

Consultation on introducing a Deposit Return Scheme in England, Wales and Northern Ireland

About you

1. **Would you like your response to be confidential?**

Yes / No

2. **What is your name?**

Ian Fielding

3. **What is your email address?**

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4. **Please provide information about the organisation/business you represent.**

Which of the following best describes you?

Other

If you answered 'Other' above, please provide details:

Local government network

What is the name of the organisation/business you represent? (Required. If you are responding on behalf of yourself please write 'individual')

Association of Directors of Environment, Economy, Planning and Transportation (ADEPT)

What is the approximate number of staff in your organisation? (If applicable)

ADEPT is a membership organisation representing Place Directors from county, unitary and metropolitan authorities, along with Directors of Local Enterprise Partnerships and corporate partners drawn from key service sectors. There are currently 78 local authority members, 12 LEPs, 15 corporate partners, and various other members. The Association is governed by a President and Leadership Team elected by the members. The Association employs a Chief Operating Officer and a small number of other, part-time staff.

5. **Please provide any further information about your organisation or business activities that you think might help us put your answers in context. (Optional)**

ADEPT members are at the very heart of maximising sustainable growth in communities throughout the UK. We deliver the projects that are key to unlocking broader economic success and creating more resilient communities, economies and infrastructure.

ADEPT's broad policy position on waste and resources is set out in our statement published on 30th January 2019, available on our website here <https://www.adeptnet.org.uk/documents/adept-policy-position-resources-and-waste>.

6. Does your organisation have any recent experience of a DRS or related policy schemes? If so, can you please briefly explain your experiences?

No

7. Are you content for the UK government, or in Wales, the Welsh Government, or in Northern Ireland, DAERA to contact you again in relation to this consultation?

Yes

Basic principles for a DRS

8. Do you agree with the basic principles for a DRS?

I neither agree nor disagree

Please briefly state the reasons for your response. Where there are principles you do not agree with, please outline them here. Where available, please share evidence to support your view

Government's proposed principles for a DRS are accepted as appropriate if a DRS is to be progressed but ADEPT does not agree that the case for a DRS is sufficiently established to justify its implementation. The impact assessment for the two proposed DRS schemes purport to show a net benefit from either proposed DRS scheme however this conclusion is dependent on very high estimates of the disamenity value of litter which are acknowledged as being 'uncertain'. It would be reckless to base a decision to proceed with a DRS on the basis of the analysis used.

DRS is a type of extended producer responsibility. It therefore duplicates elements of the separate proposals to reform the packaging producer responsibility scheme, which will have a much greater impact than a DRS alone. The impact assessment appended to the EPR consultation compares the costs and benefits of an EPR with and without a DRS and confirms that a DRS presents comparatively poor value for money and increases societal costs regardless which DRS option is progressed. On this basis ADEPT does not support the basic principle of a DRS. A DRS should only be introduced if the EPR fails to deliver the anticipated outcomes for these materials. If a DRS is introduced, it should be focussed on tackling litter, and hence be a UK wide 'on-the-go' scheme rather than an all in approach.

Proposed models for a DRS system

9. Should the following materials be-in scope of a DRS:

a. PET bottles

Yes

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

This material is commonly used for drinks containers and is included in the proposed core set of materials to be included within EPR and collected from homes which will make it easier to ensure consistency in the approach and to reduce the confusion of residents.

b. HDPE bottles

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

This material is commonly used for drinks containers and is included in the proposed core set of materials to be included within EPR and collected from homes which will make it easier to ensure consistency in the approach and to reduce the confusion of residents.

c. Aluminium cans

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

This material is commonly used for drinks containers and is included in the proposed core set of materials to be included within EPR and collected from homes which will make it easier to ensure consistency in the approach and to reduce the confusion of residents.

d. Steel cans

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available,

please share evidence to support your view.

This material is commonly used for drinks containers and is included in the proposed core set of materials to be included within EPR and collected from homes which will make it easier to ensure consistency in the approach and to reduce the confusion of residents.

e. Glass bottles

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

This material is commonly used for drinks containers and is included in the proposed core set of materials to be included within EPR and collected from homes which will make it easier to ensure consistency in the approach and to reduce the confusion of residents.

f. Other (please specify)

10. Should the following materials be-in scope of a DRS:

a. Cartons e.g.

Tetrapack

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Cartons are commonly used for drinks containers but are harder to recycle. If not included within a DRS there is a risk that producers will be incentivised to move towards this packaging as a way of reducing their costs.

b. Pouches and sachets, e.g. for energy gels

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Pouches and sachets are more commonly used for drinks containers but are harder to recycle. If not included within a DRS there is a risk that producers will be incentivised to move towards this packaging as a way of reducing their costs.

11. If a DRS were to be introduced, should provisions be made so that glass bottles can be re-used for refills, rather than crushed and re-melted into new glass bottles?

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

Further evidence will be required to establish the costs and benefits of refilling over reprocessing. Refilling will require more complex reverse logistics to ensure bottles remain intact, with increased costs and reduced transport efficiencies.

