



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Net Zero, Energy and Transport Committee

**Tuesday 21 November 2023**

**Session 6**



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Pàrlamaid na h-Alba

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**Tuesday 21 November 2023**

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**NET ZERO, ENERGY AND TRANSPORT COMMITTEE**

**33<sup>rd</sup> Meeting 2023, Session 6**

**CONVENER**

\*Edward Mountain (Highlands and Islands) (Con)

**DEPUTY CONVENER**

\*Ben Macpherson (Edinburgh Northern and Leith) (SNP)

**COMMITTEE MEMBERS**

\*Bob Doris (Glasgow Maryhill and Springburn) (SNP)

\*Jackie Dunbar (Aberdeen Donside) (SNP)

\*Monica Lennon (Central Scotland) (Lab)

\*Douglas Lumsden (North East Scotland) (Con)

\*Mark Ruskell (Mid Scotland and Fife) (Green)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Sarah Boyack (Lothian) (Lab)

Morna Cannon (Transport Scotland)

Murdo Fraser (Mid Scotland and Fife) (Con)

Stephen Freeland (Scottish Environmental Services Association)

Brydon Gray (Shetland Islands Council)

Rhona Gunn (Society of Local Authority Chief Executives and Senior Managers)

Silke Isbrand (Convention of Scottish Local Authorities)

Councillor Gail Macgregor (Convention of Scottish Local Authorities)

Màiri McAllan (Cabinet Secretary for Transport, Net Zero and Just Transition)

David McCulloch (Glasgow City Council)

Natalie Milligan (Scottish Government)

Drew Murdoch (Resources Management Association Scotland)

**CLERK TO THE COMMITTEE**

Peter McGrath

**LOCATION**

The Mary Fairfax Somerville Room (CR2)



## Scottish Parliament

### Net Zero, Energy and Transport Committee

*Tuesday 21 November 2023*

*[The Convener opened the meeting at 09:19]*

### Decision on Taking Business in Private

**The Convener (Edward Mountain):** Good morning and welcome to the 33rd meeting in 2023 of the Net Zero, Energy and Transport Committee. The first item on the agenda is to decide whether to take in private item 5, which is consideration of the evidence that we will hear on the Circular Economy (Scotland) Bill. Do members agree to take item 5 in private?

**Members indicated agreement.**

## Subordinate Legislation

### Vehicle Emissions Trading Schemes Order 2023 [Draft]

09:19

**The Convener:** Item 2 is consideration of a draft statutory instrument, the Vehicle Emissions Trading Schemes Order 2023, which is a joint instrument between the Scottish, United Kingdom and Welsh Governments. It is subject to affirmative procedure and cannot come into force until it has been approved by the Scottish Parliament, Welsh Senedd and both Houses of the UK Parliament. On the scrutiny in the Scottish Parliament so far, the Delegated Powers and Law Reform Committee had no observations on the instrument.

As with other affirmative instruments, we will have an evidence session prior to the formal debate and I am pleased to welcome the Cabinet Secretary for Transport, Net Zero and Just Transition, Màiri McAllan. She is joined by Natalie Milligan, a solicitor in the Scottish Government and Morna Cannon, interim director of the low carbon economy directorate, Transport Scotland. Thank you all for joining us.

Following this evidence session, the committee will be invited at the next agenda item to consider a motion for the committee to recommend that the instrument be approved. I remind everyone that the cabinet secretary's officials can speak under this item but not in the debate that follows. I invite the cabinet secretary to make an opening statement. The paperwork contains a lot of three-letter and four-letter acronyms that are very confusing, so I hope that you will make them clear. Thank you, cabinet secretary.

**The Cabinet Secretary for Transport, Net Zero and Just Transition (Màiri McAllan):** I will do my best, convener, thank you very much. I begin by apologising for the slight delay in getting started this morning and thanking you for inviting me to the committee today to discuss the draft Vehicle Emissions Trading Schemes Order or as it is more commonly known, the zero-emissions vehicle—ZEV—mandate.

We know that we urgently need solutions to support our journey to net zero and that critical to that is the decarbonisation of transport. Transport is the largest contributor to Scottish greenhouse gas emissions, making up 29 per cent of all emissions in 2019, and road transport contributes 66 per cent of those emissions. It is critical that the Government does its utmost to ensure that everyone has options for cleaner and greener

ways of getting out and about in a way that is cognisant of their way of life.

Working jointly with the UK Government, the Welsh Government and Northern Ireland's Department for Infrastructure, I am bringing the draft Vehicle Emissions Trading Schemes Order to the committee for consideration today. The schemes will put legal obligations on car and van manufacturers in the UK to sell zero emissions vehicles each year and for a percentage of their sales to constitute zero emissions vehicles, ramping up from 22 per cent of all those sold in 2024 to 80 per cent of new cars in 2030. [*Màiri McAllan has corrected this contribution. See end of report.*] In parallel, the CO<sub>2</sub> standards schemes for new non-zero emissions cars and vans will help to drive down the emissions of the manufacturers' new petrol and diesel car and van fleets. They work in parallel and bear down in different directions.

The cost-benefit analysis estimates that, under these schemes alone, 420 million tonnes of carbon dioxide in carbon emissions would be saved across the UK by 2050. The figure for Scotland alone is around 40 million tonnes of carbon dioxide. I will bring to the committee's attention that it is intended there will be a mid-point review to monitor the implementation of the schemes. That will be done on a four-nations basis and published in quarter 1 of 2027.

The Climate Change Committee supports the introduction of the schemes. It has highlighted how important they are, stating:

"The switch to electric cars and vans is the largest single driver of future emissions reduction in the UK's Net Zero pathway. The mandate will be vital in delivering these savings."

We know that it is critical for everyone in every part of Scotland, and we have been cognisant of that when designing the schemes. We have asked for the inclusion of analysis of the impact on remote and rural communities in the cost-benefit analysis. Although the schemes were designed on a four-nations basis, the Scottish Government was able to ask for that and to have it done.

We are bringing the schemes forward in the context of the Prime Minister's recent announcement to push the UK ban on non-zero cars and vans back from 2030 to 2035. My colleague Julie James in the Welsh Senedd noted that the ZEV mandate is a way of providing certainty with that change having taken place and, as she put it, of holding the UK Government's feet to the fire.

I hope that we can agree that the shift to net zero cars and vans is an important part of how we move to a just transition to net zero and I ask the

committee to endorse the draft legislation. Thank you.

**The Convener:** Thank you, cabinet secretary. As I understand it, the UK Government is changing its target to 2035, but it is still signed up to the schemes and will be dealing with them in exactly the same way as Wales and Scotland are. Is that correct?

**Màiri McAllan:** That is correct. In the days after the Prime Minister's announcement, we continued to work with the UK, Wales and the Northern Ireland Executive on the scheme. In my view, it will be a helpful way of reintroducing the certainty that the Prime Minister's announcement removed.

**The Convener:** It is quite complicated, and I thank you for all the examples and the formulas that are used to work out who gets charged for what, but if a manufacturer reduces the CO<sub>2</sub> emissions of a vehicle that it produces to below the previous standard, technically the order is saying that it will not be penalised for that. In fact, it could produce more until the limit that was set has been reached. Is that correct?

**Màiri McAllan:** It will work in two different directions. The sale of zero emissions vehicles as a percentage of the total is quite straightforward. The other part of it, the bearing down on the emissions from non-zero vehicles, is a little bit more complicated but I have taken some time to formulate an example, which I can give to the committee if that would be helpful.

**The Convener:** Any example to illustrate this would be helpful. We had lots in the paperwork that was produced and, just as I thought I had tied it down, it seemed to move. It would be helpful if you could give me an example.

**Màiri McAllan:** I will read aloud the one that my officials and I worked out and we can pause and take questions on any part of it that you wish to have clarified.

If manufacturer A has a target of 140g of CO<sub>2</sub> per kilometre driven across the whole fleet of new cars, and that is based on the average that was registered in 2021, if in 2024 they sell and register 10,000 new cars with average emissions of 140g of CO<sub>2</sub> per kilometre driven, they will be allocated 1.4 million allowances by the administrator, based on the 2021 average. If the average emissions of those 10,000 new cars sold was 130g, manufacturer A would have a surplus of 100,000 allowances and could trade them with other manufacturers or convert them to credits—there is a mandate car scheme. It is a similar model to the cap and trade model for emissions trading schemes generally. I was here not that long ago discussing some of the developments in emissions trading schemes, but that is how it will work.

Of course, that is just one part of it. The other part is requirement for the overall percentage of cars sold to be zero emissions having to increase gradually to 80 per cent by 2030.

**The Convener:** My final question before I open it up to the rest of the committee is about whether car manufacturers are happy with this, understand it and want to see it move forward at pace. Is that what you are going to tell us?

