

Response ID ANON-B2C4-3ZK6-S

Submitted to Circular Economy (Scotland) Bill
Submitted on 2023-09-01 10:50:53

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3 What is your name?

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5 Are you responding as an individual or on behalf of an organisation?

Organisation / Buidheann

Circular economy strategy

1 Is a statutory requirement needed for a circular economy strategy?

Please provide your response in the box provided.:

Yes. The strategy should include detail on resource reduction plans, which should set out how to meet the targets, with outcomes, milestones and aligned budget resource; and Ministers must report progress to parliament on an annual basis. This would be similar to the Climate Change Plan in terms of scrutiny. Ideally reporting should be also linked into the National Performance Framework.

2 Is there anything else you would like to say about a circular economy strategy? (Section 1 – 5)

Please provide your response in the box provided.:

We support the recommendations made by SCIAF that the strategies mandated by the Circular Economy Bill must be strengthened to consider our global impact, specifically to include concrete plans for ethical and sustainable extraction of materials. This could be achieved by adding an objective in the circular economy strategy to measure and reduce the extraterritorial impact of consumption in Scotland. Only by including clear targets to reduce Scotland's global impact will the circular economy strategy succeed in setting out a path where Scotland plays its part in a truly sustainable future. Setting reductions targets on harmful imports should also encourage reuse. Scottish consumption harms people and communities across the world. This is evidenced by Friends of the Earth Scotland's Unearthing Injustice report, and the observations made in SCIAF's consultation response from their partners in Colombia, DRC and Zambia.

3 How should circular economy strategies be aligned with climate change plans and other environmental targets (including biodiversity goals)?

Please provide your response in the box provided.:

A circular economy in the Scottish context cannot be created in a vacuum, and must be explicitly linked to implications on a global level, for people and planet, not just the local environment. For an inclusive transformation to a circular economy at any level - local or planetary - we cannot overlook the systemic issues of unequal power relations entrenched in global value chains or waste cycles, between rich countries and poor countries. Therefore, these proposals should explicitly acknowledge this reality and seek to include social and economic impact assessments at global level, especially for poor countries.

Historically, in the context of sustainable development, failure to explicitly consider the needs and lived experiences of marginalized populations (women, indigenous people, people with disabilities etc.) has resulted in poor development outcomes. Furthermore, evidence demonstrates that the climate and nature emergencies are felt most severely in the global south, and have been historically caused disproportionately by early industrialised countries like Scotland in the global north. The bill is therefore an opportunity to work towards social, economic and environmental justice for those living in poorer, more vulnerable places, across the global south.

We would like to see an inclusion on the face of the bill that a key feature of a circular economy is that it is socially and economically inclusive at local and

global levels, while ensuring restoration and regeneration of our natural systems. Doing this properly sets an example globally which is vital for achieving a more sustainable world. In addition it would be worth acknowledging that adopting a circular economy approach can contribute directly to achieving a significant number of SDG targets. The strongest relationships exist between CE practices and the targets of SDG 6 (Clean Water and Sanitation), SDG 7 (Affordable and Clean Energy), SDG 8 (Decent Work and Economic Growth), SDG 12 (Responsible Consumption and Production), and SDG 15 (Life on Land).

The global impacts of policies introduced to make our economy less wasteful and more sustainable should be assessed using a 'Policy Coherence for Sustainable Development' approach.

Policy coherence is the consistency of public policy, whereby:

- no policy undermines any other policy
- where policy conflicts occur, the root cause of the conflict should be identified and efforts made to resolve it in a manner which:
 - o minimizes trade-offs
 - o maximises synergies.

Policy coherence for sustainable development must:

- support ecological integrity and social equity within Scotland, and elsewhere in the world
- support the self-defined sustainable development of other countries.

The revised Scottish Business Pledge should also be connected to the bill, encouraging (ideally mandating) businesses to adopt resource reduction plans and accompanying targets which also take into account global carbon and material footprints of business activities.

Circular economy targets

1 Are statutory circular economy targets needed?

Please provide your response in the box provided.:

Yes. The Circular Economy Bill should be amended to include statutory, mandatory carbon and material consumption reduction targets in the primary legislation of the Bill. Consumption reduction targets must be written into the Bill in order to take into account both Scotland's global carbon and material footprints, not just our domestic footprints.

Scotland's International Development Alliance are signatories to the letter produced by Friends of the Earth Scotland on the importance of including carbon-based consumption emissions in the Bill therefore we will not reiterate those points here.

We would also like to see a target set for Scotland's material footprint. A country's material footprint, or raw material consumption (RMC), measures the amount of raw materials - both from home and abroad - that go into producing the goods and services used by governments, charities and private households in one year. By focussing on what a country consumes rather than produces, and by accounting for inputs drawn from anywhere in the world, this target represents a significant part of our overall impact on the planet and its people. The ONS has published material footprint statistics for the UK since 1990 with the most recent data covering 2019. It presents this information, and the methodology underpinning it, on their SDG data website addressing SDG target 12.2. Material footprint statistics specific to Scotland, and covering the period 2011-18, have already been compiled by "Zero Waste Scotland" and their partners.

According to Zero Waste Scotland, in 2018 Scotland's Material Footprint (RMC) was 19.3 tonnes per capita, which can be compared with the 2018 ONS data for the UK as a whole, of 16.9 tonnes per capita and an EU average of 14 tonnes per capita. There are various methods for calculating material footprint as outlined by the ONS and the Scottish Government will need to consider the pros and cons of each.