Reprocessing will enable more cost effective transport and simpler logistics but is likely to provide less environmental benefit overall.

12. Should the following drinks be in-scope of a DRS:

a. **Water**

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Assuming a DRS is introduced, it is difficult to conceive a case where a container of soft drink should not be subject to a deposit. Water is a common drink purchased for consumption at home and when outside the home. It has a relatively low retail value and consequently the container may be more easily discarded or put into general rubbish on the assumption that the container has no value either. The use of single-use water containers could be significantly reduced through the promotion of free refill or 'hydration stations' (i.e. taps / water fountains). Funding from unrecovered deposits could be used to help fund refill stations in public spaces.

b. **Soft drinks (excluding juices)**

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Assuming a DRS is introduced, it is difficult to conceive a case where a container of soft drink should not be subject to a deposit.

c. **Juices (fruit and vegetable)**

Yes

No
Neither
I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

As with soft drinks, it is difficult to conceive why a container should be exempt from a deposit merely because it contains fruit or vegetable juice, unless the contents is specifically produced for cooking as opposed to drinking e.g. tomato juices.

d. **Alcoholic drinks**

Yes (some)
Yes (all)
No
Neither
I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

There is a case for excluding some larger alcoholic drinks containers (e.g. wines and spirits >700ml) from a DRS if there is sufficient confidence that they are and will continue to be recovered through kerbside collections. Such containers are not believed to represent a significant proportion of litter and are most likely to be recovered through traditional schemes. A deposit on these containers will divert them from kerbside collections and make the systems significantly less efficient. Large wine and spirit bottles currently make up a significant proportion of kerbside collected recyclables and whilst a deposit will divert a large proportion of these containers they will not divert all. A deposit on these containers may therefore lead to increased littering if recyclables put out for kerbside collection are sorted by people wanting to claim deposits on any remaining bottles.

e. **Milk containing drinks**

Yes (some)
Yes (all)
No
Neither
I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

As with soft drinks and water, these types of drinks may be consumed either in the home or outside the home, and are targeted for convenience. It is unclear what the justification would be for treating such drinks differently.

f. **Plant-based drinks (such as soya, rich almond and oat drinks)**

Yes
No

Neither
I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

As with soft drinks and water, these types of drinks may be consumed either in the home or outside the home, and are targeted for convenience. It is unclear what the justification would be for treating such drinks differently.

g. **Milk**

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Milk is not typically consumed outside the home as a drink on its own. It is mainly purchased for use in cooking or consumption at home, or for use within other premises (e.g. work) for use in hot drinks. Milk containers are not a large element of litter and can be recovered efficiently through kerbside collections. Returning milk containers to retailers will present particular difficulties with smells and flies. Milk containers should be excluded from a DRS.

h. Other (please state which):

13. Do you think disposable cups should be in the scope of a DRS?

a. Disposable cups made from paper with a plastic lining (such as those used for coffee)

Yes

No

Neither

I don't know / I don't have enough information

b. Disposable cups made of plastic (such as those used in vending machines)

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view. The government is particularly interested in any.

Disposable cups are a drinks container as is a can or a bottle. They are more difficult to recycle, used mainly for convenience and present a highly visible source of waste. The case for a DRS on disposable cups is therefore stronger than for any other container as including disposable cups in a DRS will encourage both the return of the cup as well as the use of reusable cups. If DRS is introduced then these disposable cups need to be included which in

turn should lead to a better designed product that can be recycled more easily.

If disposable cups are included within a DRS then the case for excluding vending machine cups is difficult to understand.

14. Do you agree with the proposed material flows as described above?

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

15. Do you agree with the proposed financial flows as described above?

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

Overlap with the packaging producer responsibility system

16. Should producers obligated under a DRS be:

- a. Exempt from obligations under the reformed packaging producer responsibility system for the same packaging items?
- b. Also obligated under the reformed packaging producer responsibility system for the same packaging items?
- c. Other (please explain)
- d. I don't know/I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

The Impact Assessment for EPR identifies that a DRS will add cost to the system. It is appropriate that the costs of a DRS should be borne in totality by producers of drinks containers and that other packaging manufacturers should not be liable for any of these costs. However, drinks container manufacturers must also remain liable for the costs of managing their containers that are not collected through a DRS, therefore they must also be liable under an EPR scheme.

17. If producers were obligated under both a DRS and a reformed packaging producer responsibility system for the same packaging items, how could we

effectively ensure that they would not be unfairly disadvantaged by a ‘double charge’?

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Producers should be liable for the full costs of both an EPR and a DRS scheme, and it is shown in the impact assessment that a DRS adds cost to the therefore the net cost to drinks container manufacturers will be greater than if their liability were limited to a proportion of the costs under EPR. However, with a DRS, the element of costs charged to drinks container producers under EPR should be reduced to acknowledge that proportionally fewer containers are handled under EPR than would be without a DRS e.g. by adjusting the modulated fees.

