-use carrier bags has had a positive impact on the environment?

- A) Yes
- B) No
- C) Neither agree nor disagree

Conclusion

22. Do you have any other comments that you would like to make, relevant to the subject of this consultation that you have not covered in your answers to other questions?

The rural and island implications of the proposals need to be made clearer to allow them to be understood properly. These should also be considered separately and with as much care and attention as the impact assessments done for equalities, business and the environment. In support of this we have attached the letter sent on behalf of the Highlands and Islands Leaders group relating to the specific challenges and resource implications for local authorities with remote and rural communities on complying with the landfill ban. Similar consideration is needed for rural authorities of the impact of the Bill proposals.

Delivery of the proposed services would not be feasible under current funding levels. Any changes to services must be fully funded by the Scottish Government. A conservative estimate of the increased cost to the Council of

- The review of Food Waste Collection
- Mandatory Garden Waste and Textile collection

is approximately £2.5 million.

Consideration of whether local authorities are currently or could practically deliver similar levels of material capture through alternative means of collection would appear

to be pertinent in these circumstances. For example, the Highland Council currently provides an extensive network of textiles collection points throughout the region and at its Household Waste Recycling Centres.

In relation to the Household Recycling Charter and Code of Practice, funding has previously been made available to local authorities to support adoption of compliant collection service models. However, it is notable that rural local authorities, in particular, are also likely to incur additional costs (particularly those associated with collection, labour and haulage) in maintaining and delivering such services on an ongoing basis. Should a mandatory approach to the Household Recycling Charter be adopted, consideration of how all local authorities, but particularly those serving a large proportion of rural communities, may best be supported to meet the continued associated costs may be necessary.

We would welcome greater clarity around the Scottish Government's intentions for the implementation of the requirements for separate collection of textiles and hazardous waste from household sources detailed in the EU Circular Economy Package. We note that the Directive EC 2018/851 amending the Waste Framework Directive 2008/98/EC does not stipulate kerbside collection as the sole available means of separate collection for meeting these requirements and that bring and reception systems or other collections arrangements may also be appropriate alternatives. Furthermore, the Directive acknowledges the significant challenges and barriers associated with rurality when implementing and delivering these services, noting that: **“member states should also be allowed to deviate from the general obligation to separately collect waste in other duly justified cases, for instance where the separate collection of specific waste streams in remote and scarcely populated areas causes negative environmental impacts that outweigh its overall environmental benefits or entails disproportionate economic costs”**.

The Directive also indicates that: *“When assessing any cases in which economic costs might be disproportionate, Member States should take into account the overall economic benefits of separate collection, including in terms of avoided direct costs and costs of adverse environmental and health impacts associated with the collection and treatment of mixed waste, revenues from sales of secondary raw materials **and the possibility to develop markets for such materials, as well as contributions by waste producers and producers of products, which could further improve the cost efficiency of waste management systems.**”* The Highland Council recognises the potential that the Green Investment Portfolio and Circular Regions initiatives may present in relation to promoting innovative waste solutions throughout Scotland. However, we would be particularly supportive of specific strategic approaches that prioritise investment in the development of greater reprocessing and waste infrastructure solutions in remote and rural regions, to contribute to local economic development, stimulate a more circular economy and negate the additional economic burden of waste collection, reprocessing and haulage that rural local authorities are likely to experience as a result of the proposed requirements.

With regard to the redistribution of food waste from food retail sites over a specific size, it may be necessary for the Scottish Government to consider whether an exemption should be applied if retailers are able to demonstrate that they have attempted to identify willing recipients but are not cannot safely meet this requirement due to constraints associated with rurality. Without a provision of this sort, there may be a disproportionate impact on rural tourism businesses based in remote locations.

1: Reduce: tackling our throwaway culture

The Highland Council agrees with the principle that Scottish Ministers should have the power to set charges for environmentally harmful items. Discretionary discounts offered by retailers should continue to be encouraged and play an important role in signalling and increasing expectations in relation to corporate social responsibility. However, whilst they are beneficial in demonstrating willingness to accommodate reuse requests from engaged consumers and early development of social norms, additional environmental charges are desirable complimentary measures that have been demonstrated to more markedly impact wide-spread behavioural change.

