



DRS Consultation – Ryedale District Council Draft Response, 7 May 2021

Introduction (pages 12&13)

Q1 What is your name?

BECKIE BENNETT, HEAD OF WASTE AND ENVIRONMENT

Q2 What is your email address?

beckie.bennett@ryedale.gov.uk

Q3 Which best describes you?

LOCAL AUTHORITY

Q4 If you are responding on behalf of an organisation, what is its name?

RYEDALE DISTRICT COUNCIL

Q5 Would you like your response to be confidential?

NO

A deposit return scheme in a post Covid context

Q6 Given the context of the Covid-19 pandemic we are currently experiencing; do you support or oppose our proposals to implement a deposit return scheme for drinks containers in 2024? (P16)

a.) Support

b.) Neither support nor oppose

c.) Oppose

d.) Not sure

During the pandemic citizen's working and shopping habits have changed substantially and at this stage it not clear how behaviours will change long term after lockdown restrictions and social distancing are eased. More online shopping and home delivery of groceries has resulted in less journeys to retail outlets, which if this trend continues would make it harder for citizens to return materials to an RVM without making extra journeys than currently required. Working from home may continue, which makes using an RVM whilst shopping or travelling more inconvenient post pandemic. Waste produced in the workplace, in some instances has reduced and moved to households. Therefore, we think the modelling in the impact assessment on recycling levels and returns could be overestimated and would recommend basing the modelling and design of the system on post pandemic levels



Significant financial pressures have been placed on many businesses, the additional burden of implementing DRS before the economy has stabilised may add further to these financial pressures.

We believe that the design and implementation of a DRS system should be deferred until after the consistent collections and EPR policies have been implemented and the impacts of the plastics tax realised. Deferring would allow time for these new policies to embed and increase recycling to the desired levels possibly without the need for a DRS. There are significant factors included in the consistent collections consultation which will influence the delivery timeframe for DRS for England. If the proposals in the consistent collections go ahead as proposed the council will be basing new collection arrangements, vehicle configurations, staff resource, and container size on tonnages that may be transferred away from kerbside collections when a DRS system is implemented.

Also there is the potential for a digital DRS system currently being trialled to be explored whereby citizens could claim deposits electronically whilst recycling the materials via the kerbside.

With these factors we believe it would be best to delay implementation.

Q7 Do you believe the introduction of a deposit return scheme will have an impact on your everyday life? (P16)

a.) Yes, a detrimental impact

b.) No, there will be no impact.

If you answered yes the scheme would have a detrimental impact, how significant would this impact be?

a.) No significant impact

b.) Some impact but manageable

c.) Large impact but still manageable

d.) Large impact and impossible to comply with

Some citizens especially in flats, houses of multiple occupancy and some terraced housing have limited storage space and may not be able to accommodate an additional waste stream. Citizens may then be forced to forfeit the deposit and place in kerbside recycling. Due to the higher price including the deposit they may in future choose products which are not part of the DRS scheme and may be harder to recycle.

In general, if citizens are making fewer trips to the stores due to change of habits as a result of the pandemic - more journeys may be made to redeem deposits – impacting on local air quality and carbon emissions.



Lower income families, elderly or infirm that do not have their own transport may struggle to take their materials to the RVM.

- Q8 Have your views towards implementation of a deposit return scheme been affected following the economic and social impacts of the Covid-19 pandemic? (P17)
- a) Yes – because of economic impacts
 - b) Yes – because of social impacts
 - c) Yes – because of both economic and social impacts
 - d) No
 - e) Not sure

Scope

- Q9 Do you agree that the cap should be included as part of the deposit item in a deposit return scheme for: (P19)
- a) Plastic bottle caps on plastic bottles – yes/no
 - b) Aluminium bottle caps on glass bottles – yes/no
 - c) Corks in glass bottles – yes/no
 - d) Foil on the top of a can / bottle or used to preserve some drinks – yes/no
- Q10 Do you believe we have identified the correct pros and cons for the all-in and on-the-go schemes described above? (P26)
- a.) Yes
 - b.) No Please elaborate on your answer

The introduction of a DRS in 2024 is too soon and should wait until after the EPR reforms and consistent collections have been introduced to establish how recycling performance changes through these mechanisms. The impact of Covid-19 and peoples change in behaviours and purchasing may also change long term. This information is critical to inform the design of a DRS, or even establish if one is required to achieve the recycling targets. The proposed DRS requires extensive investment and may not result in dramatically higher recycling rates.

The DRS scheme could result in ‘bin diving’ whereby people search for redeemable containers resulting in more litter.