Deposit Management Organisation (DMO)

18. Do you agree that the DMO should be responsible for meeting high collection targets set by government?

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

19. Should the DMO also be responsible for meeting high recycling targets set by government?

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

20. Should unredeemed deposits be used to part-fund the costs of the DRS system?

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

Unredeemed deposits should, in the first instance, be used to:

1. Fund local authority costs in collecting and disposing of litter
2. Fund installation of public 'hydration stations' (taps and water fountains) in public spaces to help encourage reuse of drinks containers and promote better public health

21. If unredeemed deposits are not used to part-fund the costs of the DRS system, do you agree they should be passed to government?

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

See Q20. Should the value of unredeemed deposits exceed the costs of dealing with litter and funding public access to drinking water, then they should be used to help fund the DRS scheme.

22. Do you have alternative suggestions for where unredeemed deposits could be allocated?

See Q 20. Unredeemed deposits should, in the first instance, be used to:

1. Fund local authority costs in collecting and disposing of litter
2. Fund installation of public 'hydration stations' (taps and water fountains) in public spaces to help encourage reuse of drinks containers and promote better public health

23 If the scheme is managed by the DMO, which of the following bodies should be represented on the management board:

- a. Industry (drinks producers)?
- b. Government
- c. Trade associations representing those hosting return points (e.g. retailers, small shops, transport hubs)?
- d. Companies representing those hosting return points (e.g. retailers, small shops, transport hubs)?
- e. Other (please specify)

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Adept does not have a view on the bodies that should be represented except that the Board should also include representation from Local Government.

24 Should there be government involvement in the set-up/running of the DMO body?

Yes

No
Neither
I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

It is important that the scheme be clearly accountable to the public and consumers. Government involvement is essential to ensure this happens from the outset.

25 Do you agree with the government's proposals that a DMO would:

- a. **Advise government on the setting of the deposit level/s**

Yes
No
I neither agree nor disagree
I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

It is important that the DMO informs and advises Government using its expert knowledge of the industry and markets but Government must retain the power to set the deposit value.

- b. **Set producer/importer fees**

Yes
No
I neither agree nor disagree
I don't know / I don't have enough information
The DMO is best placed to set fees for producers and importers.

Please briefly state the reasons for your response. Where available, please share evidence to support your view

- c. **Be responsible for tracking deposits and financial flow in the DRS – and ensuring those running return points are paid the deposits they refund to consumers**

Yes
No
I neither agree nor disagree
I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

Ordinarily the DMO should undertake these tasks but care is needed to ensure transparency of flows and accountability to ensure the scheme remains fair.

- d. **Set and distribute the handling fees for return**

points

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

- e. **Be responsible for ensuring that there are appropriate return provisions for drinks containers in place, and that these are accessible?**

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

- f. **Be responsible for maintenance of reverse vending machines (RVMs) and provision of bags/containers to those running manual return points**

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

- g. **Own the material returned by consumers**

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

Ownership will need to pass from the consumer to another party. The DMO is realistically the only party that could become the owner of returned containers.

- h. **Reimburse those transporting returned drinks containers to recyclers/counting/sorting centres – and manage these contracts**

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

This must be central to the function of the DRS. No other party could undertake these tasks.

i. **Fund counting sorting/centres – and manage the contracts for counting/sorting centres**

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

Where these are required specifically and wholly for the sorting of material collected through a DRS.

j. **Be legally responsible for meeting the high collection targets set by government for drinks containers within scope of the DRS.**

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

Legal accountability can only either be with the DMO or individual producers. It is sensible that the DMO provides a central point of accountability although it must then have sufficient powers to be able to recover fees.

k. **Measure and report recycling rates to government**

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

l. **Run communications campaigns to aid consumer understanding of the DRS**

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Funding should also be made available for local campaigns that are promoted by local authorities.

Producers

26 Do you agree with our proposed definition of a producer?

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

27 Should there be a de minimis which must be crossed for producers and importers of drinks in-scope of a DRS to be obligated to join the scheme?

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

28 Should a de minimis be based on:

- a. Number of employees
 - i. If yes, how many employees?
- b. Sales figures
 - ii. If yes, what figure?
- c. Volume/weight of drinks put on the market
 - iii. If yes, what volume/weight?
- d. None of these
- e. Other

I don't know

29 If there is a buy back scheme for recycled materials, do you have evidence for how this could be effectively run?

No

30 In line with the principle of full net cost recovery, the government proposes that producers would cover the set up costs of the DMO? Do you agree with this proposal?

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

31 Should the DMO be responsible for co-ordinating the set-up of the DRS, including buying RVMs and an IT system?

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

Operational costs

32 Should producers of drinks within a DRS be responsible for DRS operational costs?

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

Retailers / return provisions

33 Which of the following should be obligated to host a return point?

- a. Retailers who sell drinks containers in scope
- b. Transport hubs
- c. Leisure centres
- d. Event venues
- e. None of these
- f. Other (please specify)

Please briefly state the reasons for your response. Where available, please share evidence to support your view

In principle, any premises where drinks are sold in containers within the scope of the DRS should be obligated to host a return point, subject to a threshold test. There should be no obligation for premises where drinks are not sold / provided.

