

## ITEM No ...2.....

**REPORT TO:** CLIMATE, ENVIRONMENT AND BIODIVERSITY COMMITTEE -  
22 APRIL 2024

**REPORT ON:** RESPONSE TO SCOTTISH GOVERNMENT CIRCULAR ECONOMY  
AND ROUTEMAP CONSULTATION

**REPORT BY:** EXECUTIVE DIRECTOR OF NEIGHBOURHOOD SERVICES

**REPORT NO:** 104-2024

### **1.0 PURPOSE OF REPORT**

- 1.1 To update the committee on the latest response to the Scottish Government's supplementary consultation in relation to the introduction of a Circular Economy Bill and Waste Routemap.
- 1.2 The committee are asked to note the response which was provided to the Scottish Government by Officers in order to meet the Scottish Government deadline.

### **2.0 RECOMMENDATIONS**

- 2.1 It is recommended that members note the response to the consultation.

### **3.0 FINANCIAL IMPLICATIONS**

- 3.1 There are no immediate financial implications directly associated with this report.

### **4.0 BACKGROUND**

- 4.1 The Scottish Government previously consulted on the Circular Economy (CE) Bill and Routemap to 2025 targets in August 2022 and the Council responded accordingly (Article V of the Neighbourhood Service Committee of 22 August 2022, report No [199-2022](#) refers).
- 4.2 Due to the timing of the consultation and the deadline date for the response of the 15<sup>th</sup> of March 2024 this is an update for the Committee on the response provided by Officers.
- 4.3 One of the main themes in the feedback from the first consultation was a need to prioritise actions and the Scottish Government are aiming to do this with a second consultation. The direction and actions set out in the draft Route Map will be complemented by the provisions within the Circular Economy (Scotland) Bill. There is also a statutory duty to report on the impacts by asking specific questions about the measures put forward in the consultation.
- 4.4 CoSLA through the Environment and Economy Board, have made representations to the Scottish Government in relation to several aspects of the proposed Bill and this engagement is ongoing.
- 4.5 The supplementary consultation seeks additional comment and further evidence in relation to the same themes and proposed packages as set out in the original consultations and additional comments have been included in the Council's online responses contained within the attached appendix 1 and detailed information on the consultation questions and context can be viewed via this link [Circular economy and waste route map to 2030: consultation - gov.scot \(www.gov.scot\)](https://www.gov.scot/circular-economy-and-waste-route-map-to-2030-consultation)

## **5.0 POLICY IMPLICATIONS**

- 5.1 This report has been subject to the pre-IIA screening tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an integrated impact assessment. An appropriate senior manager has reviewed and agreed with this assessment.

## **6.0 CONSULTATIONS**

- 6.1 The Council Leadership Team have been consulted on the preparation of this report and agree with its contents.

## **7.0 BACKGROUND PAPERS**

- 7.1 None.

Tony Boyle  
**Executive Director of Neighbourhood Services**

1 April 2024

## **APPENDIX 1 – DCC RESPONSE TO UPDATED CIRCULAR ECONOMY PROPOSED BILL AND WASTE ROUTEMAP CONSULTATION**

Submitted to Scotland's draft Circular Economy (CE Bill) and Waste Route Map to 2030 - consultation.

Submitted on 2024-03-15 10:44:43

### **Part A : Reduce and reuse**

#### **1 To what extent do you agree with the priority actions proposed within the Reduce and Reuse strategic aim?**

Agree

##### **Please provide evidence to support your answer if possible.:**

We agree with the priority actions, however we are concerned by timescales for implementation and the complexity of establishing the schemes. There also requires to be further transparency in relation to ongoing activities. Product stewardship is a key priority towards driving a more sustainable market for products and shifts responsibility on to producers.

However, this will need to be part of a four-nation approach given the wider UK implications and impacts. A focus on specific problem materials is also welcomed. Local Authorities have first-hand experience of dealing with these materials as a disposer of last resort and we welcome the inclusion of a priority materials list. There should be a greater focus on food waste and in particular behavioural change of householders to break down barriers. Compositional analysis of non-recyclable waste bins & evidence from our residual waste contractor shows that food waste is the largest recyclable material being found within these streams. Food waste collections should also be valued at the same level as other recycling collections as part of the co-design process. Mandatory reporting of food surplus by business is also key and there should be a focus on strengthening re-distribution. We support further development of incentives to target reuse within the construction industry.

