



Scottish Islands Federation response to the Circular Economy Bill and Route Map – August 2022

There are 2 aspects to the consultation:

1. The draft Circular Economy Route Map sets out the Scottish Government's plans for work on the circular economy
2. The Proposals for a Circular Economy Bill include the new powers that the Scottish Government needs in order to deliver its plans in the Route Map.

1. Draft Circular Economy Route Map

Question 1. To what extent do you agree with the measures proposed in this package to promote responsible consumption, production and re-use?

Scottish Islands Federation members reported significant amounts of marine litter washed up along their island coasts each year. More action is clearly urgently needed to move towards a Circular Economy to prevent litter leaking into the marine environment in the future. The Scottish Islands Federation welcomes both the proposed Circular Economy Bill and Route Map and looks forward to working with the Scottish Government towards a Circular Economy.

Question 2. Are there any further measures that you would like to see included in the Route Map to promote responsible consumption, production and re-use?

Some retailers such as IKEA and H&M already offer to take back used items. This best practice should be built on - all furniture and clothes retailers could be required to take back used items.

However, taking back used items is only half the story – what happens then to these materials? Many, particularly composites and textiles, are not easily recycled, transparency is needed as to what happens to these items once they are returned, to ensure the consumer has faith in the system and materials are genuinely being recycled or reused.

We need to ensure that transparency is built into the circular economy if we want everyone to act together to make it work. Communities need to see that it really is worthwhile, and not just demanding effort from them, while it then goes 'out of sight, out of mind' into landfill or export.

The Scottish Environment LINK – A Circular Economy for a Fairer Footprint could be extended to other product groups such as electrical items, or across the board. It would help mainstream re-use and encourage retailers to think about how they can re-use their products or materials instead of relying on new raw materials and, ultimately, feed through to design such that products are both made from secondary materials and designed to retain value.

Manufacturers should also be encouraged to ensure items can be repaired at reasonable costs, for example, the cost of replacement parts for electrical items such as washing machines and dishwashers often costs more than the cost to replace the machine with a new one.

We do not want to continue exporting the problem around the world to other countries to dismantle and recover valuable materials and we need support for establishing material recycling businesses in Scotland, and to ensure their viability. For the Scottish islands, the need is also to establish pick up points where the material can be stored in quantities that would be large enough to be attractive for recycling businesses to pick up. Marine litter from beach clean and fishing for litter schemes could be combined in fishing ports also serving as ferry ports to enable easier collection by recycling businesses. If such depots could also include agricultural plastics, it would make the prospect of collection points far more attractive to them and could create local employment.

SIF recommend strengthening the link between the Circular Economy bill and the Marine Litter Strategy to ensure Aquaculture and fishing gear policy encourages and enables the return, reuse and recycling of these materials in a way which benefits the often island specific needs. This would also then tie into the Scottish Governments Place Based Approach.

The proposed action in the draft Route Map to 'develop a prioritised approach to charges and bans on environmentally damaging products' should extend to all products that can not be safely reused or recycled being banned or phased out, except essential items with no current alternative.

Whilst SIF agree in principle, there needs to be some consideration to the nuances of delivery and impact on Island communities. A ban on single-use crockery and cutlery may result in small island businesses such as local shops having to give up their coffee machines as they would not have the capacity to add in the extra work of washing up reusable cups. At present the shops can at least control the collection of the single use cups and ensure they are made from recyclable materials.

The current proposed plastic bottle deposit and return scheme again poses additional problems that would be impossible for island communities to resolve. Any future schemes must be island proofed if they are to be workable solutions for island communities.

More could be done to tackle single-use packaging. A charge could be levied on all single-use bags, including the very small ones, to encourage people to bring reusable bags for loose items. When it comes to island communities, the system has to be workable in the context of fragile economies and viable small shops, there are good examples of shops, for example, Isle of Eigg shop where customers can only use paper bags and are encouraged to use cloth bags for vegetables or bring their own containers. Milk can also be bought using recyclable glass bottles or the customers own containers.

Repair scheme such as those in Austria to encourage people to get things repaired, need manufacturers to ensure that repairs are possible in a remote island setting at a cost, feasibility and do-ability that means it is not more economic to buy a new one. Encouraging repair cafes to be set up in islands could be done through linking to the new climate hubs.