34 What might the impacts be on those hosting:

(a) Reverse vending machines? Where available, please share evidence to support your view.

(b) Manual return points? Where available, please share evidence to support your view.

Although an on-the-go system could be of benefit, there are concerns regarding the infrastructure that is needed to operate a system, especially in a rural area. We are concerned how a DRS will impact rural areas and that the scheme may not be fair to residents and retailers in these areas.

Small village shops are unlikely to have space for a reverse vending machines nor space to store returned containers if handed back over the counter, but they may be the only retailer (and potential opportunity to recover a deposit) for many miles There are also significant cash flow implications for small businesses who may have to absorb the cost of the deposit paid out to the customer until they can be refunded themselves (assuming the container was not sold from their premises). Adept is therefore seriously concerned about the impacts a DRS will have on small businesses and are uncertain how a DRS can avoid disadvantaging rural communities . How a DRS will operate in rural areas is a significant uncertainty recognised in the

consultation.

Recycling centres in many towns and villages have been removed over the years as kerbside schemes have taken over the need for bring banks. Communities in many villages and towns would not be keen to see the return of containers for collection materials returning to their areas, and will be worried about the visual impacts and potential disamenity – which in many areas will outweigh any current disamenity of litter.

35 Are there any Health and Safety-specific implications that may be associated with hosting return points?

Any unmanned reverse vending machine will be at risk from vandalism and fire damage.

The storage of any containers with milk remains will emit unpleasant odours within a short time period, this would not be acceptable for many sellers.

Sweetened drink remains may also attract wasps which would not be acceptable either.

36 Is there a de minimis level under which businesses who sell drinks in scope should be exempt?

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

A de minimis level must apply as small retailers will be unable to host a return facility and will be exposed to cash flow issues if they are required to pay deposits for containers purchased elsewhere.

37 Should a de minimis be based on:

- a. Floor size
 - i. If yes, what floor size?
- c. Sales figures for drinks in scope
 - ii. If yes, what figure?
- d. Number of employees
 - iii. If yes, how many employees?
- e. None of these
- f. Other (please specify)
I don't know / I don't have enough information

38 Please briefly state the reasons for your response. Where available,

please share evidence to support your view

Sales figures for containers on scope would be appropriate but a de minimis could also be established by reference to gross turnover.

39 Do you have alternative suggestions for return provisions that could be used to accept the return of drinks containers? Please provide details.

The obligations on local authorities for collection of recyclables provide the most cost effective method of collecting drinks containers. Adept assert that a DRS is not necessary with an effective EPR but recognise that capture rates could be improved if deposits are charged on containers. The most effective system is therefore one which combines kerbside collections with deposits. Investment is needed in research and technology development so that deposits can be automatically credited to householders or others putting containers out for collection by local authorities as part of the normal weekly or fortnightly collection service.

40 For consumers who would have difficulty returning empty drinks containers, what provisions could be put in place so that these consumers are able to return drinks containers and receive their deposit refund?

The success of a DRS will hinge on the ease by which consumers will be able to return containers. All groups, especially those with Protected Characteristics should have easy access to return facilities. The most effective and efficient method of returning containers is from kerbside collections but the technology doesn't yet exist for householders to be returned deposits automatically as part of a council provided kerbside collection. The only alternative must then be for a combination of high densities of take back places combined with an obligation for on line retailers to also collect in scope containers (perhaps subject to notice), with a final, and limited option for a demand based scheme for large numbers of containers.

41 What provisions could be put in place for rural areas where there may be few small retail outlets spread over a wider area, in order to ensure that there are adequate return and collection facilities?

See answer to Q34. This is a major weakness in the proposals. Further evidence is needed on how a DRS can be made to work within rural areas before a decision is taken on whether to implement one.

42 Do you have evidence that would help inform us about whether there is potential for siting RVMs outdoors e.g. in parks, at existing outdoor recycling centres, on highstreets?

Yes
No
Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where possible, please provide supporting information.

Adept is concerned about the impact a DRS will have on the streetscene, and the impacts on other infrastructure. A DRS introduces a new and separate reverse logistics system that will require infrastructure and which will entail additional transport and lorry movements, with a probability that these impacts will be greater in more urban areas. Reverse vending machines will require power and will need to be located in areas where they will be convenient for people to use. This is likely to include town centres therefore Adept is concerned about the potential negative impacts that the installation and operation of these machines will have for the street scene. Land use planning implications will also need to be considered to ensure sufficient infrastructure is available (including whether RVM's themselves will need any approvals or consents)

43 Should online retailers selling drinks in in-scope containers be obligated to pick up and refund DRS material?

The boundary between on-line and traditional retailing is becoming blurred, with on-line retailing increasingly common. The only justification for excluding on line retailers would be the complication and additional costs associated with reverse logistics – but these are equally arguable for more traditional retailers. The concept of on line retailers collecting used containers when delivering new ones (an exchange) fits perfectly with the principles of a DRS.