One of the main aims of the scheme is to reduce littering. Whilst Ryedale District Council agrees the in-scope items are regularly littered, other items such as takeaway cups, food packaging and film plastics are also commonly littered. These items will still require to be cleared and the costs of reduced litter does not directly correlate with a reduction in cost as crew have to make the same number of journeys and cover the same area to collect the litter.



Varying costs of deposits, such as multipacks could be confusing for residents.

- Q11 Do you foresee any issues if the final scope of a deposit return scheme in England and Northern Ireland does not match the all-in decision taken in Wales? E.g. an on-the-go scheme in England and an all-in scheme in Wales. (P26)
- a) Yes
 - b) No

Ryedale being a tourist destination may result in tourists from Wales not understanding the differences in the scheme resulting in littering or materials being placed in litter bins if the DRS/RVM does not accept the size of container presented. Labelling could be an issue to a producer who supplies to retailers in England and Wales – different labelling will be required for the same product in the two different countries.

- Q12 Having read the rationale for either an all-in or on-the-go scheme, which do you consider to be the best option for our deposit return scheme? (P27)
- a) All-in
 - b) on-the-go
- Please elaborate on your answer.*

One of the key objectives for the scheme is to reduce littering. An 'on the go' scheme will contribute to this whereas an 'all in' scheme is likely to have less benefit as the items will be more commonly consumed at home and therefore the potential for it to be littered very low.

Ryedale District Council considers an 'on the go' scheme is a fairer system for residents where there is a greater choice in whether to pay a deposit by giving the option to use reusable items from home. An 'all in' system will also include more frequently purchased items and multipacks where the deposit is therefore much harder to avoid, and so having a greater impact on those on lower incomes.



Q13 Given the impact Covid-19 has had on the economy, on businesses and consumers, and on everyday life, do you believe an on-the-go scheme would be less disruptive to consumers? (P27)

a) Yes

b) No

An 'on the go' DRS would be less disruptive to kerbside recycling tonnages, on the grounds it would have fewer materials in scope and therefore less tonnage in scope. The installation and ongoing costs would be lower.

An 'all in' system will require residents to separately store this material until a visit to a return point or potentially require an additional journey. 'On the go' is likely to be less disruptive as there is potentially greater opportunity to return the item before returning home.

Q14 Do you agree with our proposed definition of an on-the-go scheme (restricting the drinks containers in-scope to less than 750ml in size and excluding multipack containers)? (P27)

a.) Yes

b.) No - If no, how would you change the definition of an on-the-go scheme?

Multipack containers should remain in scope as these items are regularly consumed away from the home and littered. It is also a clearer message for residents that all cans are covered under the scheme.

Q15 Do you agree that the size of containers suggested to be included under an on-the-go scheme are more commonly consumed out of the home than in it? (P27)

a) Yes

b) No

c) Difficult to say

Not necessarily, some people prefer to buy smaller bottles and cans to drink at home because it keeps better – especially people who live on their own. Multipack items tend to be smaller and are both consumed on the go and at home. The size of containers proposed for 'on the go' are items that are regularly littered, although larger plastic & glass bottles are also commonly littered too.

Materials

Q16 Please provide any information on the capability of reverse vending machines to compact glass? (P29)

We do not have the knowledge to respond to this question



Q17 Do you agree that the scope of a deposit return scheme should be based on container material rather than product? (P31)

a. Yes

b. No

Kerbside recycling scheme communications are based on product – DRS needs to be consistent with the EPR and Consistency policies. Clear labelling and communication will be key to making a DRS system easy for citizens to use and therefore, successful.

Q18 Do you agree with the proposed list of materials to be included in scope? (P31)

a. Yes

b. No

Cartons

We would only support for cartons being excluded from DRS and included in kerbside collections if sorting and reprocessing infrastructure is in place and a guaranteed long-term market is available for the material.

Glass

In terms of inclusion, it can be seen that it assists in the ease of understanding for consumers. However, if weight based recycling targets remain in place the removal of glass bottles from kerbside collections will have a detrimental effect on kerbside recycling targets and this needs to be fully recognised.

It is not clear how this would affect the financial models of kerbside collections, the loss of income from the sale of glass, and so producer costs under the EPR system. Given that proposals in the EPR consultation have local authority payments net of material income, the loss of material income to the Council through the DRS system is a concern.

Q19 Do you consider there will be any material switching as a result of the proposed scope? Please provide evidence to support your response. (P19)

a. Yes

b. No

Consumers may seek out non scope packaging to avoid the deposit fee which might not be easily recyclable.

Consumers may also choose to buy larger containers to avoid the deposit fee. There is also the likelihood that more product will be wasted as a result of buying more than is needed.

