



**CIRCULAR ECONOMY AND WASTE ROUTE MAP – CONSULTATION RESPONSE**

Report by Head of Municipal Services

**PURPOSE**

- 1.1 The purpose of the Report is to inform the Comhairle about the Scottish Government's Circular Economy and Waste Route map to 2030 consultation and to seek homologation of the Comhairle's response.

**EXECUTIVE SUMMARY**

- 2.1 The return date for the Scottish Government's Circular Economy and Waste Route map to 2030 consultation was 15 March 2024.
- 2.2 The Circular Economy and Waste Route map to 2030, being developed by Scottish Government, is committed to moving to a circular economy, based on sustainable consumption and production. This will ensure that maximum life and value from the resources that are used in manufacture can be achieved, unnecessary waste - especially food waste – can be avoided and the economic and energy value of wasted resources and energy can be effectively utilised.
- 2.3 The Route Map sets out how the waste sector can be decarbonised, recycling modernised and the circular economy strengthened. It will also drive down emissions.
- 2.4 As an Island authority, it is essential that the response to this consultation highlights the Island -specific challenges that are faced when collecting, transporting and processing wastes. This includes materials which may have a significant, direct cost benefit if recycled by a mainland authority but require additional financial resources for an island authority to collect.
- 2.5 It is also essential that any additional requirement placed on an Island authority are fully funded.

**RECOMMENDATIONS**

- 3.1 **It is recommended that the Comhairle agree to homologate the appended response to the Scottish Government's Circular Economy Bill and Waste Route map to 2030 consultation.**

Contact Officer: David Macleod, Head of Municipal Services

Appendix: Draft response to the Scottish Government's Circular Economy Bill and Waste Route map to 2030 consultation.

Background Papers: [Scotland's Circular Economy and Waste Route Map to 2030 consultation/](#)

## IMPLICATIONS

4.1 The following implications are applicable in terms of the Report.

<b>Resource Implications</b>	<b>Implications/None</b>
Financial	Any new obligations will require additional financial resources.
Legal	Current services comply with the Waste (Scotland) Regulations 2012 Household Waste Recycling Charter: Code of Practice Changes to the Code of Practice from the Waste Route Map may result in new obligations. There will be an obligation to conduct an Island Communities Impact Assessment to determine if any change to the legislation is a significantly different effect on island communities.
Staffing	None
Assets and Property	None
<b>Strategic Implications</b>	<b>Implications/None</b>
Risk	None
Equalities	None
Corporate Strategy	None
Environmental Impact	None
Consultation	None

Submitted to Scotland's draft Circular Economy and Waste Route Map to 2030 - consultation  
Submitted on 2024-03-15 15:19:59

### 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.:

Develop and publish a Product Stewardship Plan to tackle the environmental impact of priority products (by 2025/26) We agree in principle with the concept of the priority actions proposed within the Reduce and Reuse strategic aim. However, there is a need to consider how these actions will be implemented in remote, rural island locations. For a truly circular economy, there needs to be overall financial balance. It is likely that this will only be achieved for remote island locations if costs are aggregated on a national level. This obligates greater financial support for remote areas. EPR for priority products is essential. However, Extended Producer Responsibility (EPR) also needs to be extended to cover other difficult to handle household wastes, such as those containing POPs. The extension of POPs categorisation into other products, such as mattresses, must be accompanied by an extension to producer responsibility, with a full cost recovery requirement. Deliver an intervention plan to guide long-term work on household food waste reduction behaviour change (by 2025) The Comhairle has operated a co-mingled food and garden collection service in Lewis and Harris since 2006. This is treated at a PAS110 standard Anaerobic Digestion plant owned and operated by the Comhairle. Any change to requirement to collect food waste separately would reduce the viability of this plant. Develop with stakeholders the most effective way to implement mandatory reporting for food waste and surplus by businesses (by 2025/26) Any increase in properly separated food waste from the commercial sector would be welcomed. However, this is a significant challenge that will require a robust system and providing SEPA with the workforce resources to ensure that data is accurately being reported by small businesses in remote areas. Support the development of regional Scottish hubs and networks for the reuse of construction materials and assets (from 2025/26) Construction and demolition wastes are classified as industrial and therefore, local authorities have no obligation to collect or accept these wastes for re-use or disposal. Local Authorities have limited direct re-use opportunities for industrial wastes and any wastes of this nature should not count towards household waste recycling targets. Therefore, the obligation to find a solution for the re-use of these material types should lie with the relevant industry. It should also be noted that the low volumes generated in remote rural locations do not offer any economies of scale, resulting in much higher handling and disposal costs, with lower reuse options.