44 Should there be a de minimis under which online retailers would not be obligated to pick up and refund DRS material?

Yes

No

Neither

I don't know / I don't have enough information

If yes, should a de minimis for online retailers be based on:

- a. Sales figures for drinks in scope
- b. Number of employees
- c. None of these
- d. Other (please specify)

45 Should certain businesses which sell drinks in in-scope drinks containers host return points, e.g. pubs, hotels, cafes? Please provide details.

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where possible, please provide supporting information.

Such premises are traditionally used to reverse logistics and are potentially best placed to host return infrastructure.

46 Should there be an opportunity for retailers that don't stock drinks / those who may not be obligated to provide a return point to 'opt-in'?

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where possible, please provide supporting information.

If retailers want this opportunity to host a return point then this should be supported with suitable incentives to do so.

47 Do you have any further views, comments or evidence in relation to retailers not already covered above?

No

On-trade Sales

48 How should a DRS account for 'on-trade' sites such as bars and restaurants

By definition, on trade premises serve drinks for consumption on the premises, typically in reusable containers e.g. glasses. The premises retain ownership of the reusable containers and do not typically charge deposits.

On premises retailers should not be exempt from paying the deposits on in scope containers but, as with reusable containers, should be free to choose whether to pass charge the customer the deposit on the grounds that the retailer retains ownership of the container and is merely lending it to the customer for their use when on the premises. Alternatively, on trade premises should have the option to charge the deposit. Where a premise chooses not to levy a deposit they may then be exempt from having to return deposits to walk in customers but should not be exempt from obligations, where practicable, to host return infrastructure e.g. RVMs.

The deposit

49 What do you consider to be the optimum deposit level to incentivise return of drinks containers?

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

If the scheme is implemented then the deposit needs to be as high as possible for the scheme to have the best chance of working, recognising that too high a level will have negative impacts on sales and could create perverse outcomes such as container theft. There is scope to make deposit values variable to reflect the likely value of the contents e.g. large glass bottles: 50p, with small plastic bottles 25p.

50 Should the deposit level be a flat rate across all drinks containers covered by the DRS?

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

As above, the deposit level could be varied between product materials, with higher value products e.g. alcoholic drinks having a higher deposit rate.

51 Should there be an alternative deposit level for drinks containers in a multipack, rather than each container carrying the same deposit?

No

Please briefly state the reasons for your response. Where available, please share evidence to support your view

Each individual container could be used on a separate occasion therefore multipacks should be included and each container should be treated individually, as a resident may buy a multipack to consume over numerous days which will need to be disposed of somewhere. Variable deposits for multipacks will create confusion and unnecessary complexity for retailers having to reimburse deposits.

52 How do you think deposits should be redeemed? Please tick all that apply.

- a. Voucher (for deposit value, printed by the reverse vending machine or by the retail assistant at manual drop-off points)
- b. Digitally (for example a digital transfer to a smartphone application)
- c. Cash
- d. Return to debit card
- e. Option to donate deposit to charity
- f. Other (please state)
- g. None of the above

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

The preferred option would be an electronic solution where deposits are refunded to cards or other contactless payment methods, but this will prejudice anyone unable to use such payment methods and is likely to lead to a higher level of unredeemed deposits. For the scheme to be successful it must include scope for cash returns although this could legitimately be limited to larger traders.

Sending material on for recycling and data recording

53 Should the DMO be responsible for ensuring that there is evidence that drinks containers have been recycled?

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

54 In addition to reporting on collection rates, should the DMO also be obliged to report on recycling rates of in-scope drinks containers?

Yes

No
Neither
I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Transparency

55 How do you think transparent financial flows in a DRS could be achieved most effectively?

Please explain your answer, providing evidence where available.

I don't know / I don't have enough information

Monitoring and enforcement

The DMO

56 Would Environment Agencies in England, Wales and Northern Ireland be best placed to monitor/enforce a DRS covering England, Wales and Northern Ireland?

If no, why and is there another body that would be better suited to perform this function?

Yes

No

Neither

I don't know / I don't have enough information

Please explain your answer.

57 How frequently should the DMO be monitored?

(This monitoring would look at, i.e., financial accounts, material flows, proof of recycling rates, setting of deposit level (if done by the DMO))

a. Annually

b. Bi-annually

- Other (please specify)

Local authorities are obliged to submit quarterly monitoring information via an on line system called wastedataflow. Reporting of DRS performance should be at least the same frequency as for local authority performance monitoring

58 How often should producers be checked for compliance with the DRS (if compliance is obligated)?

a. Annually

b. Bi-annually

- Other (please specify)

I don't know / I don't have enough information

59 Should enforcement focus on:

a. A sample of producers?

b. All producers?