Targets



- Q20 Which of the following approaches do you consider should be taken to phase in a 90% collection target over 3 years? (P33)
- a) 70% in year 1, 80% in year 2, 90% in year 3 and thereafter
 - b) 75% in year 1, 80% in year 2, 90% in year 3 and thereafter
 - c) 75% in year 1, 85% in year 2, 90% in year 3 and thereafter
 - d) 80% in year 1, 85% in year 2, 90% in year 3 and thereafter

For the scheme to be successful, it needs to have higher targets.

- Q21 What collection rate do you consider should be achieved as a minimum for all materials after 3 years? (P33)
- a) 80%
 - b) 85%
 - c) 90% collection rate should be achieved for all materials

- Q22 Is it reasonable to assume that the same collection targets could be met with an on-the-go scheme as those proposed for an all-in scheme for in-scope materials? (P33)
- a. Yes
 - b. No

- Q23 Who should report on the volumes of deposit return scheme material placed on the market in each part of the United Kingdom (England, Wales and Northern Ireland) for the proposed deposit return scheme, and what would be the implications of these obligations? (P34)
- a) The producer/importer
 - b) The retailer
 - c) Both the producer/importer and retailer

- Q24 What evidence will be required to ensure that all material collected is passed to a reprocessor for the purpose of calculating the rate of recycling of deposit return scheme material? (P35)

The waste Duty of Care applies and reporting mechanisms such as Wastedataflow should be used.

Scheme Governance



- Q25 What length of contract do you think would be most appropriate for the successful bidder to operate as the Deposit Management Organisation? (P39)
- a) 3-5 years
 - b) 5 – 7 years
 - c) 7 – 10 years
 - d) 10 years +

- Q26 Do you agree that the above issues should be covered by the tender process? (P41)
- a. Yes
 - b. No

- Q27 Do you agree that the above issues should be monitored as Key Performance Indicators? (P42)
- a. Yes
 - b. No
- Please list any further issues you believe should be covered by Key Performance Indicators.*

- Q28 Do you agree that Government should design, develop and own the digital infrastructure required to register, and receive evidence on containers placed on the market on behalf of the Deposit Management Organisation and regulators? (P43)
- a. Yes
 - b. No

- Q29 Government will need to understand the needs of users to build digital services for deposit return scheme. Would you like your contact details to be added to a user panel for deposit return scheme so that we can invite you to participate in user research (e.g. surveys, workshops interviews) or to test digital services as they are designed and built? (P43)
- a. Yes
 - b. No

Financial Flows

- Q30 What is an appropriate measure of small producers for the purposes of determining the payment of registration fees? (P45)
- a. Taxable Turnover
 - b. Drinks containers placed on the market
 - c. Any other



Q31 Is a high level of unredeemed deposits funding the scheme problematic? (P46)

- a. **Yes**
- b. *No.*

Q32 Which option to treatment of unredeemed deposits do you support? (P48)

- Option 1*
- Option 2**

Producers should not benefit from low capture rates by having lower fees and the proposal that a floor on producer fees is supported, with any surpluses being fed directly back into the scheme to improve the capture rate.

Q33 With option 2, do you foresee any unintended consequences of setting a minimum percentage of the net costs of the deposit return scheme that must be met through the producer fee? (P48)

Not sure

Q34 If a floor is set do you consider that this should be set at: (P48)

- a) *25% of net costs*
- b) *33% of net costs*
- c) **50% of net costs**
- d) *Other*

Q35 Do you agree that any excess funds should be reinvested in the scheme or spent on other environmental causes? Invested in the scheme/ other environmental causes? (P48)

Yes

Q36 What should be the minimum deposit level set in legislation? (P50)

- a.) 10p**
- b.) *15p*
- c.) *20p*
- d.) *Other*



- Q37 Do you agree that there should be a maximum deposit level set in legislation? (P50)
- a. **Yes**
 - b. No

If yes, what should be the maximum deposit level set in legislation?

- a.) 30p
- b.) 40p
- c.) 50p
- d.) Other**

The DRS system should not disadvantage any social group setting the minimum deposit too high could disadvantage lower income households.

- Q38 Recognising the potentially significant deposit costs consumers could pay on a multipack purchase, how best can we minimise the impact of the scheme on consumers buying multipacks? (P51)

Not sure

- Q39 Do you agree with our approach to letting the Deposit Management Organisation decide on whether to adopt a fixed or variable deposit level, particularly with regards to multipacks? (P51)

Not sure

Return Points

- Q40 Do you agree that all retailers selling in-scope drinks containers should be obligated to host a return point, whether it is an all-in or on-the-go deposit return scheme? (P54)

In the absence of a digital solution to allow kerbside collections, we agree all retailers should be obligated to ensure a wide network of return points. If kerbside collections are included such an extensive network may not be needed. If the scheme is 'All in' it is difficult to comprehend how smaller retailers will be able to accommodate banks large enough to accept the volume of materials.