**Màiri McAllan:** Well, largely. We do not have domestic car and van manufacturers in Scotland. We have Alexander Dennis, the bus manufacturer, but buses are not part of the scheme, so we have not had to look particularly closely at that, although colleagues in the other nations have. We have 10 per cent of the UK dealerships in Scotland and we have reached out to them. We met representatives from Arnold Clark recently and they raised no concerns, but we have agreed to keep in touch with them. Another particular Scottish interest in business is—

**Morna Cannon (Transport Scotland):** Allied Vehicles.

**Màiri McAllan:** —Allied Vehicles, who are specialists in converting non-zero, standard petrol and diesel cars into wheelchair friendly vehicles. It has raised some concerns about how it will operate the new allowances system. We have set up a working group with it as part of the work with the four nations. We met recently, set terms of reference and have agreed to monitor the impact of the scheme on its ability to continue retrofitting cars to be wheelchair compliant.

**Douglas Lumsden (North East Scotland) (Con):** Cabinet secretary, I am looking at Transport Scotland's website and it says:

“By 2030 we will phase out the need to buy new petrol and diesel cars and vans.”

To confirm, has that changed now to 2035 to be in line with the rest of the UK?

**Màiri McAllan:** It has not changed. That is a reasonable observation. All our primary transport policies are under consideration as part of the development of the climate change plan. Our commitment to phase out the need for petrol and diesel by 2030 has not changed. I should point out that Scotland does not have the power to ban, so it is very much about phasing out the need. I think that the ZEV mandate will contribute positively to that, with more zero emissions vehicles being available, prices being driven down and so on. It is the floor to our ambition rather than the ceiling. We will bring in other policies to support phasing out the need for petrol and diesel by 2030, including seeking a modal shift in a 20 per cent reduction in car kilometres driven. It will be a package of measures, of which this is an important part.

09:30

**Douglas Lumsden:** To confirm, your target is still 2030 although legally it will not be required until 2035; is that correct?

**Màiri McAllan:** Scotland does not have the power to ban. The UK has recently decided to put its target back to 2035, having been in line with ours. It is still our aim to phase out the need for a new fossil fuel car by 2030, even if it is five years in advance of a UK ban.

**Douglas Lumsden:** You will encourage people to make this switch by 2030. If that is the case, will the charging infrastructure be in place by 2030 to enable people to make that switch if they want to?

**Màiri McAllan:** It is absolutely about encouraging people and creating the circumstances in which it is possible for people not to need to buy a new fossil fuel car.

I accept that growth in the charging infrastructure will be required to support the transition towards zero emissions vehicles. Currently, as you will have heard me say a number of times, we are in a good position. Department for Transport statistics recently restated that Scotland has the second most comprehensive public charging network in the UK, outside of London. We have invested tens of millions of pounds in that. My colleague Fiona Hyslop recently announced our new vision for public charging in Scotland, which looks to take us to 6,000 public charging points by 2030, with £60 million of investment, some of which will be public investment, some of which will leverage in private investment. *[Màiri McAllan has corrected this contribution. See end of report.]* We are in the early days of working with local authorities on their plans and how to do that.

**The Convener:** Sorry, I am going to be a little bit difficult here. This item is about the vehicle emissions trading scheme and Douglas Lumsden has neatly segued into the subject of electric vehicle charging points. The cabinet secretary has been minded to answer, but I think that you are pushing a wee bit on the envelope of the agenda. It would be helpful if I could drag you back gently to the trading scheme.

**Douglas Lumsden:** Convener, I was just trying to work out how we would get to the scheme that is laid out in front of us, but I will stop there.

**The Convener:** Thank you. As there are no more questions, we will move on to item 3, which is a debate on the motion calling for the committee to recommend approval of the draft Vehicle Emissions Trading Schemes Order 2023. I invite the cabinet secretary to move the motion.

*Motion moved,*

That the Net Zero, Energy and Transport Committee recommends that the Vehicle Emissions Trading Schemes Order 2023 [draft] be approved.—[*Màiri McAllan*]

*Motion agreed to.*

**The Convener:** The committee will report on the outcome of the order in due course, and I invite committee members to delegate authority to me as convener to finalise the report for publication. Are you happy that I do that?

**Members** *indicated agreement.*

**The Convener:** Thank you, cabinet secretary and your officials, for attending.

09:34

*Meeting suspended.*

09:37

*On resuming—*

## **Circular Economy (Scotland) Bill: Stage 1**

**The Convener:** Our next item of business is an evidence session with local authority leaders and waste management stakeholders as part of our stage 1 scrutiny of the Circular Economy (Scotland) Bill. I welcome Sarah Boyack and Murdo Fraser, who are joining us. I am sure that there will be some questions from them at the end of the session.

I welcome, on our first panel, Stephen Freeland, policy adviser for the Scottish Environmental Services Association; Drew Murdoch, chair of the Resources Management Association Scotland; Councillor Gail Macgregor, leader of Dumfries and Galloway Council and environment and economy spokesperson for the Convention of Scottish Local Authorities; Silke Isbrand, policy manager in COSLA's environment and economy team; and Rhona Gunn, who is here in her role as the portfolio lead for waste management at the Society of Local Authority Chief Executives and Senior Managers, although she is also deputy chief executive of Moray Council, with responsibility for economy, environment and finance. Thank you for joining us today.

Before we go any further, I ask members whether they want to make any declarations.

**Jackie Dunbar (Aberdeen Donside) (SNP):** I declare my interest as a former local councillor at Aberdeen City Council. I was still in that role at the start of this parliamentary session.

**Douglas Lumsden:** I was also a councillor at Aberdeen City Council at the start of this session. That is declared in my entry in the register of members' interests.

**The Convener:** Thank you very much.

We have allowed just over an hour for this evidence session, and we have a series of questions. It is quite a big panel—five people—so you might not all get to answer all the questions that are asked.

I will start off with an easy question. I warn Gail Macgregor that I will come to her first, and if anyone else wants to come in after that, they can raise their hand. What are the key areas in which a circular economy strategy and national targets could help local authorities and the waste management sector?

**Councillor Gail Macgregor (Convention of Scottish Local Authorities):** Good morning,

members. I am having connection issues. If I vanish, I will be back as quickly as I can.

The crucial thing to say is that local government very much welcomes the bill, which will give opportunities for local authorities to better manage, in particular, our waste—

**The Convener:** Can I pause you for a moment? Probably as a result of my firing tank guns in a previous existence, I am quite deaf and am finding it quite difficult to hear you. Can we turn the volume up a wee bit? I am sorry to interrupt you.

**Councillor Macgregor:** That is fine. Is that better?

**The Convener:** It is getting better.

**Councillor Macgregor:** Is it better now?

**The Convener:** That is perfect. I can hear you now.

**Councillor Macgregor:** Excellent. You have thrown me completely off track now. [*Laughter.*]

As I said, local government very much welcomes the bill, which will give us great opportunities to consider the way in which we manage, in particular, waste. For us, the crucial thing will be the co-design of the strategy and implementation. We need to look for the opportunities. Crucially, behavioural change among individuals in the communities that we serve will be pivotal, as will communicating and consulting with them to find the best way of doing things.

We have some issues with various parts of the bill, but our board widely welcomes the direction of travel. If the committee would like specific detail, Silke Isbrand and Rhona Gunn can provide that. I am sure that the debate will open up into more specific areas as we go forward.

**Stephen Freeland (Scottish Environmental Services Association):** From a waste management industry perspective, we are very supportive of the bill. It provides the opportunity that we need to make a step change from the stagnating recycling rates that we face at the moment. We hope that the bill will help us to get things back on track.

We welcome the proposals for a strategy, but we would like the economic arguments to be brought in. The circular economy strategy should not involve only environment divisions or departments; it should be more closely aligned with economic opportunities, including job opportunities, and boosting the economy. We would like a broader church of various departments to be involved in putting the strategy together and influencing decision making elsewhere.

**The Convener:** I will pose another question, which will be very easy to answer. On a couple of our visits, people complained that all 32 local authorities across Scotland have different recycling schemes, with different bins to match those schemes. Should we have a cross-Scotland approach so that, when I go from one place to another, I know what to put in my bins, with all the bins being the same colour or consecutive colours?

**Rhona Gunn (Society of Local Authority Chief Executives and Senior Managers):** It is a fair observation that schemes and approaches vary across the 32 local authorities in Scotland, but that is because demographic challenges and geography are significant factors in how waste collection systems are constructed and managed. There are certain waste collection processes that work in an urban environment. For example, kerbside collection is suitable in locations such as Elgin, but it does not work in a city environment, where there simply is not space on the street to have a selection of seven different bins for different recycle. Particular challenges arise from rurality, particularly on islands, and from communal settings. The differentiated approach across Scotland has arisen largely in light of those issues.

One of the aspirations in the code of practice is to introduce a degree of standardisation when local authorities agree that that would be helpful in addressing the challenges that they face in a particular area, but the idea of local by default is a crucial element of the Verity house agreement. We are all conscious that, above and beyond everything else, we have to meet our local needs and ensure that consumers and businesses can dispose of their waste in a way that works for them.

09:45

**The Convener:** I am slightly struggling to follow that. I understand that local is important, but surely it would be better if we all knew exactly what we were to put in each bin and the number of bins was reduced. I think that there are fewer bins in Edinburgh and that multirecycling is possible. I know that you have to be lucky to have recycling bins in Moray; not everyone has them. There is a plethora of colours for the bins, and the colours might be different from those used by other councils. Do you accept that that is wrong? Instead of recycling all the bins, we might have to put a sticker on them saying, "This is blue" or "This is green", so that we all use the same system. I do not know what the solution is. Rhona Gunn, do you want to come back in briefly?