I don't know / I don't have enough information

60 Should any penalties (fines) on the DMO or producers/importers be set by the regulator appointed to monitor the DMO?

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Fraud

61 Are there any points in the system which you think would be particularly susceptible to fraud? Please state

I don't know / I don't have enough information

62 Which labelling/markings on drinks containers in scope would best protect against fraud?

Please select all that apply:

- a. Deposit value amount
- b. Marking indicating inclusion in DRS
- c. Existing product barcode (containing DRS information when scanned)
- d. Other (please specify)
- e. None of the above

Please explain your answer. We are particularly interested in evidence of effective fraud prevention in existing DRS systems.

I don't know / I don't have enough information

63 How could return via reverse vending machines (RVMs) best be protected against fraud? We are particularly interested in any evidence you may have to support suggestions.

I don't know / I don't have enough information

64 How could the process of manual returns best be protected against fraud? We are particularly interested in any evidence you may have to support suggestions.

I don't know / I don't have enough information

65 How could a DRS best protect against fraud across Devolved Administrations in the event of similar schemes with common underlying principles (but not one uniform scheme)?

I don't know / I don't have enough information

DRS Options – ‘all-in’ and ‘on-the-go’ ‘All-in’ option

66 Should drinks containers over a certain size, for example beer kegs and containers used for water coolers, be excluded from an all-in DRS?

Yes
No

Neither
I don't know/I don't have enough information

Please state the reasons for your response. Where available, please share evidence to support your view

These containers are typically returned and reused/recycled without the need for a DRS, with non statutory deposits commonplace. A DRS applied to other containers is unlikely to alter this position. These containers are not prevalent or common in litter

67 If drinks containers over a certain size were excluded from an all-in DRS, what should the maximum cut-off size be?

> 3 Litres
> 4 Litres
> 5 Litres
Other
There should be no maximum size cut-off

Please state the reasons for your response. Where available, please share evidence to support your view

Adept does not support proposals for an all in DRS. If an all in DRS were to be implemented then all size containers used in retail sales should be subject to a deposit.

'On-the-go' option

68 Do you agree with our definition of 'on-the-go' as less than 750mls in size?

Yes
No
Neither
I don't know/I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

This will capture wine and spirit bottles which are more commonly consumed within the home. The max size for an On-the-Go system should be less than 700ml.

69 Do you agree with our definition of 'on-the-go' as excluding multipack containers?

Yes
No
Neither
I don't know/ I don't have enough information

Please briefly state the reasons for your response, including in which cases

multipack containers should not be excluded from our definition of ‘on-the-go’.

Where available, please share evidence to support your view

Each individual container could be used on a separate occasion therefore multipacks should be included and each container should be treated individually, as a customer may buy a multipack to consume over numerous days on the go which will need to be disposed of somewhere (e.g packed lunch).

70 Based on the information above, and where relevant with reference to the associated costs and benefits outlined in our [impact assessment](#) (summarised below), which is your preferred DRS option?

All-in

On-the-go

Neither

I don't know / I don't have enough information

Please state the reasons for your response. Where available, please share evidence to support your view

The impact assessment appended to the consultation for Extended Producer responsibility identifies that the On-the-Go system provides better value for money and is more efficient than an All-In system when combined with an EPR. An All-In approach provides unnecessary burdens and costs on producers and will deliver comparatively low levels of additional recovery than an On-the-Go system where operated alongside EPR.

Summary of approach to Impact Assessment

71. Do you agree with our impact assessment?

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

The impact assessment puts a very high value on the disamenity value of litter which is recognised as being ‘uncertain’. The evidence base behind this assumption is weak and is not sufficiently reliable to scale to National levels.

72. Do you think more data is needed? If yes, please state where.

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

Further evidence is needed on the amenity value of litter before conclusions are drawn on the value for money and impacts of a DRS.

Similarly, further evidence is needed on the composition of litter, split between litter deliberately placed into litter bins (where consumers have shown an intention to behave properly) and litter abandoned and subsequently picked up by the local authority or volunteers (i.e. where the consumer has acted irresponsibly). Adept is concerned that the term 'litter' confuses these two waste streams.

73. Are there other costs and benefits which we have not covered in our impact assessment?

Yes

The Amenity impacts associated with reverse vending machines may be significant. Many communities dislike existing bring systems for recyclables and have sought their removal as kerbside recycling has been implemented. Reverse vending machines may provide equal or greater negative impacts with potential for concerns about noise, smell, vermin and traffic.

74. Do you have further comments on our impact assessment? Please be specific.

I don't know / I don't have enough information

75. The dual objectives of a DRS are to reduce litter and increase recycling. Do you wish to suggest an alternative model that would be more effective at achieving these objectives? If so please briefly describe it, making reference to any available evidence

The Government's proposals for extended producer responsibility include for the reimbursement of costs to local authorities for dealing with packaging waste. These costs include for the costs of dealing with litter.