Q41 Given the proposed extensive distribution and availability of return points for consumers to return bottles to, do you think customers would be likely to experience delays / inconveniences in returning drinks containers? If so, how long or how frequently would such delays be likely to arise for? (P54)

Yes – not sure

Q42 Do you have a preference, based on the 3 options described above, on what the schemes approach to online takeback obligations should be? (P57)

Option 2 is preferred because it provides a reasonable and fair solution requiring all retailers over the de minimis threshold including online retailers to have responsibility to take back containers.

Q43 Do you agree with the proposed criteria for the calculation of the handling fee? (P57)

a. Yes

b. No

If no, would you propose any additional criteria are included for the calculation of the handling fee?

Q44 Please tick which exemptions you agree should be included under the scheme: (P60)

a. Close proximity

b. Breach of safety

Close Proximity - No

Breach of Safety – Yes under a suitable assessment system

Q45 Please can you provide any evidence on how many small and micro sized retail businesses we might likely expect to apply for an exemption to hosting a return point, on the grounds of either close proximity to another return point or on the compromise of safety considerations? (P60)

Q46 Do you think obligations should be placed on retailers exempted from hosting a return point to display specific information informing consumers of their exemption? (P60)

If yes, please tick what information retailers should be required to display:

a.) Signage to demonstrate they don't host a return point;

b.) Signage to signpost consumers to the nearest return point;

c.) Anything else?

Q47 Do you agree with our rationale for not requiring retailers exempted on the basis of a breach of safety not to be required to signpost to another retailer? (P61)



Yes / No

Please explain your answer.

Not sure

Q48 How long do you think exemptions should be granted for until a review date is required to ensure the exemption is still required? (P61)

a.) 1 year

b.) 3 years

c.) 5 years or longer

Q49 Do you think the scheme could benefit from technological solutions being incorporated as a method of return, alongside reverse vending machines and manual return points? (P64)

a. Yes

b. No

A digital DRS system would allow residents to place containers in kerbside recycling and still claim the deposit.

Q50 How could a digital deposit return scheme solution be integrated into existing waste collection infrastructure? Please explain your answer. (P64)

Not sure

Q51 What are the potential fraud control measures a digital deposit return scheme could bring? Please explain your answer. (P64)

The barcode the container would need to recognise when the deposit has been redeemed to prevent multiple deposit requests being made. Systems would also be required to confirm that the product once scanned ends up in the correct recycling collection box/bin and not placed in the residual waste. Similarly, there would need to be controls that prevents items being scanned in the shop, but not purchased and then the deposit requested via the kerbside system.

Any enforcement over these elements should not be for local authorities to resolve and should fall to the DMO to manage.

Q52 Do you think a digital deposit return scheme could ensure the same level of material quality in the returns compared to a tradition return to retail model, given containers may not be returned via a reverse vending machine or manual return point where there is likely to be a greater scrutiny on quality of the container before being accepted? (P64)

Yes

No

Please explain your answer.



Q53 If the digital deposit return scheme system can be integrated into the existing waste collection infrastructure would its implementation and running costs be lower? Please provide evidence to support your answer. (P64)

Yes – kerbside recycling collections are already in place – the number of reverse vending machines needed would be reduced

Q54 Do you support the proposal to introduce a new permitted development right for reverse vending machines, to support the ease of implementation for the scheme? (P65)

a. Yes

b. No

Do you have any amendments or additional parameters you would propose are reflected in the permitted development right?

Seeking guidance from Head of Planning

Labelling

Q55 Do you agree that the following should be part of a mandatory label for deposit return scheme products? (P68)

a) *an identification marker that can be read by reverse vending machines and manual handling scanners.*

b) *a mark to identify the product as part of a deposit return scheme.*

c) *the deposit price.*

Yes

Q56 Are you aware of further measures that can be taken to reduce the incidence and likelihood of fraud in the system? (P68)

No



Q57 Do you agree with our proposals to introduce mandatory labelling, considering the above risk with regards to containers placed on the market in Scotland? (P69)

- a. Yes
- b. No

Q58 Do you consider the risk of incorrectly labelled products entering the markets of England, Wales or Northern Ireland via Scotland to be a significant risk? Please provide any evidence to support your answer. (P69)

Not sure

Q59 Do you consider leaving any labelling requirements to industry to be a better option than legislating for mandatory labelling requirements? Please explain your answer. (P69)

No – consistent labelling is clearer for the consumer

Q60 Are you aware of any other solutions for smaller producers who may not currently label their products? Please explain your answer. (P69)

No

Q61 We believe 18 months is a sufficient period of time for necessary labelling changes to be made. Do you agree? (P70)

- a.) Yes
- b.) No

Can you provide any evidence to support your answer?