2 Is there anything else you would like to say about powers to introduce circular economy targets? (Sections 6 and 7)

Please provide your response in the box provided.:

Restrictions on the disposal of unsold consumer goods

1 Do you think there is a need for additional regulation restricting the disposal of unsold consumer goods?

Please provide your response in the box provided.:

2 Is there anything else you would like to say about the disposal of unsold consumer goods? (Section 8)

Please provide your response in the box provided.:

Charges for single-use items

1 Should Scottish Ministers have powers to make regulations that require suppliers of goods to apply charges to single-use items?

Please provide your response in the box provided.:

2 Is there anything else you would like to say about charges for the supply of single-use items? (Section 9)

Please provide your response in the box provided.:

3 How do you think Scottish Ministers should use their powers to have the greatest impact in transitioning to a circular economy?

Please provide your response in the box provided.:

Household waste

1 Should it be a criminal offence for a householder to breach their duty of care in relation to waste under the Environmental Protection Act 1990 (e.g. to fail to ensure that waste is disposed of to an authorised person)?

Please provide your response in the box provided.:

2 Is there anything else you would like to say about household waste and enforcement of household waste requirements? (Sections 10 & 11)

Please provide your response in the box provided.:

3 Is further action needed, either within or outwith the Bill, to tackle flytipping effectively? If so, what action is needed?

Please provide your response in the box provided.:

Household waste recycling – Code of Practice and local targets

1 Should the Code of Practice on household waste recycling (currently a voluntary code) be put on a statutory footing?

Please provide your response in the box provided.:

2 Is there anything else you would like to say about a Code of practice on household waste recycling? (Section 12)

Please provide your response in the box provided.:

3 Should Scottish Ministers have powers to set targets for local authorities relating to household waste recycling?

Please provide your response in the box provided.:

4 Is there anything else you would like to say about targets for local authorities relating to household waste recycling? (Section 13)

Please provide your response in the box provided.:

Targets should include the prohibition of sending any recycled waste, including clothing, to countries outside the UK. There is increasing evidence from West Africa in particular that cheap clothing dumped from the UK is harming water supplies with a detrimental effect on people and planet.

Whilst waste exports are a reserved matter, Scotland can introduce measures to take responsibility for our own waste and address the current system which has enabled increased export of waste including high profile record fines. Scotland lacks the capacity to manage all of its own waste. Scottish waste exports have tripled since 2004 to 1.4Mt, which is 31% of Scotland's total waste arising in 2019. (SEPA (2022) 2020 Limited Waste Data Tables <https://www.sepa.org.uk/environment/waste/waste-data/waste-data-reporting/waste-data-for-scotland/>).

Greenpeace's investigation found thousands of tonnes of UK plastic being illegally dumped and burned in Turkey causing environmental and health fears. The European Environment Agency report similar problems with waste exports from Europe: "Many of the countries to which the EU exports its plastic waste are still in their infancies with respect to developing waste management. Imported waste is often not processed in accordance with European standards and might even be dumped or burned in unregulated ways. This is despite the fact that EU waste legislation states that recovery operations on exported waste must take place under 'broadly equivalent conditions' to those within the EU. Many stakeholders in south-east Asia profit from a lack of legal operators and the failure of authorities to cope with the increased imports."

Exporting waste to countries with inadequate infrastructure to process it is a failure of global responsibility and Scotland can address this by reducing the amount of waste for exports, setting reduction targets, and improving our own recycling facilities.

The monitoring framework should set targets for reducing waste exports, and the Circular Economy Strategy should introduce measures to enable Scotland to increase its capacity of recycling facilities to handle our own waste. Waste reporting should be improved and include final end destination.

A duty should be placed on Scottish Ministers to report annually on Scotland's progress towards these targets.

5 Is further action needed, either within or outwith the Bill, to support local authorities to achieve higher household recycling rates? If so, what action is needed?

Please provide your response in the box provided.:

Lifting from vehicles

1 Should civil penalties for littering from vehicles be introduced?

Please provide your response in the box provided.:

2 Is there anything else you would like to say about civil penalties for littering from vehicles? (Section 14)

Please provide your response in the box provided.:

Enforcement powers in respect of certain environmental offences

1 Should enforcement authorities in Scotland be given powers to seize vehicles linked to waste crime?

Please provide your response in the box provided.:

2 Is there anything else you would like to say about enforcement powers? (Sections 15 and 16)

enforcement anything else:

Reporting on waste and surpluses

1 Should Scottish Ministers have powers to require persons to publish information on anything they store or dispose of (except in relation to domestic activities)?

publish info on anything public store or dispose of:

2 Is there anything else you would like to say on reporting? (Section 17)

Please provide your response in the box provided.:

3 How should Scottish Ministers go about identifying which types of waste and surpluses should be subject to mandatory public reporting?

identifying waste and surplus for mand reporting:

Net zero

1 Do you think the Bill will play a significant role in achieving these net zero targets? Please give your reasons.

Please provide your response in the box provided.:

The bill could play a significant role if statutory, mandatory carbon and material consumption reduction targets are included. Over half of our carbon footprint comes from imported products and services. 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. We need to take responsibility for the impact of Scottish consumption overseas.

2 There is a Policy Memorandum accompanying the Bill. This aims to set out the underlying reasons why the Scottish Government thinks the Bill is necessary. Did you find the discussion under "Sustainable Development" in the Policy Memorandum helpful or unhelpful in terms of understanding what impact the Bill would have in terms of reaching these net zero targets?

Please provide your response in the box provided.:

General comments or aspects not in the Bill

1 Are there any areas not addressed by the Bill that you believe should be included? If so, what are they?

Please provide your response in the box provided.:

2 Are there international examples of best practice in legislation supporting the transition to a circular economy?

Please provide your response in the box provided.:

Resource and Waste Common Framework

1 Do you have comments on how this wider framework should function to support Scotland's transition to a circular economy, in particular on the provisional Resources and Waste Common Framework?

Please provide your response in the box provided.: