

**Belfast City Council Response to DEFRA's Consultation on
Reforms to the Packaging Waste Recycling Note (PRN) and Packaging Waste Export
Recycling Note (PERN) System and Operator Approval**

Q1. What is your name?

Belfast City Council

Q2. What is your email address?

stephensj@belfastcity.gov.uk

Q3. Which best describes you? Please provide the name of the organisation/ business you represent and an approximate size/number of staff (where applicable).

Local Authority >2500 employees

Q4. Would you like your response to be confidential? Please see the confidentiality and data protection information in Section 1.7 of this document. Yes / No If you answered 'Yes', please provide your reason

No

Q5. Do you agree or disagree with the introduction of mandatory monthly reporting for reprocessing/export data? a. Agree b. Disagree c. Neither agree nor disagree Please provide the reason for your response.

- a. Agree in principle, as the available data reports will be up-to-date and based on the most recent information available. This will also require a consistent approach from all parties involved. This proposal should also address the current problem of significant time lapses in some cases, between packaging waste being received on site and the market being made aware of such material. It should be noted however, that for some organisations, providing this information on a monthly basis may prove difficult.

Q6. Do you agree or disagree with the introduction of mandatory monthly reporting of PRN/PERN prices and revenue data? a. Agree b. Disagree c. Neither agree nor disagree Please provide the reason for your response.

- a. Agree as it would improve transparency across the market.

Q7. Do you agree or disagree with the proposed approach to revenue reporting for reprocessors and exporters? A. Agree b. Disagree c. Neither agree nor disagree Please provide the reason for your response.

- a. Agree – In the context of EPR as again, it should increase transparency. We welcome the proposed detailed guidance on this issue.

Q8. Please suggest any other categories/sub-categories that you think should be included

Not aware of any others at the moment.

Q9. Do you agree or disagree with the proposal to reduce the timescale over which PRNs/PERNs can be traded? A. Agree b. Disagree c. Neither agree nor disagree Please provide the reason for your response.

- a. Agree. As this could improve market transparency. It should disincentivise any attempt to influence market prices by holding on to PRNs when demand is at its highest.

Q10. Do you agree or disagree that there should be a mechanism for extending the compliance period for the trading of PRNs/PERNs? a. Agree b. Disagree c. Neither agree nor disagree Please provide the reason for your response.

C. Neither agree nor disagree. The compliance period should be run in line with the general waste reporting year (for Waste Data Flow). We also note Government's recent consultation on an Introduction of Mandatory Digital Waste Tracking System and recommend that any changes or mechanisms introduced as part of PRN/PERN compliance are compatible with the arrangements proposed under the new the digital waste tracking system.

Q11. Please provide details of the conditions or criteria you think would be appropriate to trigger an extension of the compliance period.

Extreme circumstances such as acts of God or acts of war.

Q12. Do you agree or disagree with the proposal to increase the timescale over which PRNs/PERNs can be traded to a multi-year or rolling system? a. Agree b. Disagree c. Neither agree nor disagree Please provide the reason for your response.

C. Neither agree nor disagree and we reiterate our comment made in response to Q.10, that the compliance period should be synchronized with the general waste reporting year (for Waste Data Flow)

Q13. Which approach do you believe is the most suitable for addressing the issues of price volatility in the PRN/PERN market? a. Option 1 b. Option 2 c. Option 3 d. All could work e. None of the above f. I do not know enough to provide a view Please provide the reason for your response

Ans: A combination of Option 1 and Option 2 – Reducing timescales from an annual basis to a quarterly or monthly system with an allowance to extend the flexibility of the current compliance period.

Q14. Do you think that the issuing of PRNs/PERNs on DRS materials that remain in kerbside collections would have an impact on the PRN/PERN market? If yes, what impact would this have, and if no, why not? a. Yes b. No c. Unsure Please provide the reason for your response.

C. Unsure as there is currently no data available to make a judgement on this. At this stage we do not know the details of the proposed DRS scheme and therefore cannot calculate the impact on kerbside collections.