#### **2 To what extent do you agree with the further actions to 2030 listed across the Reduce and Reuse strategic aim?**

Agree

##### **Please provide evidence to support your answer if possible.:**

There should be a greater focus on reuse and repair. The introduction of reuse targets would provide an incentive for Local Authorities and businesses to promote and drive reuse. There should also be a focus to better record data on reuse with the support of business and key marketplace platforms. There needs to be a greater focus on national communication and education out with the sector and this should be a key priority.

### **Part A: Modernise recycling**

#### **3 To what extent do you agree with the priority actions proposed within the Modernise Recycling strategic aim?**

Agree

##### **Please provide evidence to support your answer if possible:**

We agree with the principles and actions proposed under the 'Modernise Recycling' priority and Dundee City Council has demonstrated its ongoing commitment by fully transitioning services to align with the Current Household Waste Charter and Code of Practice. However, further radical and unfunded changes to collection systems will be challenging to deliver without extensive support and targeted communications with householders as well as the wider recycling industry. The timescales indicated will also present a significant challenge given the

time taken to design, procure, install and evaluate waste management systems along with the other changes that DRS (Deposit & Return Scheme), WEEE (Waste Electrical & Electronic Equipment) collections and other mandated extended producer responsibilities will bring.

**4 To what extent do you agree with the further actions to 2030 listed across the Modernise Recycling strategic aim?**

Agree

**Please provide evidence to support your answer if possible:**

As stated in our previous response, we agree with the proposals in principle however more information is required on statutory obligations, consequences of non-compliance and the financial support to enable Local Authorities to take forward these obligations. In particular, there needs to be more information provided on the requirement to collect garden waste separately and whether the Controlled Waste Regulations will be amended to remove the right to charge for this. The Scottish Government will be required to make necessary financial provision to all authorities, both to align the deficit that will be created by formalising this provision, from what is currently a service which is chargeable to householders to one that each local authority will be obliged to provide, and to ensure that authorities are sufficiently resourced to meet increasing significant demands created by this proposed policy. Whilst the principle of a consistent approach across Scotland for recycling collections is welcomed, mandating such an approach is not.

Only where Local Authorities are free to implement an approach which is aligned to the consistent methodology, but which also takes heed of local circumstances and requirements can there be any successful service implementation. In mandating a change for all Local Authorities regardless of the financial impact (capital outlays and ongoing revenue costs), contractual impacts (changes to material mixes and collection frequencies) and local suitability, there exists the potential for widespread disruption and service failure – particularly noting the fact that mandatory requirements for local authorities do not, in themselves, translate into improved recycling performance or quality. We agree with the proposal to improve recycling from commercial businesses, but these measures should be applied consistently across the service providers in order that local authorities, as the provider of last resort, are not left with the burden of providing services in areas where commercial operators are unable or unwilling to meet the requirements due to cost or logistical restrictions. Consistency, regulation and compliance remain major obstacles for the improvement of recycling from commercial premises at the moment and should be the focus of any future measures.

**Part A: Decarbonise disposal.**

**5 To what extent do you agree with the priority actions proposed within the Decarbonise Disposal strategic aim?**

Agree

**Please provide evidence to support your answer if possible:**

We would agree that a Residual Waste Plan is required as part of an overall strategic review as well as a sector led plan to decarbonise the Energy from Waste sector. However, this will require to be incentivised as any additional costs through the ETS (Emissions Trading Scheme) proposal will simply be a pass-through charge for users and will be prohibitive. As part of the Dundee & Angus Waste Partnership, our current infrastructure has been developed to deal with previous legislative requirements such as mitigating the impacts of the landfill ban and guidance such as the thermal treatment guidelines have left local authorities and plant operators unprepared for an intensive upfront separation and pre-sort of waste consigned for energy from waste. We are also concerned that markets for low grade plastics

are unavailable or unsustainable and the options for EfW (Energy from Waste) operators could be become limited to attracting more biogenic materials that could be more easily recycled and should possibly consider the co-firing of biomass materials. Recent work by our EfW operator in relation to establishing local heat networks has highlighted the lack of viable opportunities as well as match or seed funding and the high costs of infrastructure as major barriers to decarbonising existing infrastructure. Other disposal routes, such as landfilling of non-biodegradable waste should also be reviewed to ensure it does not become the easy or cheaper option.