The Highland Council supports the prioritisation of introduction of charges for single-use disposable beverage cups, recognising that they are an iconic single-use item that has engaged public interest. This has been evidenced by a number of Highland Council and community initiatives in the region targeted specifically at reducing their use. As has been the case with the carrier bag charge, charging is likely to have a significant impact both in terms of the quantity of waste and litter generated and in contributing towards the ubiquity of reuse alternatives.

To compliment the anticipated ban on priority items detailed in the EU Single-Use Plastics Directive and raise awareness of the impact of all single-use items, consideration of applying environmental charges at prohibitive levels to items made from other materials and from a wider range of sectors would be welcomed. Such items could include disposable paper napkins, small plastic “give-away” toys, wet wipes (in addition to the forth-coming EPR) and plant pots (where suitable biodegradable alternatives are available).

Should proposed charges potentially influence retailers to adopt use of alternative disposable items of another material (for example easily contaminated fibre alternatives to plastic food containers), stipulating requirements to offer or accommodate reusable alternatives and measures akin to the awareness and marking obligations outlined in the EU Single-Use Plastics Directive would be desirable. This would contribute towards the quality of recycling in areas where appropriate recycling services and infrastructure are not yet prevalent, provide clarity

where consumers are unsure of the most appropriate means of disposal and ensure outcomes best reflect the Waste Hierarchy.

2: Reuse: encouraging use and reuse to prevent waste

Mandatory public reporting of waste is a desirable means of encouraging businesses across all sectors and at all scales to gain greater insight into the specific nature of the waste and surplus they generate and how existing procurement and provisioning models may be adapted to address this. The pilot projects currently being undertaken as part of the GovTech Smart Waste Tracking Challenge, recognise and reflect that businesses of varying scales are likely to experience differing barriers to engagement with reporting systems. To derive greatest benefit from mandatory public reporting requirements, particularly in regions where SMEs are likely to play key roles in development of more circular local economies, consideration of specifying reporting requirements proportionate to the scale of operation and waste generated may therefore be desirable. Similarly building in business waste intelligence tools for reporting platform users may enhance the outcomes of this proposal.

To mitigate against unintended equalities and wider social impacts it may be desirable to consider inclusion of factors contributing to waste or surplus in reporting requirements. An unintended consequence of excluding these considerations may be to diminish the range of goods and services available in areas with lower population densities, should businesses believe that all waste reported is likely to reflect negatively on their business. For example, it may be less desirable to cater or stock items for a broader range of dietary requirements, including those related to religious beliefs, if this is likely to result in proportionately more waste.

3: Recycle: maximising value of materials

The Highland Council is committed to contributing to the development of a more circular economy in Scotland and appreciates the significant role that Local Authority kerbside recycling services, and the ease with which they can be accessed and interpreted by citizens, plays in this. Recognition of the potential benefits of greater harmonisation of collection services was demonstrated by the Council's decision to adopt the Scottish Household Recycling Charter and through engagement with Zero Waste Scotland to consider means of developing a Charter-compliant service. However, whilst the Council supports measures aligned with the ambition to improve both the quality and quantity of material collected for recycling in Highland, it does not agree that the current proposal to adopt a mandatory approach to the Charter is the sole or most effective means of achieving these outcomes.

To develop an approach to service delivery that is socially, environmentally and economically achievable and sustainable, recognition of the diverse contexts in which Local Authorities deliver waste management services and challenges to implementation need to be addressed. These considerations include, but are not limited to, population density, geographical area, proximity to markets, existing and proposed infrastructure and socio-demographic considerations.

At this time there is considerable uncertainty in relation to how the forthcoming and proposed legislative and non-legislative initiatives and changes, including the Deposit Return Scheme for Scotland, EPR for Packaging, the UK Plastic Packaging Tax and transposition of the EU Single-Use Plastics Directive and reviews of the Household Recycling Charter and Rural Food Waste exemption are likely to affect the volume and composition of waste managed by Local Authorities, the markets for these materials and technologies available. The development and successful delivery of ambitious and achievable waste management and procurement strategies, targets and innovative service delivery solutions is dependent upon clearer understanding of these outcomes going forward.

