1. The Scottish Environmental Services Association (SESA) is the trade association representing Scotland’s waste and secondary resource management industry. One of the primary functions of our trade association is to assist and inform the development of policy by collecting relevant evidence from our Members and presenting this to the Scottish Government and Parliament for consideration.

2. Our engagement with the Scottish Government is open and transparent and we have no concerns about the public learning more about our policy objectives or the nature of our discussions with MSPs or Scottish Government officials.

3. We therefore have no significant concerns on the principle of a lobbying register, as most of the required information is already freely available in the public domain. Furthermore, in contrast to some commercial, multi-client lobbying organisations, we take every opportunity possible to inform the public of our lobbying activities, and widely publicise our strategic objectives for waste and recycling policy in the public domain.

4. SESA is therefore not convinced that the proposed lobbying register would offer any additional benefit and, if anything, is only likely to introduce unnecessary administrative burden and increase costs.

5. We strongly suspect that there has been insufficient consideration of the definition of a lobbyist and lobbying for the purposes of the Bill, and what lobbying activities would in fact benefit from greater transparency. Overall, without evidence of a ‘crisis of confidence’ within policy development, the rationale for the proposed raft of measures is not entirely clear.

6. SESA is entirely comfortable with the principle of transparency around lobbying activities, and our main criticism of the Bill is simply the lack of a ‘level playing field’: it is apparent that the same rules do not apply equally to all. Our response to this call for written evidence is therefore intentionally brief, and is limited to highlighting a lack of fairness and equality.

7. The waste management industry is extremely diverse, covering a broad range of activities carried out by a number of different sectors and organisations, of which SESA and its Members form just one part of. Local authority waste management operations, the 3rd sector, community groups (and others) make up the rest of the industry and all are actively engaged to some degree in the ‘waste debate’ or in the development of policy. Whilst not offering a direct waste management service to communities or customers, there are also a number of organisations with a vested interest in waste policy (ie NGOs or local pressure groups).
8. Waste management legislation passed by MSPs therefore affects our entire industry - the activities of SESA’s Members just as much as that of local authorities. Similarly, NGOs or local pressure groups may arrange to meet MSPs or Ministers to lobby on a particular aspect of Scottish Government policy. However, as currently drafted, the lobbying activities of local authorities, and those of some NGOs or local pressure groups would be exempt from the requirement to register, all of which are equally adept at seeking to inform policy and decisions.

9. We would welcome clarification on why our sector should be singled out so, and the justification for applying additional regulatory oversight of one organisation’s lobbying activities over another. As currently drafted, the set of measures seemingly stigmatise the lobbying activities of our trade association and Members compared to similar activities carried out by other organisations or groups within the same industry.

10. If the Scottish Government is minded to present a truly fair and transparent system, then the lobbying activities of all organisations – regardless of whether conducted by the private or public sector; paid-for or voluntary – should be required to register. We therefore suggest that the scope of the Bill is considered more carefully before adoption to avoid creating a two tier system for those seeking to engage in the democratic process.

Scottish Environmental Services Association
November 2015