**Rhona Gunn:** Some local authorities operate a commingled system, and some offer greater

kerbside segregation, but kerbside segregation does not work in all settings. As I said, it does not work nearly as effectively in communal settings, and it is difficult to pick up seven different bins in a rural environment in a cost-effective way. Different challenges must be accommodated in the waste management systems that are set up by each local authority.

I think that everyone is signed up to having standardised systems in so far as they meet local needs, but local needs dictate elements of our waste collection processes. At the moment, quite a significant emphasis is placed on rationalising our kerbside collection processes, but there is an argument that commingled collections might work more effectively in some settings.

Collectively, we want better evidence to be collated of what works well in some areas and what works less well, and why, so that when we embark on co-production of the code of practice, which is the objective of COSLA and the Scottish Government, we do so using an accepted evidence base.

**Ben Macpherson (Edinburgh Northern and Leith) (SNP):** On the thematic point about the balance between standardisation, commingling systems and kerbside segregation, we heard evidence on our visit to a recycling centre that it would be most helpful if waste was segregated into three groups: glass, plastic and metal, and paper and cardboard. Would such standardisation across the country, at least at a high level, be a useful and consistent approach that could lead to higher recycling rates?

**The Convener:** To whom is that question directed?

**Ben Macpherson:** I do not know whether Rhona Gunn wants to come back in, given that she has been speaking about that, but I am interested in the views of Stephen Freeland and Drew Murdoch, too.

**Drew Murdoch (Resources Management Association Scotland):** I am happy to add to what has been said. I understand what Rhona Gunn said—she made some valid points—but we should consider where recycled material goes: the end destination.

For example, there is no point in having commingled collection if there is no facility in the area that can separate commingled materials. It is all kerbside collection at the end of the day. We can look at single sources, but, if we are talking about the circular economy, keeping things local and so on, we must identify where the material is going and how it needs to be delivered to the plant, so that the system can be tailored, with things being as close as possible. If you were collecting cans, plastic and glass in Aberdeen but

the plant that could separate the material was in Livingston, you would be trucking it to Livingston, which would be a nonsense, because you might be bypassing three or four facilities that could take plastic and metal, so glass should be kept separate.

Fundamentally, we need to consider where the material is going and which facilities and plants can sort it as best as possible, and we should then work back from there.

**Stephen Freeland:** On the points that have been raised, we are very supportive of the bill's provision relating to consistency of collections. It is important to try to standardise the range of materials that are collected—that is probably the primary point—and then we can try to, where we can, standardise the means of collection. However, for the reasons that Rhona Gunn identified, there will probably be a bit of variation between different areas.

It is not just about collection. We should not collect stuff just for the sake of collecting it, as Drew Murdoch alluded to. We need to think about what is further downstream and the configuration of the material recycling facilities. Are they designed to take certain materials? The vast majority of those facilities are getting a bit old, so this is probably an ideal opportunity to consider how they will align with consistency of collections. Upgrades to existing facilities will probably be needed, or new ones might be built to spec.

The greatest issue concerns the demands of the end market for reprocessing. Once the material has been collected and sorted, we should consider the reprocessing before the raw material can be put back into the economy. What specification is needed? We should design the system around all those different factors, rather than just thinking about front-end collection.

**The Convener:** Rhona Gunn, do you want to come back in?

**Rhona Gunn:** I do, but only to endorse the point about how crucial the market environment is in which local authority waste collection systems operate. Access to local processors and reprocessors, as well as the way in which our processes interact with what is a very dynamic recycling market, is crucial in relation to the impact on local government finances. In Moray Council, whether our recyclate income is positive or in deficit depends on how the markets are performing. Those are crucial points to consider when thinking about our approach to standardisation. We have to do an element of forecasting of how markets are anticipated to perform in the future, so that we design systems and processes that play to that anticipated future position.

**The Convener:** We heard that, if we put a value on the stuff that is recycled, the industry will ensure that it develops that market.

**Monica Lennon (Central Scotland) (Lab):** Good morning, panel. Councillor Macgregor, you opened your remarks by saying that there are opportunities with this bill, and you mentioned the importance of co-design, implementation and strategy. With that in mind, I am keen to hear how else, aside from their obligations and role with regard to waste management, local authorities can contribute to a circular economy. Stephen Freeland touched on the economic side when he talked about jobs and local opportunities in that respect, but what other examples and opportunities do you see here? For me, planning and public procurement come to mind, but as far as the more granular co-design work is concerned, what other issues would you like to see covered in the bill?

I will bring in Councillor Macgregor first, but I am keen to hear from others.

**Councillor Macgregor:** Good morning. As I have said, I think that there are a lot of opportunities here, but we need to be mindful of the fact that some areas will be slightly problematic for local government. As we work through the design of what is set out in the bill itself, which is our target, we have to remember that much of it is about waste. There is no getting away from that. Other elements are welcome and will be valued, but from our perspective, waste is the area that we are very much focusing on; indeed, we have focused on that in our submissions, too.

For us, the key thing is to work very closely with the minister. We have had that commitment, and I have indeed met her on a number of occasions. I think that there is a genuine desire for co-production and partnership in developing the bill's strategic operational elements. We are mindful of the potential for penalties for local government, which obviously is problematic for us, but as I have said, we need to try to introduce behavioural change within our communities. On the waste issue, the key thing that we have found all along the way is that if we can take our communities with us, they sign up to things very quickly. People get very exercised about getting their bins emptied, whichever colour the bin might be.

There are a few things that we still need to iron out in the waste area—we will probably come to funding at some point—but I think that the opportunities that are there, how we bring private business with us and the responsibility of producers will all be incredibly important. I think, therefore, that co-production with the minister and other partners will be vital—it will get us to where

we need to be—but there has to be a genuine desire for it.

**Monica Lennon:** Thank you. Silke Isbrand, do you want to add anything?

**Silke Isbrand (Convention of Scottish Local Authorities):** Thank you. I absolutely support what Councillor Macgregor has said. At this point, I might just remind you about a waste think piece that we produced some time ago and in which we pointed out that the council kerbside collections tie into the whole post-collection picture. Indeed, that was referred to earlier.

We have a huge opportunity to have, through co-production, a very constructive discussion to ensure that all of these processes tie into each other. Rhona Gunn referred to it earlier when she talked about what happens to materials at the end of the collection, whether it be going through MRFs, into energy-from-waste facilities, to different sorting facilities or to local markets. At the moment, what local government is missing a little bit is any certainty about which materials would create which income streams or which materials, if they were more separated, would have local markets. Co-production presents a real opportunity to tie up some of those connections more tightly.

**Monica Lennon:** Thank you. Does anyone else want to add to that? I have a brief supplementary question, but are there any other points on public procurement? I know that lots of challenges arise, particularly with regard to behavioural change, when we start to think of all of the aims of a circular economy. Could, say, procurement be a useful tool for local government? Is there anything else you want to add in that respect? Maybe Rhona Gunn can contribute, but if not, that is fine. I did not want to miss out anyone online—it is sometimes hard to see if people want to answer.

I will move on to the disposal of unsold goods. Have you seen in your provision of services to businesses any evidence of unsold goods being disposed of? Perhaps Stephen Freeland or Drew Murdoch could come in at this point.

**Stephen Freeland:** From my reading of the bill, I think that this provision is more likely aimed at retailers and such like, but we support it. The focus should be on the higher-carbon impact material such as food waste and textiles, because although those waste streams account for a relatively small proportion of the total weight of all the waste that we produce, they represent over 30 per cent of our carbon impact. It is ludicrous that such materials are being landfilled if unsold. There are also electrical items, which use valuable rare earth metals and such like.

We would definitely welcome a lot more transparency around this. With the cost of living

crisis, there must be better opportunities to divert this material elsewhere.

**Monica Lennon:** Thank you.

**The Convener:** Are those all your questions?

**Monica Lennon:** Yes.

**The Convener:** Perfect. I think that Jackie Dunbar has some questions that she would like to ask.

10:00

**Jackie Dunbar:** I will direct my questions to Stephen Freeland and Drew Murdoch, but if anyone online wants to come in, please raise your hand.

I think that you—or it might have been one of the online witnesses—said earlier that some waste is more problematic than others. How would you like to see that sort of thing tackled in the bill? We have not discussed it yet, but I would be interested to hear your views on single-use charging, too.

**Drew Murdoch:** Just to clarify, are you talking about single-use vapes and such like?

**Jackie Dunbar:** We can discuss those, too. I was thinking more of single-use cups, but if you have an opinion on single-use vapes, I would be very interested to hear what you have to say about both.

**Drew Murdoch:** They should be banned. I do not know whether I am allowed to say that, though.

**Jackie Dunbar:** Cups or vapes—or both?

**Drew Murdoch:** Probably both. Inevitably, single-use cups will eventually end up in the general waste, so they will go to waste-to-energy plants. Their recycling value is not particularly great. Do we need them? Probably not. I am quite sure that, if they were not on offer, there would be some long-term multi-use solutions available. It is a bit harsh, perhaps, but a ban could be brought in. These things come from the coffee shop, they serve their purpose, they go straight into a bin—which, generally, will be a street bin if the coffee is to go—and then they are taken to a waste-to-energy plant. It is a resource that is being produced, used once and then wasted.