Question 3. To what extent do you agree with the measures proposed in this package to reduce food waste? Please provide evidence to support any identified opportunities and challenges associated with the measures in your answer if possible.

The waste from restaurants and cafes where fresh food is a selling point is inevitable when any remains unsold at the end of the day and may not be easy to find a good 'home' for it in small remote communities.

In the Irish Aran islands, a community recycling scheme has been successfully operating for the last 20 years, diverting huge amount of waste from landfill, with a particular emphasis on anaerobic digesters serviced by a food waste kerbside collection. See

<https://repak.ie/news-room/aran-islands-co-op-recycling-project-wins-top-national-environmental-award-at-2019-pakman-awards/>

From 2023, it will no longer be possible for Local Authorities like Highland council to accept food waste in double bagged black bin bags as are collected on small islands like Eigg and sent away in stinking skips which are then put in on mainland landfill sites to the detriment of neighbouring communities such as Kilmallie that must put up with smell and vermin issues. Community composting will have to be part of the solution which will have to be local and decentralised to minimise transport.

Question 4. Are there any further measures that you would like to see included in the Route Map to reduce food waste?

Experiences from Europe as per the link below should also inform the way community composting can be carried out in an effective efficient way. The guide to community composting such as produced by Zero Waste Europe would seem to be an essential part of the toolkit to achieve good rates of food waste composting, with its emphasis on training and awareness raising. SIF hope that such activities may be included in the work of climate hubs for a joined-up approach.

https://zerowasteurope.eu/wp-content/uploads/2019/04/zero_waste_europe_fertile_auro_guide_community-composting_en.pdf

Question 5. To what extent do you agree with the measures proposed in this package to improve recycling from households? Please provide evidence to support your answer if possible.

We welcome the measures in the package to embed recyclability into design the sale of products. We also back the call for the introduction of Resource Efficiency requirements to ensure the recyclability of any products not covered by Extended Producer Responsibility (EPR) measures.

We would also like to emphasise the importance of delivering a comprehensive re-use service (as well as improving the current recycling services across Scotland and in particular the Scottish Islands.

Small islands, in particular find it hard to get rid of unwanted textiles as well as toys, electronics and household items. Help to set up and fund swap shops, small charity shops, repair cafes would be a great help, as well as schemes to make it easier for textiles to be sent to charity shops and refugee centres than having to rely on the occasion volunteer to take it to the mainland, with collection points in ferry harbours and/or cooperation from Calmac and other ferry operators to minimise cost of transport. For example, a scheme whereby a delivery lorry going back empty could take items back.

On the Isle of Luing, home-grown food production is becoming more popular after a period of decline. More support and encouragement for communities to do this would reduce the amount of plastic in the environment.

Question 6. Are there any further measures that you would like to see included in the Route Map to improve recycling from households and incentivise positive behaviours?

The Scottish Islands Federation would welcome a recycling system which ensures every household has access to easily identifiable recycling facilities and a consistent level of service across all geographical areas, in particular the more remote islands and coastal communities.

Question 7. To what extent do you agree with the measures proposed in this package to improve recycling from commercial businesses? Please provide evidence to support your answer if possible.

The impact on micro businesses on a small island must be considered. It is already clear that their costs and hence charges are rising rapidly, any further burdens be sustainable to ensure a decline in the ongoing loss of younger people from islands.

Question 8. Are there any further measures that you would like to see included in the Route Map to improve waste recycling from commercial businesses?

The level of fishing and aquaculture derived litter found on the coastline of the Scottish Islands is regularly reported as being significantly greater than the often-cited figures of 80% of litter having a terrestrial source and 20% derived from activities that directly litter at sea. Island beach cleaning groups often report that it is not possible for volunteers to collect and record the amount of litter present in the timeframe of a day's beach cleaning due to the very high volumes of litter present.

This issue was raised during the event the Scottish Islands Federation facilitated jointly with the Coastal Communities Network (CCN), with several communities raising concerns around the level of fishing and aquaculture gear washing up on island and mainland west coast beaches.

Measures to improve the circularity and recycling of fishing and aquaculture gear were highlighted in the consultation on an updated Marine Litter Strategy earlier this year, where there was a call for redundant or end of life aquaculture gear to also be included. The Scottish Islands Federation looks forward to the new strategy being published and would welcome reference to these actions being included in the route map to ensure a strong source to sea link is established and this important aspect of Scotland's economy is included in fairly transitioning to a Circular Economy.