Not sure

Q62 Will your processes change as a result of mandatory labelling? (P70)

- a. Yes
- b. No
- c. Don't know

Please explain your answer.

Not Applicable

Q63 Do you agree that our proposed approach to labelling will be able to accommodate any future changes and innovation?

Yes / No / Don't know

Are you aware of any upcoming technology in the field of labelling? (P70)

Local Authorities and Local Councils



Q64 Do you agree that local authorities will be able to separate deposit return scheme containers either themselves or via agreements with material recovery facilities to regain the deposit value? (P75)

- a. Yes
- b. No

Please explain your answer

The cost of source segregating DRS material at the kerbside would require significant investment in additional infrastructure to allow for the material to be kept separate and require more staff resources and it is not a reasonable proposal.

Litter and residual DRS material is excluded from Option 1, to align with EPR principles and full net cost recovery these elements need to be covered

Q65 Do you agree that local authorities will be able to negotiate agreements with material recovery facilities to ensure gate fees reflect the increased deposit values in waste streams or a profit sharing agreement on returned deposit return scheme containers was put in place? (P75)

- a. Yes
- b. No

Q66 In order to minimise the risk of double payments from the Deposit Management Organisation to local authorities, where should data be collected regarding the compositional analysis to prevent the containers then being allowed to be redeemed via return points? (P77)

Option 2 preferable so the EPR would be the best placed to prevent double counting and Councils would only have to deal with one organisation

Q67 How difficult do you think this option would be to administer, given the need to have robust compositional analysis in place? (P78)

Please explain your answer. Not sure

Q68 What option do you think best deals with the issue of deposit return scheme containers that continue to end up in local authority waste streams? (P78)

- a. Option 1
- b. Option 2
- c. Option 3

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

Option 2 maximises the potential return of DRS material and offers a fair system of payment to cover all the DRS material local authorities collect (recycling, litter, and residual).



Compliance Monitoring and Enforcement

Q69 Are there any other producer obligations you believe the Environmental Regulators should be responsible for monitoring and enforcing? (P81)

Not sure

Q70 Are local authorities (through the role Trading Standards and the Primary Authority Scheme) best placed to enforce certain retailer obligations? (P82)

a. Yes

b. No

Please give any alternative suggestions.

To what extent will local authorities be able to add monitoring and enforcement work for the deposit return scheme to existing duties they carry out with retailers?

Not Applicable

Q71 In addition to those in the table, are there any other types of breaches not on this list that you think should be? If so, what are they? These may include offences for participants not listed e.g. reprocessors or exporters. (P84)

Not applicable

Q72 Are there any vulnerable points in the system? (P84)

Please explain your answer.

Q73 Do you see a role for the Deposit Management Organisation to seek compliance before escalating to the Regulator? (P84) Not sure

Q74 Do you agree with the position set out regarding enforcement response options? If not, please expand your answer. (P85) Not answered

Implementation Timeline

Q75 Do you have any comments on the delivery timeline for the deposit return scheme? Please pose any views on implementation steps missing from the above? (P87)

We believe the introduction of the DRS should be deferred until the consistent collections and EPR policies have been implemented and the outcome of the plastics tax is better known. This would allow these policies and regulations to embed and see if they deliver the desired increases in recycling before determining whether a DRS is needed. Delaying DRS would also allow for the results of the digital trials to be determined.



Q76 How long does the Deposit Management Organisation need from appointment to the scheme going live, taking into account the time required to set up the necessary infrastructure? Please provide evidence to support your answer. (P88)

a.) 12 months

b.) 14 months

c.) 18 months

d.) Any other (please specify)

Difficult to know

Q77 Depending on the final decision taken on the scope of the scheme in England and Northern Ireland – all-in or on-the-go – what, if any, impact does this have on the proposed implementation period? (P88)

An All-in scheme would need a longer lead in time to allow Council's to renegotiate contracts with MRFs.

Q78 Do you agree with the analysis presented in our Impact Assessment? (P94)

a. Yes

b. No

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

Does not take into account post Covid consumer behaviours, digital DRS and includes a saving on litter collection which we don't think will be achievable.