I do not agree with these things on a technical level, and I think that there are probably better solutions. The manufacturers of the cups might not agree, but that is a different matter. In any case, I think that single-use items should be targeted, as I do not think that there is a need for anything to be single use.

**The Convener:** You did not answer the question with regard to vapes, which you offered

an answer to. It might come up later. I understand your point about single-use cups, but vapes are an easier issue, because they are dangerous, too, are they not?

**Drew Murdoch:** Yes, indeed. Looking at this from a health perspective, I should say that I do vape, and it is slightly better than smoking 60 a day. However, it is also addictive, so I am trying to kick it. Again, I do not see the point of single-use vapes; I use the refillable ones, and given that the option is available, they should be the first point of call.

Perhaps there should be a deposit return system for them. There are enough vape shops about, so there could be a take-back scheme along those lines, with shops dealing with proper waste contractors to dispose of these items in a sensible manner. That would work with the single-use ones, too, and that might be a compromise, but again, a lot of resources are being used just to make them and then they are discarded. I therefore do not agree with them on a technical level, either.

**The Convener:** Jackie, do you mind if I push on that a wee bit or would you like to do so?

**Jackie Dunbar:** On you go.

**The Convener:** My problem with single-use vapes is I see a lot of young people using them—indeed, young people who are probably too young to buy them. If you go into Inverness on a normal day after school you will see young people queueing up to buy them, and if they should not have been buying them in the first place, they are hardly going to bring them back for a return. You make an interesting argument, but it is not one that I hold with.

**Jackie Dunbar:** I think that the batteries are the biggest problem. My other half has used vapes since before they were even fashionable; it got him off smoking, so I do see the benefits of them. However, I think that single-use vapes are a totally different issue.

My next question was actually going to be about what you would ban. I think that I have already had Drew Murdoch's answer to that, so, Stephen, would you like to come in?

**Stephen Freeland:** Going back to the original question, which was about single-use charging, I see that there is a provision in the bill to charge for single-use items. Some of the rhetoric in the accompanying route map is on coffee cups; As Drew Murdoch has alluded to, the trouble is that it is difficult to recycle these items, and a charge, whether it be 10p, 20p or whatever, would not necessarily address that, because you would still have this item that you could not do anything with. Some items will need to be banned, and that will

be a harder ask, given the politics around such a move.

We have always said that some of the more problematic niche waste streams should fall under a deposit return scheme. I was not sure whether I would be escorted off the premises for mentioning that phrase—I do not think that I am allowed to use it any more—but it does have a value for problematic niche waste streams such as the small batteries in vapes. I think that the charge aspect needs to be looked at properly to ensure that it delivers a recycling solution.

**Jackie Dunbar:** We are talking about single-use items just now, but, aside from them, are there any other waste streams that you feel are problematic? I am also aware that we are always looking at consumers to do something when, sometimes, the manufacturers should be taking some responsibility.

**Stephen Freeland:** For us, the most problematic waste stream is anything with a battery in it. Things with lithium batteries in them are turning up in the wrong places and are causing fires on collection vehicles and in the plants. Even when the items go through an energy-from-waste process, the batteries come out the back end. We need far greater scrutiny and better measures in place for the proper return and recycling of items with lithium batteries.

**Jackie Dunbar:** Thank you.

**The Convener:** Before I bring in Monica Lennon, I think that Gail Macgregor is keen to make a contribution.

**Councillor Macgregor:** First, I entirely agree with you that single-use vapes have health implications for young people.

Stephen Freeland has probably covered some of the points that I was going to make. We will need to look to the consumer again for behaviour change—and preferably with carrots rather than sticks, initially. For example, when fees were first imposed on carrier bags in supermarkets, there was a bit of furore about that, but the public now generally accept that they will have to pay for a bag, or they will take one with them. Behaviour has changed in that respect.

As for disposable vapes, local authorities are now having issues as a result of fire risks, which Stephen Freeland referred to. Such risks are beginning to impact on councils' abilities to insure their mechanical biological treatment plants, with insurance fees increasing exponentially in some local authorities. The risk is very much wired into our waste strategies, with the additional cost that it incurs. I therefore think that councils would very much welcome some intervention in the single-use

vape space, because the items are becoming incredibly problematic and dangerous.

**Monica Lennon:** On the back of Jackie Dunbar's questions, I am keen to hear what the panel thinks about single-use nappies in the context of the Circular Economy (Scotland) Bill. We know that a small number of local authorities—North Ayrshire Council is the best example—offer a free-to-access reusable nappy scheme. That helps with environmental issues in reducing landfill and with the cost of living. Maybe that feeds into the behaviour change that Councillor Macgregor spoke about. Could the bill help to reduce reliance on single-use nappies, to develop the supply chain in Scotland, and to get the behaviour change that the panel is talking about?

I will go to colleagues in the room first. COSLA might then want to give a view on that.

**Drew Murdoch:** I could give my opinions. My opinions are not necessarily the opinions of the RMAS—I joke.

It is about behaviour change. If you look to the past, you will find where our future is—I am a great believer in that. Thirty to 40 years ago, there was no such thing as a single-use disposable nappy. I am quite sure that our parents and grandparents and such like used the towelling ones, stabbed the child with a safety pin, and flushed the waste down the toilet.

Nappies in the waste industry are horrendous things. They waste energy. I do not know how many nappies go through the waste cycle daily. It is about behaviour change. I am not an expert on how to change people's behaviour, but the society that we all live in today is very quick, and what is quick and easy damages the environment. That applies from pre-packed food in supermarkets to pretty much the way that we live our lives. It is about behavioural change. That should probably start at school, and it should go right through the education system.

I am not entirely sure how to incentivise, but I am quite sure that the big nappy brands would be very unhappy about any changes. That is a very good point, and that is something that should be forced on people.

**Stephen Freeland:** There are targets relating to reducing and reusing in the bill. Maybe the secondary legislation will want to target that.

Nappies are a huge issue in respect of contaminating the recycling. People put them in the recycling. The trouble is that the message that we send out to people is, "Recycle as much as you can." Quite often, people simply do not understand what can and cannot go in the blue bin, so they contaminate recycling coming through

the system. Unfortunately, a whole batch could be contaminated by nappies. We should embrace and adopt anything that we can do to use the reuse option.

**Monica Lennon:** Okay. I am keen to go to Councillor Macgregor. Purchasing cloth or reusable nappies can be quite expensive for families, and I understand why people would go to a supermarket and buy the alternative. On the schemes that I am talking about, the North Ayrshire one is free for residents to access, and the council says that it is cost neutral because of the landfill cost savings. I understand that there is now a waiting list. It is encouraging that there is demand for those products, but local authorities are maybe struggling to keep up with that demand right now.

I am keen to bring in Councillor Macgregor.

**Councillor Macgregor:** I am not particularly familiar with that scheme, but it is a good example of what councils can do about recycling or reuse in an innovative space. As you have said, nappies are a huge issue.

I had three children under 14 months old at one point, so I am, I am afraid, very familiar with single-use nappies.

It comes down to making it easy for parents or carers to dispose of or reuse nappies and financially incentivising that. A huge amount of responsibility for that sits with the producer. That is the case with many of the things that we are discussing today. We can deal with things at the waste end, but what are producers and companies doing to get behavioural change at the front end? As we all know, producers and companies are about profit. We are about public service. Until we can get them to become a bit more responsible in many ways—whether in relation to packaging in supermarkets or single-use nappies—we will have to deal with the end part of the process. However, councils are very innovative, and other councils should be looking at such schemes and replicating them. We are very good at benchmarking and seeing where there is good practice elsewhere.

**The Convener:** Does Silke Isbrand want to come in?

**Silke Isbrand:** Yes. Thank you, convener. I want to add to what Gail Macgregor said.

I welcome the question that was posed, on whether we should look beyond the consumer to deal with all the challenges that we face. To go back to what we said in our think piece, we are very keen to see interventions earlier up the chain. Schemes such as extended producer responsibility schemes and producer take-back schemes are very effective mechanisms in

ensuring that responsibility for what becomes waste is taken by producers or distributors.

10:15

We are currently very much involved in extended producer responsibility for packaging. The system is a UK-wide one, but we already have a model of how those things can work. Some of the problematic material has been flagged up—for example, mattresses.

I will give another example of the difficulties that local authorities currently find themselves in. Persistent organic pollutants are found in soft furnishings. Separating them from the waste stream and dealing with them differently produces enormous costs. A huge cost arises for local authorities there and therefore for the taxpayer. That issue could be addressed much further up the chain.

**Ben Macpherson:** I will move on to a related, but slightly different area. You will appreciate that, when some stakeholders have engaged with us in the bill process—businesses in particular—they have been cognisant of considerations about alignment to a UK-wide approach where possible when powers in the bill are to be used. They have been mindful of the situation with the deposit return scheme and the United Kingdom Internal Market Act 2020. Do any of you have any feedback that you would like to share with the committee on whether regulatory divergence within the UK affects your sector? Is there anything that you would like to bring to our attention in that regard?