Question 9. To what extent do you agree with the measures proposed in this package to embed circular construction practices? Please provide evidence to support your answer if possible.

The measures are welcome, but not strong enough.

For example, in Scandinavia, it is common practice to include a second hand "B&Q" store next to the "B&Q" so that people can re-use stuff and buy it cheaper.

Every building project, on islands especially, needs to have built-in disposal of redundant building material to make this resource available to the community or businesses that could be re-using it.

The island of Bornholm which hosted an international seminar on zero waste some years ago attended by S.I.F. delegate is now implementing a strategy that could be a model for many Scottish island authorities.

<https://stateofgreen.com/en/news/the-bright-green-island-that-will-be-the-first-european-region-to-eliminate-waste/>

Question 10. Are there any further measures that you would like to see included in the Route Map to embed circular construction practices?

Question 11. To what extent do you agree with the measures proposed in this package to minimise the impact of the disposal of residual waste? (non-hazardous industrial waste) Please provide evidence to support your answer if possible.

Question 12. Are there any further measures that you would like to see included in the Route Map to minimise the impact of disposal?

Sorting facilities are necessary at least in every council area to reduce costs of transport, but none of this solves the problems of removal of residual waste from islands where landfill disposal is not possible. The issue of who undertakes this work and how is it to be funded needs to be addressed to provide island specific solutions.

During the Circular Economy event with CCN it was highlighted that the majority of end-of-life fishing gear ends up in landfill and the small percentage that gets recycled is done so outside of the UK¹. We supported measures outlined in the consultation for the updated Marine Litter Strategy for Scotland and would again recommend cross referencing work with the Circular Economy Route Map to ensure join up. This includes creating and improving access to local recycling opportunities to reduce the impact of the high tonnage of waste currently going to landfill from Scotland's fishing sector. It is crucial therefore that there is integration with the Blue Economy Vision and Action Plan. For consistency, the vision and Action Plan should therefore also deliver a Circular Blue Economy.

Question 13. To what extent do you agree with the measures proposed in this package to support action across the circular economy? Please provide evidence to support your answer if possible.

Although the Circular Economy Bill proposals include reference to the work being undertaken through the Marine Litter Strategy marine sectors are not include in the route map. To ensure link up across different policy areas we would like to see the work proposed under the Marine Litter Strategy linked to the Circular Economy Route map to improve the circularity of Scotland's fishing and aquaculture industries as well as consistent approaches to reuse and recycling of collected marine litter by Island communities.

Question 14. Are there any further measures that you would like to see included in the Route Map to support action across the circular economy?

There needs to be a sustained general awareness raising campaign to increase understanding of what a circular economy is, why we need one and how everyone can get involved.

Ferries serving islands can and should be used to raise awareness of the issue of waste and circular economy solutions to encourage visitors who are often part of the problem to dispose of their waste responsibly.

Question 15. To what extent do you agree with the principles proposed to underpin future circular economy targets? Please provide evidence to support your answer if possible.

Principle 1: Achieve net zero by 2045 – future targets should align with net zero consumption emissions, rather than territorial emissions which don't take account of emissions from the goods we import from other countries.

Principle 2: Reduce the material footprint of our resources and waste – agree

¹ <https://www.plasticatbay.org/what-happens-to-end-of-life-fishing-gear-in-nw-highlands/>

Principle 3: Maximise the value of our circular economy – if value is taken in the wider sense, to include the true social value, then we agree with this principle. We caution against being driven by market value.

Principle 4: Align with the EU - agree

SIF agrees in principle with the proposal from Scot LINK to a 5th Principle: Achieve nature positive by 2030. Some damaging aspects of our linear economy, especially the leakage of harmful materials, impact biodiversity and would not necessarily be covered by the other principles. However, implications for islands need to be better understood and accommodated.

2. The Scottish Government Proposals for a Circular Economy bill.

1. Do you agree there should be a duty on Scottish Ministers to publish a Circular Economy Strategy every 5 years?

Yes

2. Do you have any further thoughts on a statutory duty to produce a Circular Economy Strategy?

The Scottish Islands Federation would welcome a duty on Scottish Ministers to publish a Circular Economy Strategy every 5 years along with regular (at least annual) and transparent progress updates on the actions contained in each iteration of the strategy. The strategy should have a clear and defined island approach to highlight the implications of implementing the strategy on islands where circularity may or may not be possible, and how additional costs might be mitigated.