Government's case for a DRS is made largely on the basis of the disamenity costs of dealing with litter and difficulties in recycling litter. The objectives of a DRS could be delivered through an effective EPR scheme where the costs of dealing with litter which are charged to producers also included the disamenity costs associated with that litter. In this way producers would be able to determine themselves the most appropriate mechanisms for recovering and recycling drinks containers (and any other packaging waste found in litter), including the potential costs and benefits of a DRS. If producers identify a DRS or similar system as the most cost effective mechanism to deliver the required outcomes then a DRS could be introduced to target some or all drinks containers. However, producers would be open to identify alternative and varied mechanisms depending on individual containers and or local circumstances. This would negate the need for legislation and the associated administrative and regulatory burdens, and would avoid duplicating systems through both a mandatory DRS and EPR system.

76. A potential option for introducing a DRS could be to start with the 'on-the-go' model, and then expand/phase roll-out to 'all-in'. Do you think this would be an effective way to introduce a DRS?

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

If a DRS is to be implemented then it should initially be restricted to On-the-Go in order to establish the effectiveness of the scheme and potential benefits from expansion to All-In. All-In should then only be implemented if/when it is established to be necessary and value for money – which will be need to be informed by further evidence of litter composition and disamenity values.

Outcomes of what we are hoping to achieve

77. Do you think a DRS would help us to achieve these outcomes? Please briefly state the reasons for your response. Where possible, please share evidence to support your view:

a. Reduction in litter and litter disamenity (include expected % decrease where possible)

Yes

No

Neither

I don't know / I don't have enough information

A DRS will undoubtedly reduce the presence of drinks containers in litter, and will reduce disamenity associated with litter although further evidence will be needed to confidently establish the quantum of these reductions. There are risks that litter could increase if deposits encourage sorting of recyclables put out for kerbside collection, or litter bins in order to recover any containers within them.

b. More recycling of drinks containers in scope of a DRS, especially those disposed of 'on-the-go'

Yes

No

Neither

I don't know / I don't have enough information

An On-the-Go system is likely to encourage behaviours that will make it easier to recycle in scope containers.

c. Higher quality recycling

Yes

No

Neither

I don't know / I don't have enough information

d. Greater domestic reprocessing capacity through providing a stable and high- quality supply of recyclable waste materials

Yes

No

I don't know / I don't have enough information

The impact of DRS will be minimal compared to proposals for EPR. A DRS in

isolation may have these impacts but it is understood that a DRS will operate alongside EPR and not instead of it.

78. Do you think a DRS, as set out in this consultation, is necessary in helping us achieve the outcomes outlined above?

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

The reasons are set out in answer to questions throughout this consultation but can be summarised as follows:

1. A DRS is unnecessary and introduces additional costs over EPR
2. A DRS provides poor value for money and negative societal costs compared to EPR
3. A DRS will reduce the efficiency of kerbside collections of recyclables by incentivising containers away from existing efficient systems which are unable to return deposits and into take back schemes offering deposits.
4. It is unclear how a DRS will operate in rural areas. Specifically there is a concern that rural communities will be disadvantaged with limited access to be able to recover deposits, and overly burdensome impacts on small local traders.

Alternative approaches

79. Do you think the outcomes of what we are hoping to achieve could be reached through an alternative approach?

Yes

No

I neither agree nor disagree

Other (please state)

I don't know / I don't have enough information

Please explain your answer, providing evidence where available.

The Government's proposals for extended producer responsibility include for the reimbursement of costs to local authorities for dealing with packaging waste. These costs include for the costs of dealing with litter.

Government's case for a DRS is made largely on the basis of the disamenity costs of dealing with litter and difficulties in recycling litter. The objectives of a DRS could be delivered through an effective EPR scheme where the costs of dealing with litter which are charged to producers also included the disamenity costs associated with that litter. In this way producers would be able to determine themselves the most appropriate mechanisms for recovering and recycling drinks containers (and any other packaging waste found in litter), including the potential costs and benefits of a DRS. If producers identify a DRS or similar system as the most cost effective mechanism to deliver the required outcomes then a DRS could be introduced to target some or all drinks containers. However, producers would be open to identify alternative and varied mechanisms depending on individual containers and or local circumstances. This would negate the need for legislation and the associated administrative and regulatory burdens, and would avoid duplicating systems through both a mandatory DRS and EPR system.

80. Do you think an alternative approach would be a better way of achieving the outcomes?

Yes

No

I neither agree nor disagree

Other (please state)

I don't know / I don't have enough information

Please explain your answer, providing evidence where available.

The alternative 'market led' approach where producers become liable for the disamenity costs of dealing with litter would enable the delivery of required outcomes without the need for specific legislation and duplication of statutory systems between EPR and DRS. If industry determine DRS as being a cost effective mechanism for some or all containers then they will be free to implement a DRS themselves without the need for separate legislation.

Further Detailed Questions

81. Are there particular local authority considerations that should be taken into account when considering whether to implement either an “all-in” or “on-the-go” model?

Both models will impact on the effectiveness and efficiency of kerbside recyclables collections although the All-in model will have a greater effect as it will target wine, spirits and larger drinks containers which are a significant contribution of local authority container collections. This level of impact may affect collection round economics and lead to reorganisations with some potential for short term disruption and cost.