**Stephen Freeland:** Regulatory divergence is a problem for the industry in relation to business continuity, planning and such like. The big change for us will be under extended producer responsibility. We are all pinning our hopes on EPR being the big step change that will improve the recycling situation. I think that that has been led at the UK level and that the Scottish Government has heavily tapped into that.

From another perspective, Scotland is a small country, and the amount of waste that we produce and materials that we present to the market is quite small. This feeds into some of the discussions that we have already had about consistent collections, for example. Producing as much material as we can in a consistent, bulked-up state makes that material more attractive for the reprocessing markets and attracting investment.

Not all the investments and not all the facilities that we will build will be local. Some will be national. We do not need a plastic reprocessing facility in every local authority area, although some things relating to reuse and repair might be a bit

more local. Therefore, we need to be conscious of the national picture.

We also need to keep an eye on what is going on in Europe. For example, we want to ensure as much parity as possible across the board in respect of a plastic tax. A plastic tax might be higher elsewhere. It might suck plastics from the UK off to Italy or Spain, where there is more of an incentive to get recycled plastic. We need as much consistency across the board as possible where that can be delivered.

**Ben Macpherson:** It is interesting to hear your thoughts, because a lot of considerations around alignment—whether in the European Union or the UK—are about producer responsibility and products being sold in the market. However, you are saying that the ability to trade waste that comes from the processes into other markets is also something to be cognisant of in the bill's process and implementation.

Does anyone want to add anything to what Mr Freeland said?

As they do not, I think that we can move on, convener.

**The Convener:** I do not see any raised hands, so we will move on. We now have questions from Douglas Lumsden.

**Douglas Lumsden:** Does everyone agree with the need for increased enforcement measures, which I guess would lead to the potential for households to be fined for misusing waste collection services? That may be a question for COSLA first.

**Councillor Macgregor:** Good morning, Douglas. We are slightly concerned about penalties. As I have consistently said, we are trying to encourage behaviour change and certainly would prefer to use the carrot rather than the stick. We have issues around blocks of flats where there are shared bins and with streets, where we do not know who has put waste into what bin. Penalties for households could be quite punitive. For example, you might be living in a block of flats and recycling to the absolute letter but, if your neighbour chucks something into your bin, you might end up being penalised for that. Obviously, that is the worst-case scenario, and I think that local councils would take a lighter-touch approach.

Also, anything that involves enforcement involves manpower and additional resource. There are a lot of complexities around enforcement and certainly we would not be pushing down that route as a preference at this stage. Rather, we would be trying to ensure that we have the right processes and vessels in place to make people aware of the change that they need to make. Enforcement is

fine when it comes to fly-tipping, but household enforcement would be very punitive.

**Rhona Gunn:** As Gail Macgregor said, this area raises a number of concerns. I have quite frequently heard concerns about the risk of creating a two-tier system. For standard urban dwellers, avoiding household waste contamination and recycling appropriately might not be problematic, but for some of our more complex households that are probably wrestling with cost of living challenges and other challenges within the family environment, contamination is probably much harder to control. Do we want to introduce financial penalties into that sort of environment?

I understand that, when financial penalties were introduced in England, that was not seen to drive a step change. It is important that we learn lessons from what has been tried elsewhere about what has been successful and less successful. First and foremost, it is behaviour change that will drive changes in kerbside recycling and the contamination of waste by householders, rather than the imposition of penalties.

**Stephen Freeland:** Obviously, I do not have to worry about local politics, which is a strong issue for some colleagues on the panel. However, we are supportive of the measure in the bill. It is another tool in the armoury, and it should be used sparingly and as a last resort. Contamination in the material supply chain is a huge issue. Some loads that turn up at material recycling facilities can be 20, 25 or 30 per cent contaminated, due to either the wrong material being in the wrong container or just a non-recyclable item altogether. Therefore, householders play an important role. They are at the front of the supply chain issue, with four or five actors, or stages, beyond them. We need to get things right at the very front end and make sure that people put the right thing in the right container.

As an aside, householders have a duty of care to ensure that, if they are doing a kitchen conversion or something that produces a lot of waste, that waste goes to an appropriately authorised person rather than being fly-tipped. That is an existing duty on householders, and I think that the suggestion is that there might also be a penalty if they fail to do that. Again, as a last resort, that should be there.

Since the pandemic, white van man has infiltrated the household waste market, or there has been an increase in that. Traditionally, fly-tipping was about commercial industrial waste. People are now doing leaflet drops in streets and saying, "The council services have been disrupted over the pandemic, so we'll take your waste—don't worry about it," and it is being fly-tipped. Householders are a lot more aware of environmental issues now, and they are aware of

fly-tipping. If an offer and price are too good to be true, fly-tipping is the reason for that, so it is time to move into that space.

**The Convener:** We will come on to fly-tipping in more detail later.

Drew, can I take you back to the bin police, if that is what we are on?

**Drew Murdoch:** I was going to reiterate what Stephen Freeland said. For the bins, fines would be a dangerous area to go to—it would be a slippery slope—but I would like something to be put in place for householders who are hiring white van man to take away their hedges, baths and mattresses. A modicum of responsibility should be put back on the householder for that type of material.

In many cases when stuff is fly-tipped at the side of the road, even when the Scottish Environment Protection Agency is successful in getting the name and address of the householder, the householder says, “White van man took it away for 50 quid—it’s not my problem.” SEPA has lost those cases. If there was a mechanism to enable that to come back to the householder, so that there was a financial penalty for not fulfilling that duty of care properly, that would be very worth while.

**Douglas Lumsden:** Let us move on to fly-tipping then. Is it too easy for white van man to get a licence to carry waste? Does that all need tightening up?

**Drew Murdoch:** I believe that a waste carriers licence involves an online application and that there are not really any background checks or anything like that. You just click the button, pay the money and get your licence.

**Douglas Lumsden:** Does the white van man who is doing this and fly-tipping even have that licence, or does he not even bother with that?

**Drew Murdoch:** Probably not. The ones who are looking to project a credible facade might have a licence, but a lot of them will not.

**Douglas Lumsden:** How do you recommend tightening up that process?

**Drew Murdoch:** RMAS sits on the board of the waste crime group. At the most recent meeting, which was a couple of weeks ago, we asked for vehicles that are registered through a waste carrier to be liveried. I would say that white van man should not exist and that every vehicle should be liveried. Every reputable company in the waste industry has its name on its door. They have their names emblazoned all over their trucks and skips, because it is an advert.

The point also applies to the larger waste crime element, which is usually done with a white

vehicle, stolen skips and large trucks, all of which are all unmarked—they are white and bland. We have put it to the waste crime group, through the traffic commissioner, that the law should say that vehicles must be liveried. That would mean that, if somebody does something wrong, it would be easy to spot and identify—there are enough closed-circuit television cameras around the countryside now. I do not mean having the name printed on it in 1-inch writing in the back corner that no one can see—it should be properly displayed. That would go a huge way to preventing fly-tipping. I do not know whether you could link that with the waste carriers licence—it is for you and SEPA to come up with a plan for that—but it would bring about a massive step change.

**Douglas Lumsden:** I want to go back to your point about somebody who has paid 50 quid and says, “Oh, it’s not my responsibility any more; it is someone else’s.” That still needs to go back to that person. If someone has not given waste to a proper person to be disposed of properly, it is still their responsibility.

10:30

**Drew Murdoch:** Indeed. That is where penalties should be administered to the householder. There is a different conversation about the bins outside their house, but certainly there should be penalties for that aspect.

**Douglas Lumsden:** This might be a good time to go to COSLA. Do local authorities have the required resource to police fly-tipping?

**Councillor Macgregor:** The very easy answer is no, absolutely not. Fly-tipping is a particular problem across Scotland. We would probably welcome tougher enforcement and maybe tougher laws, particularly on white vans. Councils are very good at managing their household waste recycling centres and commercial waste, and are looking at creative ways of managing that but, at the end of the day, we have limited resource for meaningful enforcement, alongside SEPA and other partners, including the police. Often, when we contact the police, they will have nothing to do with it and we end up clearing up the mess, which is a cost. Enforcement in the first instance and tightening the law would be very much welcomed. It is a huge issue.

**Douglas Lumsden:** You say that you do not have the money to enforce it, but you have to deal with it. You have to spend money on clearing up other people’s mess. Is there not something you could do to try to switch some of that spend to more enforcement as opposed to having to clear up?

**Councillor Macgregor:** I suspect that that would work more easily in urban areas, but in a rural area such as mine—as you know, Stranraer to Langholm is a very big stretch—the cost would probably outweigh the pick-up costs. In a region such as ours, you would need more than one individual to be able to do that, so we are getting into significant costs. There is a balance, and we just clear up when waste is dumped. We would rather front-load it and put the funding into resourcing enforcement, but we just do not have that capacity in councils—actually, we do not have that many staff.

**Douglas Lumsden:** Thank you. I do not know whether anybody else wants to come in.

**The Convener:** A lot of members want to ask questions on the back of this, so I will bring in a couple of members and see if we can throw their questions together. We are quite short of time. I will get Jackie Dunbar to ask her questions and Bob Doris can come in with his question at the same time.