Any updates should include progress on actions within the strategy and need to be clear on who is responsible for delivering, reporting and enforcing. We would also call for inclusion of work in the marine sector including fisheries and aquaculture in these strategies linking where appropriate to other strategies or policy documents with clear information on who is responsible for delivering and enforcing different actions.

3. Do you think we should take enabling powers to set statutory targets in relation to the circular economy?

Any statutory targets when set should be done so with clear evidence that they can be achievable.

4. Do you have any comments in relation to proposals to set statutory targets?

SIF agrees with Scot LINK's proposal that statutory consumption targets need to be set as soon as possible and there needs to be a commitment to do this by 2025 at the latest. New targets should include material and carbon footprint targets to drive policy to reduce our overall consumption of raw materials, especially those that have the biggest carbon impacts. LINK members would also like to see a reuse target and a more ambitious food waste target of 50% by 2030. The Bill must include a duty on the relevant minister to report annually on the new CE targets.

5. Should a dedicated Circular Economy public body be established?

Yes

6. Please provide evidence to support your answer to question 5?

This will be essential to monitor success. This body could also reward those communities that are doing well with a prize for best practice.

7. If a Circular Economy public body were to be established, what statutory functions should it fulfil?

It is important that advisory, regulatory and delivery powers should be separated, the Circular Economy public body should be an advisory body, like the Scottish Land Commission. Regulation and executive functions should be carried out by Scottish Government, Local Authorities and SEPA.

8. Do you agree that the Scottish Government should have powers to ban the destruction of unsold durable goods?

9. Do you have any comments in relation to proposals to ban the destruction of unsold durable goods?

In principle the ban should be widened to include returned goods that are reusable. However, if the Scottish Government introduce a ban they is the danger of the goods being sent south, coordination at least across Europe would be needed.

10. Are there particular product categories that you think should be prioritised?

11. Are there product categories that should be excluded from such a ban?

No, nothing should be excluded.

12. The previous consultation showed broad support for the proposal that Scottish Ministers should have the power to set charges for environmentally harmful items, for example single-use disposable beverage cups. Is there any new context or evidence that should be taken into account in relation to this proposal?

13. Do you have any further comments on how a charge on environmentally harmful items should be implemented?

Any charges introduced must take into consideration the need to island proof, to limit the potential for negative economic and social effects on fragile island economies.

14. The previous consultation showed broad support for the proposal that Scottish Ministers should have the power to require mandatory public reporting of unwanted surplus stock and waste. Is there any new context or evidence that should be taken into account in relation this proposal?

15. The previous consultation showed broad support for the proposal that food waste should be a priority for regulations. Is there any new context or evidence that should be taken into account in relation this proposal?

16. Are there other waste streams that should be prioritised?

Marine litter is proving an additional burden on island communities where often the existing waste disposal scheme in place is not equitable across a Local Authority. This needs to be addressed at an island level taking a Place Based approach and meeting island needs.

17. The previous consultation showed broad support for the proposal that Scottish Ministers should have powers to place additional requirements on local authorities in order to increase rates and quality of household recycling. Is there any new context or evidence that should be taken into account in relation to the proposal?

18. The previous consultation showed broad support for the principle that there should be greater consistency in household recycling collections. Is there any new context or evidence that should be taken into account?

19. The previous consultation showed broad support for the principle of moving away from the current voluntary approach to Scotland's Household Recycling Charter towards a more mandated approach, whereby implementation of the Charter and its supporting Code of Practice becomes a statutory obligation. Is there any new context or evidence that should be taken into account?

20. Do you agree that Scottish Ministers should have the power to introduce statutory recycling targets for local authorities? A) Yes B) No C) Neither agree nor disagree

21. If you agree with Q.20, do you agree that Scottish Ministers should have the power to introduce and set financial incentives for local authorities to meet these targets, or penalties should these targets not be met? A) Yes B) No C) Neither agree nor disagree

22. Please explain your answer

SIF agrees with these propositions with the condition that Local Authorities have sufficient resource to provide the services to meet the targets and that the particular issues for implementation on islands are recognised and addressed.

23. The previous consultation showed broad agreement that householders' existing obligations are not sufficient. Is there any new context or evidence that should be taken into account?

