



Subject:	Consultation response on the draft Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations [2024]
Date:	10 th October 2023
Reporting Officer:	Cathy Matthews Director Resources and Fleet
Contact Officer:	John McConnell City Services Manager Resources and Fleet

Restricted Reports									
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>								
<p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input type="checkbox"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime 									
<p>If Yes, when will the report become unrestricted?</p> <table style="width: 100%;"> <tr> <td style="width: 70%;">After Committee Decision</td> <td style="width: 30%;"><input type="checkbox"/></td> </tr> <tr> <td>After Council Decision</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Sometime in the future</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Never</td> <td><input type="checkbox"/></td> </tr> </table>		After Committee Decision	<input type="checkbox"/>	After Council Decision	<input type="checkbox"/>	Sometime in the future	<input type="checkbox"/>	Never	<input type="checkbox"/>
After Committee Decision	<input type="checkbox"/>								
After Council Decision	<input type="checkbox"/>								
Sometime in the future	<input type="checkbox"/>								
Never	<input type="checkbox"/>								

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report/Summary of Main Issues
1.1	To report to Committee on the draft Belfast City Council response to the Consultation on the draft Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations [2024].

2.0	Recommendation
2.1	<p>To agree the final Belfast City Council response to the Consultation on the draft Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations [2024] as attached in Appendix 1</p> <p>Note that the consultation closed on 9th October 2023, and that officers have submitted a draft response to DEFRA, noting that a final decision by members is required and DEFRA will be advised of the final decision.</p>
3.0	Main Report
3.1	<p>Members may recall from the Committee meeting on 12th September 2023, that the Department for Environment, Food and Rural Affairs (DEFRA) recently launched a public consultation on draft regulations for Producer Responsibility Obligations.</p> <p>The link to the consultation is as follows: https://consult.defra.gov.uk/extended-producerresponsibility-team/consultation-on-the-draft-producer-responsibility/</p>
3.2	<p>This consultation seeks views on how well the proposed 2024 Regulations reflect the Government Response to the proposals on the introduction of Extended Producer Responsibility (EPR) for packaging across the UK (generated by 2019 consultation on reforming the UK Packaging Producer Responsibility System and the 2021 Extended Producer Responsibility for Packaging).</p>
3.3	<p>The Government Response was published in March 2022 can be found here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1063588/epr-final-impact-assessment.pdf</p>
3.4	<p>Since the publication of the Government Response, the UK Government and the Devolved Administrations have been working closely to develop the draft Regulations which implement these reforms. The main objective has been to ensure that these reforms deliver sustained change.</p>
3.5	<p>Having reflected on industry feedback, the UK Government and the Devolved Administrations decided to defer EPR for packaging payments from October 2024 to October 2025. It is envisaged that a 12-month deferral to packaging payments will give:</p> <ul style="list-style-type: none"> • Industry additional time to prepare for the new requirements, which may include reviewing and improving current packaging use. • Industry and local authorities more opportunity to be involved in the design of the scheme. • Local authorities and waste management companies more time to adjust current services and to introduce new efficient and effective services for EPR.

3.6	<p>This consultation on the 2024 regulations will apply UK wide. They will revoke and replace the 2023 Regulations as well as Producer Responsibility Obligations Regulations 2007.</p>
3.7	<p>The draft Regulations include provisions to:</p> <ul style="list-style-type: none">- Enable the appointment of a Scheme Administrator.- Allow a Scheme Administrator to raise fees from obligated producers to cover local authority costs for the management of household and binned packaging waste, the costs of public information campaigns, and its operational costs.- Set recycling targets on producers covering all types of packaging waste (i.e., primary, shipment, secondary, tertiary; household and non-household). • Require certain types of packaging to be labelled to indicate recyclability.- Introduce a mandatory takeback and recycling requirement for fibre-based composite cups.- Require all reprocessors and exporters of packaging waste to register with a regulator and to report data, and, for those that choose to, to become accredited and issue recycling evidence.- Enable regulators to effectively monitor compliance and enforce the draft Regulations.
3.8	<p>Belfast City Council’s draft response is attached as Appendix 1. The consultation is technical in its nature and officers have taken on board views from other expert bodies, in particular the Local Authority Recycling Advisory Committee (UK) (LARAC) and arc21. Officers are largely in agreement with arc21’s response to the Consultation document. Where we have additional commentary or queries, this is incorporated into each individual response. Some questions (e.g. 19 and 21) are mainly focused on Producers and in these instances, industry is in a better position to respond.</p>
3.9	<p>As a local authority collector of household waste, the main issues expressed in our responses are:</p> <ul style="list-style-type: none">- clarity on the definition of “efficient and effective services” and how local authorities will be assessed on this in relation to allocation of funding.- How circumstances such as geography will be considered (in the above assessments) and what criteria will be applied. Belfast is a city with a demographic with few comparators in its geographic location.- The timing of the process and in particular, its interface with other Producer Responsibility Obligations such as the Deposit Return Scheme.

<p>3.10</p> <p>3.11</p> <p>3.12</p>	<ul style="list-style-type: none"> - The continued focus on weight-based targets and application of the Waste Hierarchy, rather than considering a new modelling approach, incorporating carbon measurements. - The changing nature of packaging waste and how this could be affected by industry's response to the Obligations, as well as the future impact this might have on local authorities. <p>Following the Consultation period, DEFRA will review the responses received and make changes to the draft Regulations as appropriate. The draft Regulations will be made publicly available when they are notified to the World Trade Organisation (WTO) and the European Union (EU) in respect of Northern Ireland to comply with international obligations. During the notification period, Government intends to publish a high-level summary of the responses.</p> <p><u>Financial and Resource Implications</u></p> <p>None – in relation to responding to the consultation.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>None – in relation to responding to the consultation.</p>
<p>4.0</p>	<p>Appendices - Documents Attached</p>
	<p>Appendix 1 – Belfast City Council draft response to the Consultation on the draft Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations [2024].</p>