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.:

Deliver a prioritised approach to the introduction of environmental charges for problematic products (by 2025/26) The Comhairle agrees that unsold goods should not be disposed of and single-use products should be disincentivised by any practicable means. Introduce a charge for single-use disposable cups (by 2025) The Comhairle is in favour of a charge for single-use disposable cups. These products are a common form of litter and a wasted resource. This type of charging regime has successfully reduced the amount of disposable plastic carrier bags being used. Consult on actions regarding the environmental impacts of single-use vapes (ongoing) Any further measures to ban the sale of single-use vapes is welcomed. In addition to the litter problem created by these products, there is a significant fire risk from and incorrectly disposed of product with a rechargeable battery. Review the feasibility of setting reuse targets (from 2025) Local authorities have little control over the success of reuse projects. The responsibility for designing products that can easily be reused lies with the manufacturers and they should carry this responsibility along with disposal at end of life. For island communities, reuse opportunities for electrical or mechanical products are restricted due to low volumes of same model types. A suggested solution would be to obligate collection for reuse to producers as part of extended producer responsibility. Develop restrictions on the destruction of unsold consumer goods (from 2024) No unsold goods should be destroyed unless there is a specific safety reason. Develop measures to improve the reuse experience for consumers (ongoing) This is agreed in principle. However, there is a need for producers to design products that can be repaired easily, with component parts available at an economically viable price. Deliver behaviour change-based approaches focused on sustainable consumption, aligned to Let's Do Net Zero communications (ongoing) To be successful, behavioural change is onerous and expensive. However, it is essential and therefore it is essential that it is funded appropriately and for a sustained period. Identify ways to expand business models that prolong product lifespan (ongoing) Any means to incentivise prolonged product lifespan is welcomed. Modernise recycling Much of Scotland's recycling services have evolved, while driven by changes in policy and legislation. Although one size does not fit all, there needs to be a full review of what works best in each geographic or demographic area. There should also be common use of colour themes (e.g. no use of blue bins for residual waste)

### Part A: Modernise recycling

3 To what extent do you agree with the priority actions proposed within the Modernise Recycling strategic aim? Please provide evidence to support your answer if possible.

Agree

Please provide evidence to support your answer if possible:

Facilitate a process to co-design high quality, high performing household recycling and reuse services with households, COSLA, local authorities and service operators. Timescale: Scoping work commenced in 2023; delivery of the co-design process will take place in 2024-25 and conclude in 2025-26. Co-design of service is good in principle and common messages and colour driven themes should be adopted. However, there has to be cognisance of different geographic and demographic area types. If there is a demand to have all collections operating in exactly the same way, there will be a need to provide significant extra funding to some local authorities due to sparsity of population, distances covered on routes and distance to an end destination for disposal or recycling. Review of compliance with commercial recycling requirements. Timescale: The review will commence in 2024, and report

findings by the end of 2025. The obligation to recycle should continue to apply to commercial waste producers. The costs of ensuring compliance should be funded from the commercial sector. Co-design measures to improve commercial waste service provisions that drive waste prevention and reuse, and maximise recycling. Timescale: Preparation in 2025-26, co-design process in 2026-27. This is welcomed.

4 To what extent do you agree with the further actions to 2030 listed across the Modernise Recycling strategic aim? Please provide evidence to support your answer if possible.