Q15. Do you agree with a sampling and modelling approach? a. Yes b. No c. Unsure Please provide the reason for your response.

b. No – This approach may have undesired implications for others in the processing chain as there may be the potential to manipulate the sampling data. This is in addition to potential issues such as fluctuations in the composition of waste (e.g seasonal/other variations) and also physical challenges (for some waste streams) in trying to sample tightly baled waste.

Q16. Do you think reprocessors and exporters will be able to differentiate between DRS and EPR packaging materials in issuing evidence? a. Yes b. No c. Unsure Please provide the reason for your response.

C. Unsure. There needs to be a mechanism put in place to make differentiation between these materials feasible. e.g. will each bale/batch of waste be coded? How will the material be kept separate? What happens when the waste gets moved to a third party/gets exported?

Q17. Which of the above options do you prefer? a. Option 1 b. Option 2 c. Option 3 Please provide the reason for your response.

We refer to arc21s response to this question (arc21 is a Local Government sector entity, of which Belfast City Council is a member):

– A key point from a council perspective is that when producing packaging to be placed on the market, a producer will not be aware of how it will be returned for recycling (i.e. kerbside, HRC, instore, &c) and this is likely to be further complicated by the introduction of the Deposit Return Scheme (DRS) in due course, and means that there will be EPR, DRS and PRN/PERN generated packaging all being obligated to be categorised and recycled.

arc21 supports Option 2 as this will place the responsibility on DRS obligated producers to account for the DRS packaging which has been generated and which is not collected through the DRS scheme. This would avoid the sampling and compositional analysis required under Option 1 and restricts the obligation to fewer producers than Option 3 would.

It effectively means that this becomes a balancing exercise for DRS obligated producers to account for shortfalls in the DRS collection system and when combined with the new, more detailed reporting system, it should provide greater clarity of the volume of DRS material recovered through councils' kerbside and other collection systems.

Q18. Do you think there will be any issues in the practical implementation of: Option 1? a. Yes b. No c. Unsure Option 2? a. Yes b. No c. Unsure Option 3? a. Yes b. No c. Unsure If you answered 'yes' to any of the above, please provide your reason.

c. Unsure to all. As we don't yet know the possible implications of these proposals.

Q19. Do you agree or disagree with the introduction of an operator competence test for compliance schemes? a. Agree b. Disagree c. Neither agree nor disagree Please provide the reason for your response.

a. Agree – This would provide confidence in the PRN industry

Q20. Do you agree or disagree with the introduction of an operator competence test for accredited reprocessors and exporters? a. Agree b. Disagree c. Neither agree nor disagree Please provide the reason for your response.

a. Agree – Again, this would provide confidence and regulation in the PRN industry. It would allow reprocessors and exporters to demonstrate competence to those parties assigning their waste material to them.

Q21. Do you agree or disagree with the introduction of a compliance fee for producers who do not obtain sufficient PRNs/PERNs to meet their obligations? a. Agree b. Disagree c. Neither agree nor disagree Please provide the reason for your response.

C. Neither agree nor disagree. The system does need to be balanced in a way that parties can't just "buy their way" out of not meeting their obligations. Consideration may be given to fines, rather than compliance fees, for failure to meet obligations.

Q22. Do you think the introduction of a compliance fee would still be necessary in addition to the proposals (outlined in Section 2.2) to address the issues around price volatility? A. Yes b. No c. Unsure If you answered 'yes', please provide the reason for your response.

C. Unsure -until after the proposals are implemented and the outcomes come into fruition.

If you have any other suggestions for improvements to the operation of the PRN/PERN market, please include details here.

We reiterate comments highlighted by arc21 (a Local Government sector entity, of which Belfast City Council is a member):

- To date the Packaging Recycling Notification (PRN) scheme¹ has proven imperfect in managing packaging waste over the past number of years and has not transferred monies to councils for the packaging waste they have managed, so it is disappointing that as a scheme it is being extended.
- While this consultation does not have a direct bearing on councils, as they are not in receipt of PRNs/PERNs, the proposals around increased monitoring and reporting (particularly around revenue – Section 2.2.2) from the sector are to be welcome, especially if there is to be greater transparency and accountability arising from the need to manage the resources within supply chains better to deliver a Circular Economy. The lack of transparency around this area has previously been one of the main criticisms of the PRN scheme.

¹ Note the change in designation from the earlier Packaging Recovery Note