

Appendix 2 – Proposed Consultation Response



Making Things Last – Consultation on creating a more circular economy in Scotland

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Scottish Borders Council

Title Mr Ms Mrs Miss Dr **Please tick as appropriate**

Surname

Sharp-Dent

Forename

Ross

2. Postal Address

Scottish Borders Council		
Head Quarters		
Newtown St. Boswells		
Melrose		
Postcode TD6 0SA	Phone 03001001800	Email enquiries@scotborders.gov.uk

3. Permissions - I am responding as...

Individual / **Group/Organisation**

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

Yes **No**

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate

Yes **No**

Yes, make my response, name and address all available	<input type="checkbox"/>	
	or	
Yes, make my response available, but not my name and address	<input type="checkbox"/>	
	or	
Yes, make my response and name available, but not my address	<input type="checkbox"/>	

(d) 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?

Please tick as appropriate **Yes** **No**

General Comment

In principle Scottish Borders Council is supportive of the Scottish Government’s aspirations to create a more circular economy in Scotland.

However it is clear that there will be significant challenges in achieving this particularly in relation to: -

- The public’s perceptions and attitudes towards remanufactured, reused or upcycled products.
- The comparatively low cost of brand new products compared to remanufactured, reused or upcycled products.
- The design, manufacture and retail of products.

Scottish Borders Council believes that significant time, resource and investment will be required by the Scottish Government in the communication campaigns at a national and local level, to address current behaviours.

Question A – Design

We are looking for feedback on the ideas discussed above on influencing design of products, business models, services, and systems.

- Do you agree with our aspirations on design for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council supports the Scottish Governments aspirations on the design of products, business models, services and systems.

Scottish Borders Council agrees that the design of products is key in determining how far their value can be retained. Clearly this will require action both at a local and EU level to drive product design (see paragraph 62) so that products last longer and that they are easy to; remanufacture, reuse and recycle.

From a Local Authority perspective it would be helpful to understand the outputs of the further research outlined in paragraph 64 as early as possible. This is particularly important given the financial implication this may have in the long term.

Question B – Reuse

We are looking for feedback on the ideas discussed in this section on extending the life of goods through reuse.

- Do you agree with our aspirations on reuse for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council supports the Scottish Governments aspirations on reuse for a more circular economy.

Scottish Borders Council has recently set up a re-use store at one of its Community Recycling Centres (CRC's) and is working in partnership with a local reuse charity. We are keen to expand this service to other sites and are therefore very pleased to hear that the Scottish Government is looking to support local authorities and local reuse organisations to improve reuse collection, storage, retail and communications, including at Household Waste Recycling Centres.

One of the key challenges for Scottish Borders Council is the lack of suitable space at our CRC's. Developing facilities so that re-use is easily accessible would be a key area where Scottish Borders Council requires support.

The transition to a circular economy is going to require significant changes to the public's perceptions and attitudes towards reuse. Therefore significant time, resource and investment will be required by the Scottish Government in the communication campaigns at a national and local level.

Question C – Repair

We are looking for feedback on extending the life of goods through stimulating greater levels of repair by businesses, community organisations and individuals.

- Do you agree with our aspirations on repair for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council supports the Scottish Governments aspirations on repair for a more circular economy.

The transition to a circular economy is going to require significant changes to the public's perceptions and attitudes towards using repaired items. Therefore significant time, resource and investment will be required by the Scottish Government in the communication campaigns at a national and local level.

As outlined in our response to question B Scottish Borders Council has recently set up a re-use store at one of its Community Recycling Centre's and is working in partnership with a local reuse charity. A number of the items received at the re-use store may require repair prior to re-use.

The Council is pleased that the Scottish Government is looking to continue to support repair infrastructure for domestic and commercial products within the private, third and public sector.

Question D – Remanufacture

We are looking for feedback on the ideas discussed in this section to promote remanufacturing in Scotland.

- Do you agree with our aspirations on remanufacture for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council supports the Scottish Governments aspirations on remanufacture for a more circular economy.

The transition to a circular economy is going to require significant changes to the public's perceptions and attitudes towards remanufactured items. In many cases consumers are able to purchase brand new products that are only slightly more expensive than remanufactured products. In this instance there is little incentive for the consumer to buy the remanufactured product.

The Scottish Government may wish to consider whether tax breaks could be awarded to remanufactured products to create a level playing field. Certainly the development of warranties would give one less reason for consumers to avoid purchasing new products over remanufactured products. In addition it may entice manufacturers to consider this in more detail both in terms of product design, take back schemes and remanufacture.

It is clear that significant time, resource and investment will be required by the Scottish Government in the communication campaigns at a national and local level to combat current attitudes towards remanufactured items.

Question E – Recycling

We are looking for feedback on the proposed approaches to expand recycling among households and businesses and improve the quality of recycled materials.

- Do you agree with our aspirations on recycling for a more circular economy?

- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

General Comment

In principle Scottish Borders Council supports the Scottish Governments aspirations on recycling for a more circular economy. However this cannot be at any cost and serious consideration must be given to financially supporting Local Authorities in helping to achieve this aspiration.

It is important to recognise that although Councils have an important statutory role to play in managing waste they are well down the supply chain. It is therefore suggested that there should be a concerted effort to tackle waste production/creation upstream (i.e. producer responsibility) as outlined in section 3.f.

Enforcement Powers

Councils already provide a number of recycling services. In most cases waste producers use these systems effectively. However there is a minority that do not which results in contamination and/or increased waste to landfill. It is suggested that Scottish Government consider the measures available to Councils to help ensure current services are utilised correctly as outlined in paragraph 134. This should include fixed penalty notices.

Food Waste Exemption

Scottish Borders Council has introduced food waste collections to over 24,000 urban households in the Borders in line with the requirements of the Waste (Scotland) Regulations 2012.

The Council received partial capital funding from Zero Waste Scotland (ZWS) to assist in the introduction of this service. Although this financial support was gratefully received no funding was received to help cover the ongoing annual revenue cost associated with the delivery of this service, which represents the largest financial cost.

At the current time around 33,000 households in rural areas do not receive a kerbside collection of food waste. The Scottish Governments intention to review the rural exemption for food waste (para 132) in the Waste (Scotland) Regulations 2012 has the potential to have significant ongoing financial implications for the Council at a time when it is already facing significant financial pressures. The Council would therefore propose that the Scottish Government seriously consider providing Local Authorities with:

- Full capital funding for the introduction of this service
- Full revenue funding for the ongoing delivery of this service.

Voluntary Waste Charter

Scottish Borders Council is in the fortunate position that it has recently agreed to review its Waste Management Plan and this will include the kerbside services that it provides to householders and businesses. It is suggested that the Scottish Government seriously

consider the funding arrangements to support local authorities in delivering waste services that align with its own aspirations and this should include both capital and ongoing revenue support.

It is important to recognise that even if all Councils signed up to the delivery of the Waste Charter it will take 5 to 10 years to deliver. During this period stability will be required to ensure that the collection, transport and treatment investments can be delivered.

Business Waste

Scottish Borders Council currently provides the majority of waste services to businesses in the Borders including rural areas. The private sector tends to focus its waste collection services in the urban areas where they can achieve a higher return on investment.

In recent years private waste collectors have withdrawn trade glass collections from the Borders on the basis of financial viability.

It is suggested that the Scottish Government takes this into consideration when enforcing the requirements of the Waste (Scotland) Regulations 2012 in rural areas such as the Borders.

Question F – Producer Responsibility for reuse and recycling

- Do you agree with our aspirations on harnessing producer responsibility approaches for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

It is important to recognise that although Councils have an important statutory role to play in managing waste they are well down the supply chain. It is for this reason that Scottish Borders Council, in principle, supports the Scottish Government's aspirations on harnessing producer responsibility approaches for a more circular economy.

Scottish Borders Council has found the WEEE producer responsibility scheme to be extremely successful. However, having said that we feel that the recent change to the WEEE Regulations/Code of Practice has put Local Authorities in a weaker position in terms of providing the Designated Collection Facilities (DCFs) for the Producer Compliance Schemes (PCS's). In addition, the changes now put rural authorities such as ourselves at a disadvantage due to the nature of collection costs being greater for rural authorities than more densely populated areas.

It is worth noting that WEEE is currently accepted at our network of Community Recycling Centres. If we were to accept additional materials such as tyres and furniture, including mattresses (as proposed) we would require capital funding to increase the size of the sites. We would therefore suggest the Scottish Government consider this when developing producer compliance requirements in terms of start-up funding to local authorities.

Question G – Recovering value from biological resources

We are looking for feedback on the proposed approaches to harnessing greater value from biological resources that would otherwise end up as waste.

- Do you agree with our aspirations on recovering biological resources for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council supports the Scottish Governments proposed approaches to harnessing greater value from biological resources that would otherwise end up as waste.

Food Waste Reprocessing Infrastructure

In recent years a range of agricultural Anaerobic Digestion (AD) facilities have been developed in the Scottish Borders to manage agricultural waste and/or process crops.

At the current time the quantity of food waste collected in the Scottish Borders is not of a scale large enough to support the development of a specific treatment facility. This would be the case even if food waste was collected from all households and food waste generating businesses in the Borders. As a consequence food waste has to be transported out with the Borders for treatment which incurs additional cost.

It is suggested that the Scottish Government consider how it can generate interest or support for the development of food waste treatment facilities in rural locations, such as the Scottish Borders. This would assist in developing the business case to expand food waste collections, through reducing transport costs, and consequently assist the Scottish Government in achieving its aspirations to provide a food waste service to all households.

Digestate Quality Standards

It is our understanding that SEPA are considering the development of a new quality standard, to replace PAS110, for defining end of waste criteria for digestate generated by Anaerobic Digestion facilities.

Scottish Government must be mindful that the financial business case for the majority of food waste facilities is underpinned by Council contracts/waste. It is therefore likely that any additional costs incurred by re-processors to achieve any new standard will at some point be passed onto Councils. It is possible the Material Waste Brokerage Service may assist in minimising the impact. However we are some distance away from this being in place.

Question H – Energy recovery

- Do you agree with our aspirations on energy recovery in a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council supports the Scottish Governments proposed approaches on energy recovery in a more circular economy.

Thermal Treatment Infrastructure

Scottish Borders Council agrees that thermal treatment of waste will play an important role in addressing demand for energy, during transition to a more circular economy. We also understand and appreciate the Scottish Governments wish to avoid the overprovision of energy from waste infrastructure as this may present a barrier in a move towards a more circular economy. Achieving both will be challenging due to the levels of investment required from both Local Authorities, via long term contracts and the private sector to deliver the required infrastructure.

Both Local Authorities and the Private Sector will require stability/assurance in relation to policy/legislation in order to support the financial business case for new/required infrastructure and to achieve financial close. Scottish Borders Council would suggest that the information on infrastructure requirements as outlined in paragraph 165 should be completed and made available as soon as is practicably possible to reduce the risk of an under or over provision of required infrastructure.

Question 1 – Landfill

- Do you agree with our aspirations on landfill as we move towards a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council agrees with the Scottish Governments proposed approaches on landfill as we move towards a more circular economy.

Retreat from landfill

Scottish Borders Council recently agreed to close its landfill and develop a waste transfer station in its place, which will help us achieve the requirements of the municipal biodegradable waste bans in 2021 and future landfill diversion targets.

Management of Landfill Gas

Scottish Borders Council has recently invested significantly in the management of landfill gas at its sites in the Borders as highlighted in paragraph 173. This has reduced the environmental impacts of the sites associated with gas emissions.