Agree

Please provide evidence to support your answer if possible:

Develop a statutory code of practice for household waste services, with a focus on recycling and reuse. Any statutory code of practice must be fully funded, with additional, ring-fenced revenue support for remote island local authorities essential. This support must cover revenue shortfalls, as the value of product collected, regardless of how good the quality might be, is unlikely to cover collection, storage, haulage and gate fee charges. Introduce statutory recycling and reuse local performance targets for household waste services. Statutory targets should only be applied if every local authority has the same access to recycling facilities and the appropriate level of revenue funding is available to ensure performance targets can be attained. Strengthen Householder's duty of care in relation to household waste: making a breach of the householder duty of care a criminal offence and creating a new fixed penalty regime to enforce this duty. This is not a "silver bullet" but is a useful tool for householders who refuse to comply with separation requirements of their wastes. Give local authorities more tools to ensure that households are properly using their recycling containers and to reduce recycling contamination. As above. Provide better enforcement option than simply leaving a bin uncollected. Undertake a review of waste and recycling service charging. Direct charging is a fairer option. However, the consequences of implementation of this option, including revenue and capital costs need to be fully explored. Review the monitoring and reporting framework for local authority waste services and subsequently strengthen where necessary. The Comhairle supports a review of the monitoring and reporting framework for local authority waste services. To provide accurate data, waste compositional analysis should be carried out where up to date information is not available. Develop options and consult on the introduction of a requirement on local authorities and others to report publicly on end destination of household recycling collected. Availability of accurate data helps to build trust in the services provided by local authorities and debunk mis-information. However, the system needs to be properly designed for ease of use, to minimise officer time and encourage willing participation. Conduct a national compositional study of waste from commercial premises. This is welcomed. Detailed commercial waste composition data is not currently available. There is little evidence to prove or disprove the level of participation. Investigate further steps to promote business-business reuse platforms. This responsibility should lie with producers, especially for island communities with low numbers of products of the same type. There is a producer funded disposal scheme currently in place for WEEE. Products that are better designed for reuse would have a longer life, reducing the overall disposal rate.

## Part A: Decarbonise disposal

5 To what extent do you agree with the priority actions proposed within the Decarbonise Disposal strategic aim? Please provide evidence to support your answer if possible.

Agree

Please provide evidence to support your answer if possible:

Develop and deliver a Residual Waste Plan to ensure the best environmental outcome for unavoidable and unrecyclable waste and set strategic direction for management of residual waste to 2045. Timescale: Research and engagement during 2023-2024 and 2024-25. Publication in 2025-26. The Comhairle agrees in principle that a Residual Waste Plan should be developed to ensure that the best environmental outcome for unavoidable and unrecyclable waste can be achieved. However, without a significantly higher level of detail, it is not clear how many of the objectives of this plan will be funded. Further clarity on this and any timelines for implementation will be required. The Comhairle has concerns that the costs of transport of residual waste to the mainland for treatment will greatly increase disposal costs and the lack of deck capacity may result in available ferry space being overwhelmed in the busy tourist season (which coincides with peak waste tonnages). The introduction of an Emissions Trading Scheme for island wastes would significantly add to an unaffordable financial burden for island councils. Any advisory panel should include representation from all of the different geographic and demographic areas of Scotland. Peripheral areas, such as island authorities must be represented.

6 To what extent do you agree with the further actions to 2030 listed across the Decarbonise Disposal strategic aim? Please provide evidence to support your answer if possible.

Disagree

Please provide evidence to support your answer if possible:

Financial implications The use of ETS as a tool to encourage change the disposal route for residual waste from Energy from Waste to other low-carbon disposal methods is currently flawed. Without a viable alternative, ETS would become an unnecessary "tax" passed on to local authorities that would need to be funded from existing, scarce financial resources. Technology Adoption Although there may be new processes and technologies available in the future, very few local authorities will be willing, or indeed have the capacity, to invest in new, unproven technology. Interactions with existing waste contracts The Comhairle has no significant contracts with external waste companies that would be impacted by these proposals. Review and target materials currently landfilled to identify and drive alternative management routes. As an Island community, access to landfill remains an important backstop for certain types of waste that would be difficult to transport to the mainland e.g. whale strandings, cement based asbestos products etc. Any new restriction will need to be assessed against a different set of parameters compared to mainland locations. Facilitate the co-production of guidelines for effective community engagement. The Comhairle welcomes any means to increase effective community engagement. Increase the capture of landfill gas. Further work should be carried out to minimise the release of landfill gas and maximise the use of gas for energy generation rather than being flared.