24. Do you agree with the principle that local authorities should have more powers to enforce recycling requirements? A) Yes B) No C) Neither Agree nor Disagree

25. Please add any additional comments

A bigger problem for island communities is not the need for more enforcement to encourage recycling but the need for consistent approaches to the removal of their waste. The current level of waste services varies considerable already across both Local Authorities and within individual Local Authorities who serve a number of islands, e.g. Highland Council.

Cost implications are often sited as the reason for differences in deliver of a waste management service, additional need to enforce recycling requirements may divert budgets away from delivery which would have a detrimental effect of delivery of existing services.

26. Are there further powers, if any, for Scottish Ministers, and/or local authorities, that should be considered in order to incentivise positive household behaviours, to support waste reduction and increased recycling in Scotland?

Charges or other incentives are successfully used in many European countries for household waste. However, they should not be introduced until all households have access to comprehensive recycling infrastructure/ collection and should be implemented fairly, for example, any standard charge associated with residual waste collection be accompanied by a reduction in council tax.

27. Are there any other legislative measures that you consider Scottish Government should take to strengthen recycling and reuse at a household level, helping accelerate the rate and quality of household recycling in Scotland?

Local authorities should be required to facilitate increased re-use through a comprehensive re-use service driven by a 're-use charter'.

28. Please add any additional comments

29. Do you agree with the principle of Scottish Ministers, and local authorities if appropriate, taking on the necessary powers to explore and trial commercial waste zoning approaches in Scotland? A) Yes B) No C) Neither agree nor disagree

30. Please add any additional comments:

31. The previous consultation showed broad support for the proposal that Scottish Ministers should have the powers to introduce a new fixed penalty regime for littering from vehicles. Is there any new context or evidence that needs to be taken into account?

The Scottish Islands Federation urge that this should extend to littering from boats at sea. As highlighted in the EU Port Reception Facilities Directive on their pre-2019 revision² on which the existing current UK legislation is based “discharges of waste at sea still occur at substantial environmental, social, and economic costs. This is due to a combination of factors, namely inadequate port reception facilities, enforcement often being insufficient and there being a lack of incentives to deliver the waste onshore”. The Scottish Government needs to ensure that adequate port reception facilities are available but should also enforce penalties to prevent littering at sea. This was looked at in the updated Marine Litter Strategy Consultation and could be included to increase the impact of this legislative opportunity.

32. The previous consultation showed broad support for the principle that the registered keeper of a vehicle bears primary responsible for offences such as littering from or in relation to their vehicle (for example by passengers or people using that vehicle at that time). Is there any new context or evidence that needs to be taken into account?

33. The previous consultation showed broad support for the principle that enforcement authorities should be given powers to seize vehicles linked to waste crime. Is there any new context or evidence that should be taken into account?

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

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

36. Taking into account the accompanying CRWIA, do you think that the proposals contained in this consultation are likely to have an impact on children’s rights and wellbeing?

37. Taking into account the accompanying ICIA, do you think that the proposals contained in this consultation are likely to influence an island community significantly differently from its effect on other communities in Scotland?

Island communities are often fragile across many areas such as economy, population stability and service provision. For example,

The Small Isles have a poor quality of recycling, because the Highlands Council policy is to treat islanders in the same way as mainland dwellers, meaning that they are not recognising the need to

² <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L0883>

implement local solutions and still encourage the collection of double bagged food waste in contrary to the local communities' policies thus negating their efforts.

Any proposals in this consultation need to ensure they are giving due consideration to the implications for island communities and on a practical delivery note are either designed to mitigate the impact or make available funds and expertise to have an island option as a workable solution.

38. Taking into account the accompanying Fairer Scotland Assessment summary template, do you think that the proposals contained in this consultation are likely to have an impact in relation to the Fairer Scotland Duty?

39. Do you think that the proposals contained in this consultation are likely to have an impact on the environment?

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

Sector level plans, including farming marine and aquaculture, should be included as part of the proposed Strategy. Plans should include targets, outcomes, milestones and aligned budget resource.

Sector Plans must look at supply chains and inputs to the sectors as well as making best use of the products/materials and reducing waste.

All funding, investment, public procurement, and policies and plans should be scrutinised against island assessments, circular economy principles and material impacts, and opportunities sought to reduce such impacts.

Public bodies must be required to report on the impact of procurement including its footprints. The European Green Public Procurement Guidelines should be followed.

Data and data access is important. Data collected needs to be accessible to the public.