**Jackie Dunbar:** No problem, convener.

My question is about the current level of fines for fly-tipping. I was going to ask whether they are high enough, but I probably know the answer to that already. Do they act as a deterrent, and do they cover the cost of removing the dumped waste?

**The Convener:** Before anyone answers that, Bob, do you have a linked question?

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** We can roll them together due to time constraints, convener.

My question is on whether the data on fly-tipping is robust. In my experience, there is almost hidden fly-tipping. Local authorities across the country have bulk uplift charges, which can be prohibitive at times, so local residents often put their household waste—such as old baths, cookers and televisions—beside communal bin areas, but those are not covered by the local authority's uplift policy. That is eventually deemed to be fly-tipping and is collected at a cost to the council. Is that captured in the data? Scottish Government stats refer to 60,000 annual incidents. Is that an underestimate? Do we have a clear definition of what fly-tipping is?

I know that there are time constraints, convener, but it is important to ask that.

**The Convener:** In the evidence submitted to the committee, we heard that the fine should be the cost of clearing up times five, I think. Some people might suggest that it should be the cost of clearing up times 10. Who wants to come in on the cost and who wants to come in on helpful people

putting stuff next to bins when it is not covered by bin removal?

You cannot all look away. Gail, do you want to try the cost recovery bit? Are the fines big enough?

**Councillor Macgregor:** I suspect not, otherwise they would work. I will turn to Rhona Gunn, because she might have a bit more information on the data and the cost implications. However, you can impose any level of fine but, if it is not enforced and the messaging does not get out there that people are being fined, that is not preventative. There would need to be a campaign in a local area saying that a number of people have been fined the maximum amount and that, if people do it, they will be caught and fined. If we cannot get to that stage, we will not get the behavioural change. We need the support of the police and SEPA on that as well. I have to say that, on occasion, we do not feel that we get that collective support.

**The Convener:** Rhona, over to you. Moray Council has a huge record on dealing with fly-tipping. Are the fines enough? Or perhaps it does not have a huge record.

**Rhona Gunn:** We have an issue with fly-tipping, as all areas do, but it is not a massive issue in terms of money. However, it is fair to say that the fines are not enough. They are not high enough to act as a disincentive to white van man, and that area definitely has to be looked at. As has been alluded to, we also have to look at the wider costs of enforcement, because it takes resources to cover a large area and gather credible evidence of fly-tipping. Any enforcement system has to be fully resourced to be effective.

I am afraid that I do not have statistics about the extent to which materials are classed as fly-tipped when they have been placed for uplift alongside standard collections. People do that because of views that bulky items uplift charges—most local authorities are now having to levy those rather than providing free services—are unaffordable. To me, that takes us back to the point that, to have a system that works, local authorities have to be resourced fully to operate an enforcement system effectively, and fines have to be at a level where they are an active disincentive to those who carry out this illicit trade.

**The Convener:** No one has actually dealt with Bob Doris's question. Do you want to delve into that a little, Rhona?

**Bob Doris:** I think that Rhona Gunn did address it. In many urban areas, there is a prevalence of people putting household goods for disposal at bin locations, when those goods are not covered by local authority uplift. I understand that the waste sits there for some time and is then classified as

fly-tipping, and is uplifted at a cost to the local authority anyway.

We need to standardise data collection across the country to see the extent of the problem and, as Rhona Gunn said, find more efficient ways of tackling that issue. I think that Rhona agreed that it is an issue, but that we do not have robust data collection.

**The Convener:** Okay; I see Rhona nodding. Ben Macpherson, do you want to come in on it?

**Ben Macpherson:** Just briefly. We have heard in previous evidence that, particularly in urban environments, some of the most commonly fly-tipped items are sofas and mattresses, and it has been suggested that, if the bill could place obligations on providers of, say, new mattresses to take away the old ones, that would be of great assistance. If we were able, through the bill process, to enhance our system so that the producers and suppliers of those frequently fly-tipped materials in urban areas took responsibility for that waste, could we then move to a properly funded position in which, as Jackie Dunbar rightly suggested, miscellaneous bulky items placed around bins could be picked up free of charge by the local authority? That seems like the place that we want to get to, because a lot of the fly-tipping that is happening is because people are either unaware that they are fly-tipping, because they are just disposing of smaller items, or they find it difficult to either pay the removal of the items or get to the waste sites, which are usually on the periphery of cities.

**Drew Murdoch:** I can give you a couple of scenarios and a couple of suggestions that might help to answer the question.

The legislation around waste upholstered domestic seating containing fire-retardant POPs means that we are going to see a massive number of sofas at the side of the road in the countryside or lying about the streets. We do not really have the necessary facilities in place to deal with that. Those items have been banned from landfill for a long time, and SEPA will enforce that come the end of January, I believe. Our members face a dilemma, as they are looking at just saying, "We do not take them any more." That means that someone who is hiring a skip or a van for a clearance or something is going to have to deal with those items separately. I believe that Highland Council has also decided that it is not going to allow those items into its household waste recycling centres. There will be a massive problem for bulky waste uplifts in the future until there are sufficient facilities in place to deal with that material properly.

I get what you are saying about the idea of bulk uplifts being free of charge. I cannot speak for

amenity sites that I am not aware of but, in our area, an amenity site will not take a van in—it will be sent away. Not too long ago, a householder who had no knowledge of how the system works hired a van to clear out a relative's house and was turned away at the amenity site. They phoned us to see if we could help—they wanted to come and pay us to tip the material—but we could not technically let them in because, although they are a householder and are exempt from the duty of care regulations, they are not a registered waste carrier, because they had hired a van, so, if we had let them into our facility, we would have been in breach of our regulations. In the end, we had to dispatch a vehicle, transfer the material and bring it over. The point is that situations can arise in which people who are trying to do the right thing are blocked from doing it.

Maybe the amenity sites should look at having a charging mechanism for such things. Not everybody wants to put a three-piece suite or a bathroom suite in the back of their car, so they might want to hire a van. However, if they hire a van, they cannot get into the amenity site, so they might have to hire a white van man. We could be potentially putting blocks in the way of people who want to do the right thing. That may be something that is worth looking at.

**Ben Macpherson:** That is an important point.

**The Convener:** Yes, that is interesting.

Normally, when members have come to the committee to take part in a specific session, I let them ask their questions after all the committee members have asked theirs, but I suspect that Murdo Fraser's question is specifically on fly-tipping—I hope that it is. Murdo, I will bring you in briefly, and ask you to limit yourself to three questions at most.

**Murdo Fraser (Mid Scotland and Fife) (Con):** Thank you, convener. Yes, I have a particular interest in fly-tipping. I have a member's bill in preparation on the issue and I welcome in particular section 10 of the bill, which places an enhanced duty of care on the householder.

I will ask two questions, convener, but I will ask them at the same time, if that is all right. A lot of the questions that I would have asked have already been covered.

I will direct my first question to Councillor Macgregor from COSLA. Fixed penalty notices currently sit at £200, and I think that we all accept that is nowhere near the level that it needs to be to act as a deterrent. In its strategy—although it is not in the bill—the Scottish Government is suggesting increasing the penalty to £500. Is that enough, and is there some mechanism whereby the money raised could be recycled into greater enforcement? How practical is it to ring fence

money raised from fixed penalty notices to deal with the resource issue?

My second question goes back to what Drew Murdoch was just saying. When I ran my consultation on fly-tipping, one of the biggest issues that people raised with me was how restrictions on access to recycling centres were one of the drivers of fly-tipping. We have seen councils, usually because of budgetary conditions, reducing opening hours in recycling centres, closing them entirely or introducing queuing or appointment systems. That is not in any way an excuse for people fly-tipping, but you can see why—human nature being what it is—if you make it more difficult for people to legally dispose of material, they are more likely to fly-tip. To what extent is that a factor?

**Councillor Macgregor:** Good morning, Murdo; nice to see you.

On fixed penalties, I am not sure that anything would ever be enough to get us to where we want to get to, but £500 would certainly be better than £200.

Going back to my original point, the problem is with enforcement. It does not matter how much the fixed penalty is if we are not enforcing, catching and fining. If the message is not getting out that fly-tippers will be caught and fined, there is no deterrent. I think that the key thing here is that we require the resource to have all the mechanisms in place—CCTV or whatever it takes to catch people in the act—to enable us to enforce properly.

On ring fencing, there is precedent within local authorities for fees and charges that come into the council in relation to one issue being notionally ring fenced in the system for purposes relating to that issue. That has been the case in relation to the decriminalisation of parking and various other things, so, yes, that could drive more capacity in the enforcement area. However, the issue is that we need more bodies in our community safety teams and the other teams that are dealing with the issue on the ground and enforcing the situation.

10:45

On your question about fly-tipping and disincentives at household waste recycling centres, at the moment, Dumfries and Galloway Council is conducting a review of what the community needs, what works for people and what can be done to make it as easy as possible for people to access their recycling centres—councils across Scotland will conduct similar reviews at different stages.