## 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? Please provide evidence to support your answer if possible.

Agree

Please provide evidence to support your answer if possible:

Develop a Circular Economy strategy every five years. Timescale: Update or refresh every five years, with the first strategy set from 2025. The Comhairle agree that the CE strategy should be reviewed every five years. However, any changes resulting in additional costs to local authorities must be considered and suitably funded, before implementation of any significant changes. Setting new circular economy targets beyond 2025. Timescale: Research underway across 2023-2024, with new targets to be consulted on, and determined from 2025. New circular economy targets must be aligned with Producer Responsibility so that any new financial burdens are included in funding streams such as EPR.

8 To what extent do you agree with the further actions to 2030 listed across the Strengthen the Circular Economy strategic aim? Please provide evidence to support your answer if possible.

Agree

Please provide evidence to support your answer if possible:

Review and refresh Scotland's Waste Data Strategy's action plan. This review is welcomed. Maintain a programme of research on waste prevention, behaviour change, fiscal incentives and material-specific priorities National waste prevention and behavioural changes campaigns are essential to the delivery of better capture of target materials needed to achieve a circular economy and are welcomed. Fiscal incentives may also have a positive role. Develop public procurement opportunities to reduce the environmental impact of public spending, including scoping new legislative circular economy requirements for contracting authorities under section 82 and 82A of the Climate Change (Scotland) Act 2009. This requires careful planning if genuine benefits are to be achieved. Support greater uptake of green skills, training, and development opportunities. This is an essential skills need that can be of significant benefit to every community and is supported.

## 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:  
no areas of concern

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 areas of concern

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:  
Any changes to waste management and associated circular economy regulation that creates specific burdens on Island local authorities need to be identified and fully costed. If there is an additional financial burden on island authorities, additional financial support must be provided. If there are technical reasons why any element of any of the proposed plans cannot be implemented due to Island-specific restrictions (e.g. limited ferry capacity, Energy from Waste facilities not available on-island) an alternative solution or derogation must be permitted. There also needs to be a realisation that Island waste and recycling activities are all much more expensive to provide than for all mainland locations and that recycling will often cost as much or more than the equivalent waste disposal options. Consequently, this means that there are no direct savings generated from recycling that can be used to support enhanced services. If there is a requirement to mirror mainland recycling collection services, this can be achieved but there will be a need to cover the higher costs of provision of any new services. There also needs to be consideration given to the needs of existing, island located infrastructure when setting out the requirements of any new collection service specification. For example, food and garden wastes are currently collected from all households in Lewis and Harris as feedstock for a dry AD Plant near Stornoway. It would not be economic to operate a food only and a garden waste only collection service and food waste alone would not generate sufficient biomass to sustain the plant.

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:  
no areas of concern

## 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:

The statements provided in the SEA are not all clearly defined so may be less than accurate. For example, GHG emissions from a landfill site will depend on feedstock, quality of gas capture and use of the gas. It looks as if worst case scenario has been chosen as a baseline. It is also implied that there will be less transport needs if landfills are closed but for remote Islands, there will be a significant increase in transport needs - to a different, more distant location.

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:

It all of the objectives of the draft Circular Economy and Waste Route Map are achieved, the predicted outcomes are all positive. However, the costs of implementation have yet to be established and a full package of funding made available. Local Authorities are not currently in a position to take on increased financial obligation, so this must be funded by producer responsibility or direct Scottish Government revenue support. There is also a substantial need to achieve behavioural change.

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:  
Any reasonable alternative needs to be assessed individually and in context with local circumstances.

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:

Agree

## About you

What is your name?

Name:

David Macleod

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

Comhairle nan Eilean Siar

Further information about your organisation's response

Please add any additional context:

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

Publish response with name

Do you consent to Scottish Government contacting you again in relation to this consultation exercise?

Yes

What is your email address?

Email:

david-macleod@cne-siar.gov.uk

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent

## Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Slightly satisfied

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Slightly satisfied

Please enter comments here.:

My main complaint was the text box sizes. i managed to resolve this my typing the responses into word and pasting into the survey. This was cumbersome.