Greater specificity regarding intended additional requirements of local authorities and the proposed means of achieving greater consistency in household recycling collections would be necessary to be able to agree or disagree absolutely with the proposals detailed in relation to these considerations.

4: Improving enforcement

The Highland Council is responsible for maintaining the largest road network of all Scottish Local Authorities (approximately 6,754km) within the greatest geographical area and with the lowest population density. These characteristics can present significant challenges in relation to resourcing and addressing the impacts of litter across the Highland region, particularly alongside less populated road networks. Whilst acknowledging the strategic importance of preventative measures to deter littering offences, the Council is consequently in favour of proposals to enhance existing enforcement powers including introducing powers to enable fixed penalty notices to be issued to the registered owner of a vehicle.

Accompanying introduction of proposed changes with a national campaign ensuring public awareness of the deterrent, whilst specifically emphasising the role individuals can play in aiding these enforcement measures would provide enhanced benefit. The proposed regime is also welcomed as a means of encouraging owners of commercial fleet and rental vehicles to educate and discourage littering behaviours at work and amongst visitors to the region, who may be less aware of their obligations.

6: Proposals for secondary legislation

The introduction of the charge on single-use carrier bags has had a positive impact in terms of contributing to waste minimisation, establishing greater public awareness and creating a relative social norm around the use of reusable items rather than disposable goods. Greater environmental benefit could be generated if alongside the increased charge, a mandatory, rather than voluntary approach was adopted in relation to contributions to environmental causes, where a retailer was unable to demonstrate that collected charges did not exceed the cost of product purchase and administration associated with the charge.



Roseanna Cunningham MSP
Cabinet Secretary for Environment, Climate Change and Land Reform
Scottish Government
St. Andrew's House
Regent Road
Edinburgh
EH1 3DG

MD/GM
12 February 2020

Dear Roseanna *Roseanna*

Consultation on the Circular Economy

I refer to the Scottish Government's consultation on the circular economy to which the Council submitted a response.

The Council accepts and endorses that the transition away from a linear to circular economy is critical to achieving the Scottish Government's 2045 target of a net zero carbon economy. The rural and island communities that we serve have direct experience of climate change and are fully committed to playing their part in addressing this critical issue.

The Council also supports the aims and objectives of the Circular Economy Bill and wish to participate as fully as possible. However, the proposals do not address the disproportionate cost of delivering the aspirations of the Bill. Rural and island authorities face a unique set of challenges that will disproportionately increase the costs of delivering the new services proposed in the Bill, specifically Food Waste, Garden Waste and Textile collections. These challenges include:

1. The vast and varied geography, our waste disposal teams provide services to communities and businesses to 5 islands and an area of 25,656 square kilometres
2. The need to transit material over great distances to processors in the central belt and elsewhere results in poor access to markets. This can result in significant increases in revenue costs due to the burden of haulage costs
3. The potentially high capital costs incurred in providing a network of Waste Transfer Sites that allow for the bulking and transport of recyclable material to processors in the Central Belt and elsewhere;
4. The environmental damage of transporting large amounts of waste across Scotland by sea and road.
5. Our geography and sparse population pattern increasing our costs of waste collections, recycling and disposal. Extending waste services will add cost and resource requirements.

Councillor Margaret Davidson
Leader of The Highland Council

The Highland Council, Glenurquhart Road, Inverness, IV3 5NX
tel no: (01463) 702832 fax: (01463) 702830
mobile: 07818015689
e-mail: margaret.davidson.cllr@highland.gov.uk

I would welcome the opportunity to engage with the Scottish Government on these important issues and the challenges that we face to find solutions to resource any changes arising from future Government requirements.

I look forward to hearing from you.

Yours sincerely



Councillor Margaret Davidson
Leader of The Highland Council

Councillor Margaret Davidson
Leader of The Highland Council

The Highland Council, Glenurquhart Road, Inverness, IV3 5NX
tel no: (01463) 702832 fax: (01463) 702830
mobile: 07818015689
e-mail: margaret.davidson.cllr@highland.gov.uk