**6 To what extent do you agree with the further actions to 2030 listed across the Decarbonise Disposal strategic aim?**

Agree

**Please provide evidence to support your answer if possible:**

We agree with the further actions outlined however would also welcome a better narrative to a wider audience on the CE to raise awareness amongst the wider population alongside the co-production of guidelines.

**Part A: Strengthen the circular economy**

**7 To what extent do you agree with the priority actions proposed within the Strengthen the Circular Economy strategic aim?**

Agree

**Please provide evidence to support your answer if possible:**

We agree with the priority actions.

**8 To what extent do you agree with the further actions to 2030 listed across the Strengthen the Circular Economy strategic aim?**

Agree

**Please provide evidence to support your answer if possible:**

We agree with the further actions and believe there should be a focus on supporting green skills and developing circular economy/resource management industry career paths.

**Part B: Impact assessments**

**9 Please provide any further information or evidence that should be considered in the accompanying Equalities Impact Assessment. Add text to provide any further information or evidence that should be considered in the accompanying Equalities Impact Assessment:**

The current assessment assumes that there is no significant impact at this stage of the legislative process, and this will require a further review as the co-design process progresses to ensure that specific measures do not impact disabled householders, the elderly or those shown to be in the position of low income.

**10 Please provide any further information or evidence that should be considered in the accompanying Fairer Scotland Assessment.**

**Add text to provide any further information or evidence that should be considered in the accompanying Fairer Scotland Assessment:**

No direct impact from primary legislation, but this could change when secondary legislation is introduced. As noted there may be an unfair impact on those relying on surplus food which must be considered.

**11 Please provide any further information or evidence that should be considered in the accompanying Island Communities Impact Assessment.**

**Add text to provide any further information or evidence that should be considered in the accompanying Island Communities Impact Assessment:**

N/A

**12 Please provide any further information or evidence that should be considered in the accompanying Business and Regulatory Impact Assessment.**

**Add text to provide any further information or evidence that should be considered in the accompanying Business and Regulatory Impact Assessment.:**

Continuation of Option 1 (no policy change, business as usual) translates as future disposal costs being indirectly borne by Dundee City Council as a result of the linear model (take, make, dispose). Given the predicament of public finances, this option lacks sustainability and a move to Option 2 (legislate for Circular Economy) would be more financially viable against anticipated lower tonnages being collected. It's acknowledged that Option 2 places restrictions on industry however there may also be opportunities and potential benefits. Local authority enforcement in light of Option 2 is a key consideration in addition to this.

## **Part B: Strategic Environmental Assessment**

**13 What are your views on the accuracy and scope of the environmental baseline set out in the environmental report?**

**Add text to share your views on the accuracy and scope of the environmental baseline set out in the environmental report:**

Baselines require to be consistent and at a level which allows comparisons to be drawn with other/similar nations.

**14 What are your views on the predicted environmental effects of the draft Circular Economy and Waste Route Map as set out in the environmental report? Please give details of any additional relevant sources.**

**Add text to share your views on the predicted environmental effects of the draft Circular Economy and Waste Route Map as set out in the environmental report:**

In the majority of effects we agree with the approach, however, the effects of the additional measures will need to be clarified to ensure we do not cancel out the positive effects.

**15 What are your views regarding potential reasonable alternatives, in reference to the approach set out in the environmental report?**

**Add text to share your views regarding potential reasonable alternatives, in reference to the approach set out in the environmental report:**

We do not believe there are any reasonable alternatives or additions to add.

**16 What are your views on the approach to mitigation, enhancement and monitoring of the environmental effects set out in the environmental report?**

Add text to share your views on the approach to mitigation, enhancement and monitoring of the environmental effects set out in the environmental report:

We believe that the approach to mitigation, enhancement and monitoring of environmental effects is reasonable and have no further comments.

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