An On-the-Go system will have more limited impacts on kerbside collections but will still divert some materials away.

Any diversion of material from a kerbside collection system will impact on efficiency of that system, and in two tier areas will impact on recycling credit payments to collection authorities. Recycling Credits are paid per tonne of recyclate collected therefore an AI-In system will significantly reduce credit payments as it will capture heavier glass containers.

As mentioned above, for both models one of the main considerations must be the Impacts on streetscene / streetscape, and the ability to find suitable locations to host reverse vending machines. Existing bring banks have negative disamenity value and are generally unpopular, giving rise to complaints of noise and other nuisance. Reverse Vending Machines may be subject to the same level of objection but will need to be more obviously located where people will be encouraged to use them for single containers.

82. Are there specific considerations associated with your local authority that DRS policy makers should consider?

Authorities in rural areas have expressed considerable concern about potential inequity and difficulties in those areas where there are only small traders and local shops. It is unlikely that these businesses could sustain any reverse logistics infrastructure and may have cash flow issues if required to pay deposits back to customers who may not have purchased drinks from them. Equally, it is presumed that it is unlikely that such remote areas will be able to support reverse vending machines as costs will be proportionally very high. Even if RVM's were to be provided, experience with take back schemes for WEEE has shown that the economics of collecting from remote rural areas acts as a barrier to ensuring timely removal of materials therefore there is a significant concern that RVMs would not be serviced and may even be the source of increased littering.

(Specific examples and any cost estimates, where applicable, would add value to this response).

83. What benefits and/or disadvantages can a DRS provide to your local authority?

Specific examples and any cost estimates, where applicable, would add value to this response).

A DRS will help to reduce litter but concerns are expressed elsewhere in this response that the benefits may be outweighed by the financial and societal costs, and by other impacts.

The main disadvantages to local authorities are:

- Any material diverted from a kerbside collection system to a DRS will act to reduce local authority recycling performance and efficiency of kerbside collection systems. An effective DRS may prejudice a local authority's ability to meet any service standards required in order to draw funding from an EPR scheme.
- Rural areas are likely to be disadvantaged with limited access to infrastructure or premises to recover deposits.
- Litter and other disamenity impacts may arise from the location of Reverse Vending Machines.

84. Are there any specific considerations associated with local authorities that collect waste from designated DRS return points that we should consider?

(Specific examples and any cost estimates, where applicable, would add value to this response).

Where a DRS designated return point is a public place it is probable that there will be a need for additional infrastructure and collection costs to deal with containers which people have been unable to recover a deposit from (whether as a result of the container being out of scope, or the machine failing to work properly). This is likely to increase local authority collection costs as well as provide considerable additional burdens in dealing with complaints about a system not under local authority control.

Design of drinks containers

85. How should a DRS drive better design of packaging? Please select all that apply:

- Varying producer fees that reflect the environmental cost of the products that producers are placing on the market
- An additional producer fee for producers using unnecessary and/or difficult to recycle packaging
- Other (please specify)
- None of the above

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

86. Who should be involved in informing and advising on the environmental cost of products? Select all that apply

- a. Government
- b. Reprocessors
- c. Producers
- d. Local Authorities
- e. Waste management companies
- f. Other (please specify)

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

DRS and other waste legislation

87. Do you agree or disagree with our assessment of other waste legislation that may need to be reviewed and amended?

Agree

Disagree

Neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

88. Do you have evidence to suggest that we might need to revise any other waste-related regulations as part of introducing a DRS? Please specify.

No

Further comments

In addition to this consultation, we are also carrying out social research with the public and other analytical research to support our evidence base for decision making.

89. Is there anything else we should be considering related to drinks container recycling and litter reduction which has not been covered by other questions?

There needs to be clarity on the fundamental purpose of a DRS; i.e. whether it is intended as a tool to help reduce litter, or whether it is a mechanism to help improve recycling?

As a tool to help reduce litter (i.e. the unlawful discarding of waste) then it will help, but the focus should be on containers that are demonstrated to be a common component of litter. A DRS will be costly to run therefore, where the objective is to reduce litter, costs should be controlled by not including containers not common in litter.

An effective EPR could also have similar impacts as by including full cost recovery means that producers pay local authority costs in dealing with litter. This payment could be explicit, and potentially be based on societal costs where the disamenity value of litter is included in the cost recovery model. This would incentivise producer led investment in litter control and prevention and could even drive producer led deposit schemes if that were a cost effective option.

If the primary function is to increase recycling then similarly, an amendment to the EPR could be made such that the value of modulated fee reflected the costs of both litter whilst providing an incentive to increase recycling. However, significant improvements in recycling of drinks containers could be achieved simply through the separation of collected litter (whether illegally discarded or collected from litter bins) at a 'dirty MRF'.

These options could be delivered as part of an EPR and provide a cost effective alternative to a DRS that would achieve the same, or similar objectives without the need for separate regulation.