Some recycling centres apply a booking system, which some believe is a bit of a disincentive

because people just like to turn up. We are looking at having a blend of approaches that work, but the key thing is to consult with our community and find out what is going to work for them and what the barriers are. For example, if some individuals cannot access an online booking system, we could perhaps put something in place in our customer service centres to assist with that.

Our approach is about trying to make it as easy as possible for the individual to get rid of their waste, wherever that may be. Finding out what the community needs and making the process as easy as possible for people must be what drives us. That comes back to your point about behaviour change.

**Murdo Fraser:** Thank you.

**The Convener:** Stephen Freeland would like to add something.

**Stephen Freeland:** Household waste recycling centres are in many respects an untapped resource. A large part of the progress in our recycling figures is derived from material that has come through the household waste recycling centres. When we talk about investing in new facilities, we focus on the big, shiny, high-tech stuff and quite often forget about the household waste recycling centres. I think that there is an opportunity to invest more in those and perhaps create regional super hubs that could have reuse hubs attached to them to make those more easily accessible. I think that, if people were encouraged to use household waste recycling centres and they were properly designed for ease of collection of materials, that would deliver a major boost to the overall recycling rate.

**The Convener:** Mark Ruskell will ask the next questions.

**Mark Ruskell (Mid Scotland and Fife) (Green):** I want to ask you about the charter for household recycling, which has been operating on a voluntary basis. What have been the challenges around implementing it? If we are to see a shift to more of a statutory code, what does the co-development around that look like from the point of view of local authorities?

I ask Gail Macgregor to answer those questions, because she mentioned earlier that sort of co-design and co-production with the minister.

**Councillor Macgregor:** There are some challenges around that. All the councils have signed up to the charter, anyway, so I am not entirely sure that there needs to be something that is even more vigorous and rigid. If we are going to work in true partnership with the Government to get the right system in place, there has to be a trusted relationship, and I think that that goes back to the issue of penalties for councils, too. If we are

co-designing and co-producing the circular economy bill and all of its moving parts in true partnership, we cannot be talking about penalties or stricter charters.

There is a real desire on the part of myself and Lorna Slater, the minister, to get this right, and we are working in that spirit. However, I am not sure how we do that if the end goal is that we end up in a position in which we could get penalised for something. To me, that is not true partnership, and I will impress that on the minister. Co-design has to be true partnership. Silke might have some more information around the specifics.

**Silke Isbrand:** Yes. Linking into what Councillor Macgregor has flagged up there, we do not think that the key issue is whether the code of practice is mandatory or not. Given that all 32 local authorities have voluntarily signed up to the charter, the key thing now is to get the code of practice right.

The committee has heard about some of the specific challenges around tenements and communal recycling facilities. The code of practice is to be reviewed, and we need to get the review right, so that we have an effective system in Scotland that also produces some of the balances that the committee has discussed: the balance between a degree of standardisation and a degree of being able to provide services that fit the rural and urban circumstances, the tenements and the non-tenements and so on.

The key thing is to get the code of practice right and things will follow from there.

**Stephen Freeland:** The code of practice was one of the provisions in the bill that we strongly supported. I think that there is a duty for local authorities and SEPA to be consulted on the code and so on. We are a bit concerned that the range of people to be involved is quite narrow. Local authorities do pretty much all the collection from the householders, but when the material gets passed on down the chain it goes mostly to our members in the private sector, who then process it and send it off to market. Therefore, I think that there needs to be greater recognition of the need for a wider consultation. Not every local authority is quite so clued up on where the waste ends up once it has been collected, and I think that a greater buy-in from and discussion with the wider supply chain would help ensure that the collection system is working at the front end and is fit for purpose.

**Mark Ruskell:** Thanks. I want to ask about the funding and investment environment. How do we build in certainty for investment in the infrastructure that is going to be needed?

**Stephen Freeland:** There are two issues there. One is getting the correct policy environment in

place to enable investment. We are in a bit of a hiatus at the moment in that regard. The deposit return scheme has been shelved, the landfill ban has been postponed and EPR is just sitting waiting. It is difficult for someone to put their neck out and make an investment decision until the policy landscape is fully established and confirmed. I cannot think of any other time when there are so many balls being juggled as there are at the moment and nobody knows what impact one part is going to have on something else.

The other aspect beyond the policy certainty and the landscape is getting quality material in the right quantity to be attractive for somebody who is looking to invest. As I mentioned before, Scotland is a small place with disparate local authorities, and we want as much of this tonnage as possible to be aggregated and brought to the market in a consistent standard. If that were the case, there would be more certainty to invest in the right recycling and reprocessing plants.

**Rhona Gunn:** Thank you for the question, which is a fascinating one. A number of things will be key to that investment piece. Local authorities need a significant lead time in order to plan their waste systems and processes effectively. A lot of the concerns that are being articulated around WUDS and POPs are due to the timescales that we are now having to try to react within. That lead-in time is going to be crucial.

The availability of accessible funding for local authorities is also important. The recycling improvement fund has helped many local authorities to introduce significant changes in terms of capital investment in their waste systems and processes at household waste recycling centres, the containers that they are using, the technology that they are applying and so on. At the moment, the RIF funding is due to end within a year or 18 months, so local government wants to know what the next stream of investment will come from, and whether there will be another iteration of the RIF funding.

EPR and its ability to contribute to funding has already been discussed at length today. The expansion of EPR to a wider stream of materials would certainly be indispensable in that regard.

Another key element is to ensure that the investment is backed by solid evidence that the changes under consideration will deliver the outcomes that are required and that those changes are piloted and tested in different environments, urban and rural, because of the different ways in which waste streams operate in those environments.

**Mark Ruskell:** Could EPR be a game changer in terms of the investment that is needed? What is the most important signal on finance to send to

industry and local authorities right now? *[Interruption.]*

**The Convener:** Rhona Gunn, your microphone is muted. Off you go—we will be able to hear you now.

**Rhona Gunn:** Thank you. I will blame that on the fact that I have joined via a browser. Perhaps it is just my ineptitude in using the unmute button.

The key thing is getting in the waste system and the waste hierarchy as early as you can. It is to your advantage if you can get in at the point when goods are being produced, generate income and support bring-back schemes and so on. That has to be a more effective way of dealing with the climate challenges that we are facing than only dealing with what ends up in the waste stream. EPR will be fundamental, and we need to look at how we can widen that to the difficult items that we have discussed already, such as mattresses and so on.

**Mark Ruskell:** Gail Macgregor, did you want to come in on that?

**Councillor Macgregor:** I do not have much more to add. We have been working with other local government associations across the UK on the extended producer responsibility scheme, but we do not know what that will bring in or where that can be utilised. A lot of work is still to be done around that particular aspect. It is very uncertain. We do not know what sums will be available for councils. Although we absolutely welcome the scheme—I think that it is imperative to get us to where we need to get to in our net zero journey—we must be mindful that there are many uncertainties around that particular element of the funding.

I want to reiterate that the partnership working is good, and I think that that will be sustained. We need to look at the opportunities. Financial penalties and all the challenges aside, this a positive step for local government and the entire country. We need to grasp the positives but be mindful of the unintended consequences that can arise as well.

I will make this my final point, as I think that we will be finishing this session quite soon. Our board met and discussed the bill recently. We would be very happy to feed in additional information on the back of the conversations that we had if the committee would find that helpful. I think it really important to hear what 32 council representatives from across Scotland have said and fed into this bill.

**Mark Ruskell:** Yes. That would be very useful, I am sure.

My final question is about local recycling targets. Are they necessary, and should we be looking

beyond recycling to other targets that reflect the waste hierarchy, such as reuse targets at local level? Is that something that local authorities would welcome?

**Councillor Macgregor:** Yes, and you will be delighted to know that Dumfries and Galloway's recycling rates have improved. That is great news; I am really pleased about that.

We also need to educate our communities about the meaning of recycle and reuse and the various other strands. Having targets for various things within local authorities would be very useful. We have a fantastic furniture project in Stranraer that gets quite a lot of its products from one of our household waste recycling centres. Those particular products are very much being reused.

There are some really good examples that we can use for benchmarking with other local authorities, which would be hugely valuable. We do not want to have to report things to death, but those targets are vital—if for no other reason than to let the public see how well we are doing or how much better we could be doing.

**Mark Ruskell:** Are there any other views on that?

11:00

**The Convener:** Stephen Freeland would like to comment on that. Briefly, please.

**Stephen Freeland:** I will be brief. I completely support the provision for local authority recycling targets. We only have to look at what is happening down in Wales, where targets have been instrumental in the progress that it has achieved. I would like that to be rolled out across the board.

My only reservation is the 2030 target that I think is being suggested. That seems to go against the grain in relation to the waste route map targets. We have had a collective panic that we are not meeting our targets. We need interventions as quickly as possible, so 2030 seems a bit further down the line. However, local authority recycling targets are probably one of the key things in the bill for us.

**The Convener:** Mark, are you happy with that?

**Mark Ruskell:** Yes.

**The Convener:** Thank you, Mark.

I will come briefly to Sarah Boyack. I gently suggest that you might want to try to trump Murdo Fraser by putting two questions to one person rather than asking lots of questions.