Environmental Obligations

The outstanding life span of most operational landfill sites is such that waste operators are unlikely to be able to generate the income, prior to closure, to fully cover their environmental obligations. In order to avoid a similar situation occurring with current or new technologies it is suggested these are considered now so that operators have the time to adjust gate fees to cover any additional environmental obligations. The environmental obligation of managing landfill sites is not only the responsibility of the operator but also the producer and this requires further consideration.

Question J – Communications

We would welcome views on the approaches to communication discussed in this section.

- Do you agree with our aspirations on communication for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council agrees with the Scottish Government's aspirations on communication for a more circular economy.

It is clear that a large part of this consultation relates to requirements on local authorities in achieving the Scottish Government's aspirations of a more circular economy i.e. expansion of food waste services, landfill gas management, waste charter, waste brokerage, recycle quality, MRF code of practice etc. However as previously outlined it is important to recognise that although Councils have an important statutory role play in managing waste they are well down the supply chain. It is therefore suggested that there should be a concerted effort to tackle waste production/creation upstream (i.e. producer responsibility) as outlined in section 3.f.

Without doubt the transition to a circular economy is going to require significant changes to how people and organisations operate to reduce production in the first place. Therefore significant time, resource and investment will be required by the Scottish Government in the communication campaigns at a national and local level. Also, it will be important that the communications campaigns are consistent to avoid contradiction and to maintain public support/engagement.

It is suggested that Scottish Government or its representative engage with local authorities at an early stage in relation to the development of communications campaigns.

Question K – Skills

- Do you agree with our aspirations on skills for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council agrees with the Scottish Government's aspirations on skills for a more circular economy.

Question L – Measuring Progress

We are looking for feedback on the proposed approaches discussed in this section.

- Do you agree with our aspirations on measuring progress towards a more circular economy?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

In principle Scottish Borders Council agrees with the Scottish Government's aspirations on skills for a more circular economy.

Targets and indicators

As previously outlined Scottish Borders Council is reviewing its Waste Management Plan. The outputs of this plan are likely to be influenced by the current Scottish 'targets and indicators' along with the Waste Charter. Although we appreciate that targets will be impacted by external influences (i.e. EU Circular Economy Package) and that they will require review, it is important that there is a consistent direction of travel.

Scottish Borders Council wants to be sure that any future service changes are compliant and will not require short to medium term amendments/alterations due to changes of National Policy. Ultimately we wish to avoid disruption to householders and additional cost.

Electronic Duty of Care System

Scottish Borders Council is currently assessing the potential of using the EDOC system and is therefore supportive of making this mandatory. However we would suggest that this should not be made mandatory without providing an appropriate level of support to waste producers to assist in the transition – potentially a specific hotline to answer queries.

As a trade waste provider the Council finds that a number of customers require significant support in order to complete the current paper based Duty of Care Waste Transfer Notes and this is likely to increase when moving to an online system.

Question M – Equality

- Do you have any comments on the proposals in terms of how they may impact on any particular equalities group i.e. in respect of age, gender, race, religion, disability or sexuality?

Not reviewed.

Question N – Business and Regulatory Impact Assessment

- Do you have any comments on the draft partial Business and Regulatory Impact Assessment?

No comment.

Question O – Strategic and Environmental Assessment

No comment.

1. To what extent does the Environmental Report set out an accurate description of the current baseline and the business as usual scenario? (Please give details of additional relevant sources)
2. Do you agree with the predicted environmental effects as set out in the Environmental Report?
3. Do you agree with the recommendations and proposals for mitigation and enhancement of the environmental effects set out in the Environmental Report?

4. Are you aware of any further information that will help to inform the findings of the assessment? (Please give details of additional relevant sources)
5. Are you aware of other 'reasonable alternatives' to the proposed policies that should be considered as part of the Strategic Environmental Assessment (SEA) process conducted for the Consultation Document?