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Edward Mountain MSP  
Convener  
Net Zero, Energy and Transport Committee  
The Scottish Parliament  
Edinburgh  
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6 March 2023

Dear Convener

Further to my letter to you last week, I am writing with a further update on a number of matters related to Scotland's Deposit Return scheme that are of a particular interest to the Committee.

This morning I met Ministers and senior officials from each UK administration at the inter-ministerial group on Environment, Food and Rural Affairs. As you know, there is an established process for agreeing exclusions from the Internal Market Act<sup>1</sup>, which we have been following in relation to Scotland's deposit return scheme (DRS) since we first requested an exclusion in 2021.

At today's meeting, the shared interest across UK governments in establishing effective deposit return schemes as part of our commitments to action on climate change was clear and welcome. I again asked for urgent clarity from the UK Government on this matter, and by the end of March at the latest. UK Government Ministers suggested a decision would likely be made by the next inter-ministerial group on 17 April. I will keep the Committee updated on the exclusion process.

There were a number of questions raised last week following my statement to the Parliament regarding the producer registration figures which I would like to clarify.

At the registration deadline of 28 February 2023, the aggregate volumes that producers had registered was 2.36 billion. Circularity Scotland had previously estimated the total number of containers in the market as "approximately 3 billion" which was rounded up from an aggregate estimate of 2.8 billion, based on estimates previously provided by producers.

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<sup>1</sup> <https://hansard.parliament.uk/commons/2021-12-09/debates/21120969000020/UKInternalMarketActExclusionsCommonFrameworks>  
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Based on the data now submitted by producers, Circularity Scotland estimate the market size is 2.4-2.5 billion.

This revised market size figure means more than 90% of the annual total volume of products sold in Scotland each year are now included in scheme. This marks an important milestone for the scheme as we gain momentum ahead of the launch in August.

Circularity Scotland also confirmed 664 producers had registered by the deadline. At the outset of developing a deposit return scheme, approximately 4,500 companies were estimated to have an interest in the scheme. However, significantly less will have to register – for example, once groups of companies registering under one registration are identified, the number of individual producers/importers is estimated to be below 2,000. We are therefore very encouraged by the number of businesses registered so far.

Circularity Scotland and SEPA will continue to support producers that have not yet completed registration, so that they are ready for the launch of the scheme in August.

Finally, the Committee will be aware the Scottish Government has conducted a series of independent gateway reviews as part of its standard, good practice approach to ongoing assurance of the DRS programme. I can confirm that dates have now been confirmed for a further review to take place week commencing 13 March 2023, in line with the last report's recommendations for a review to take place in February 2023 or close to that date. The Scottish Government will consider carefully the recommendations from this review, and will share these and its response with the Committee in due course.

I will continue to keep Parliament updated as we move towards the launch of our deposit return scheme in August.

Kind regards

**LORNA SLATER**

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