**Sarah Boyack (Lothian) (Lab):** Okay. That is very much appreciated, convener.

I have a question for Gail Macgregor about the estimates in the financial memorandum. There has been a lot of talk about the need for investment. Do you agree with the estimates? Given the huge variation in local authorities' current recycling rates—I think that three have a rate that is below 30 per cent and 12 have a rate that is above 50 per cent—where will the capital and revenue expenditure come from to invest in best practice?

**Councillor Macgregor:** Morning, Sarah—it is nice to see you. I think that it would be fair to say that the financial memorandum does not capture the full cost to local government, and we have made that fairly clear in our evidence.

On the cost of the revised code of practice and for kerbside collections, it is impossible for us to determine the cost in advance of revision. We cannot ascertain the full cost until we know exactly what the new systems will be. As I said earlier, there are some variables around what funding the extended producer responsibility scheme will bring in.

At the moment, no, we do not believe that the memorandum captures the full cost to local government. However, we will look at the undefined measures and the challenges and try to quantify that future funding with Government. A lot is being taken on trust at the moment, which could make things very challenging for local authorities.

I will pass over to Rhona Gunn or Silke Isbrand on the second question.

**The Convener:** I am just waiting to see who will jump in first. Rhona Gunn, it looks like you are jumping in first, whether you like it or not, because I am volunteering you to do so.

**Rhona Gunn:** Thank you. Sorry, but could you repeat the question?

**Sarah Boyack:** In the financial memorandum, do you agree with the cost estimates? To meet the targets, there will need to be investment in infrastructure—that could be in the form of vehicles, recycling centres, community recycling centres and reuse opportunities. There will also need to be revenue expenditure and staff-related investment. However, three local authorities have a recycling rate that is below 30 per cent and only 12 local authorities achieve a rate that is above 50 per cent at the moment. That is a huge gap. How do you bridge that gap, financially?

**Rhona Gunn:** I was thrown by the reference to a second question. Gail Macgregor has given you quite a comprehensive response to that, and I would support her response. There is consensus in local government that the financial memorandum understates the costs. There will be significant infrastructure costs and capital costs. There will also be staffing costs, which will vary

considerably according to economies of scale. For example, if you are running enforcement systems in an area like Glasgow, you will be able to achieve economies of scale that an area like Moray or Clackmannanshire could never achieve. There are real concerns about those costs.

In terms of future sources of funding, we await information about whether there will be any successor to the recycling improvement fund. That infrastructure funding has been very well received by local government and put to very good use, particularly by some of the larger authorities that have lower recycling rates, to try to produce a step change in their systems.

The challenge in costing the bill is that it is a framework bill. Therefore, elements of it—such as the code of practice—that will be significant determinants of the costs of delivering the bill have not yet been co-produced and co-designed. As Gail Macgregor said, that causes some consternation, because the framework will be sealed when the bill becomes legislation but all the work setting out the detail in a number of areas has yet to come.

Take the disposal of green waste as one example. Currently, most local authorities derive significant income from that waste stream, but there is a suggestion that that will become a statutory collection by local government. That aspect would be looked at when designing the code of practice.

A number of areas could significantly impact on costs for local government, but we do not yet have clarity about what their final designs will look like. I hope that that covers your question.

**Sarah Boyack:** That is very useful. The challenge is how that actually happens if this piece of legislation is to be successfully implemented.

You have mentioned compliance and awareness, which several people have raised today. What are the challenges and the opportunities in respect of the financial memorandum? I think that the money must be spent upfront before any income comes in. I do not know whether either Gail Macgregor or Rhona Gunn wants to come in on their estimates of the gap between expenditure and income.

**The Convener:** I call Gail Macgregor.

**Councillor Macgregor:** I will pass that to officers—I admit that I do not know the granular detail on that.

**The Convener:** Okay. I call Rhona Gunn—the fount of all knowledge—to be followed by Silke Isbrand.

**Rhona Gunn:** I was going to invite Silke to come in on this one actually, because—

**Sarah Boyack:** Silke Isbrand put up her hand.

**Rhona Gunn:** I am hoping that Silke can come in.

**Silke Isbrand:** Yes, I was offering to come in. I understand the question. On the gaps in the financial memorandum, we can be clearer about what the gap is with some aspects and less clear on other aspects. We have fed back our position to the committee on the financial memorandum.

We do not believe that enforcement costs are fully costed. We believe that those will be higher. I would also like to point the committee to your parallel discussion on the financial memorandum with three local authorities, in which there were quite complicated discussions around issuing fines, what percentage of fixed fines are being paid, what happens with the majority of fixed fines that are not being paid, where the money goes and so on. In general, we know that the costs for enforcement are slightly underestimated and that the penalties are unlikely to bring in the money that is required to run the full enforcement system successfully.

On the code of practice and changing the physical waste infrastructure, our problem, as Gail Macgregor has flagged up, is that we cannot comment on something for which we do not have the detail. We cannot comment on whether the £88 million figure that is mentioned in the financial memorandum as a figure set against costs for infrastructure changes is accurate, because we have not yet defined what the new revised code of practice would look like.

We do not know the costs yet of a future system because that system has not been defined. We also do not quite know how much money extended producer responsibility, for example, will bring in because the modelling of costs for certain local authority archetypes has not been finalised.

The uncertainty lies in two ways and, therefore, it is hard to comment on the size of the gap for infrastructure changes in relation to changing kerbside collection systems.

**Sarah Boyack:** That is very useful to get on the record. I visited a local authority and saw its fantastic new infrastructure. However, it had to fund that. Its comment was, "If everybody needs this infrastructure, we will need the supply chains and we will need the investment." That is not in the local authority budget, so the Scottish Government will need to step in. Thanks for your feedback.

**The Convener:** For the record, I noticed everyone on the screen nodding.

We have come to the end of this session. Gail Macgregor, I am delighted that you did not drop out during the session—I am glad that the connection has held up.

Thank you all very much for attending. Your evidence is very useful. There were some offers to provide additional information from you, Gail Macgregor, to the committee. We would like to see that, and I would be very grateful if you could send that to the clerks.

I will now briefly suspend the meeting to allow for a changeover of witnesses. I ask committee members to be back here at 11.15.

11:11

*Meeting suspended.*

11:19

*On resuming—*

**The Convener:** Welcome back. I am sorry for the slight delay. We will now hear from a panel of representatives from local authorities on the Circular Economy (Scotland) Bill. I am pleased to welcome Brydon Gray, team leader for waste management, Shetland Islands Council, and David McCulloch, head of recycling, streetscene and waste management for Glasgow City Council. I would like to be able to welcome Paul Wolverson, the service manager from environmental and commercial services at Moray Council, but it appears that his microphone is playing up. Therefore, he cannot contribute but he will listen to the session and will contribute through written answers afterwards.

Thank you all for joining us today. I am sorry that we are down to two from a cast of three. Interestingly, if we had had Moray Council, we would have had the council with the highest rate of recycling. It is disappointing that we do not. We still have the one with the lowest rate at the bottom end of the list, however, so there are important questions to answer.

Let us start off with a very easy question. What are the key areas where the circular economy strategy and national targets could support local authorities in what they do? Let us go first to Brydon Gray, please. *[Interruption.]* Do not say you are muted as well. I cannot see your microphone coming on. There we go, you are not muted. You are live.

**Brydon Gray (Shetland Islands Council):** Good morning, everybody. Sorry, could you repeat the question, please?

**The Convener:** Yes. What are the key areas where a circular economy strategy and national targets could help local authorities in transitioning to a circular economy?

**Brydon Gray:** Shetland has the lowest recycling rate, but behind that story we have the third-highest landfill diversion rate. That is purely

because of the district heating scheme that we run. If we are speaking about targets, it is important to remember that one size does not fit all. We have a recycling scheme that we run, and we try to extract the most valuable materials. When we ship a trailer off island, it costs £1,000 before it leaves the island, and every trailer will have a carbon footprint. That is why we target the high-value materials and ship them off island.

We are burning the leftover residual waste, which provides heat for around 1,200 properties around Lerwick, which is the capital of Shetland. That touches other social things as well, because the district heating scheme currently provides the cheapest form of heating. It is only 7.5p per kilowatt hour compared to electricity and oil, which is 30p. To that end, although our recycling target rate is low, we are providing heat for the properties in Shetland. That is my argument, I suppose.

**The Convener:** It is an interesting point that one size does not fit all, and we take that. David McCulloch, do you want to comment on that?

**David McCulloch (Glasgow City Council):** Good morning, everybody. I agree that targets and the direction of travel are important, but it is worth highlighting that any targets or objectives have to be realistic. They have to reflect the challenges and the design of each local authority. The 32 local authorities in Scotland are diverse. Even in the room today, we have representatives from one urban, one rural and one island local authority. Each one of those local authorities has its own challenges and its own operating model. Therefore, to compare them as like for like is not realistic, and there should be different levels of standards.

For us, recycling is important but it should not be the only thing. We should be looking, as Brydon Gray was saying, at the environmental impacts, the diversion from landfill, the reduction of food waste, and the carbon impact of our waste. It is hard to pick which one to focus on; there should not just be one or two. We should be looking at individual local authorities and what the different constraints and challenges are associated with them, and we should set realistic targets based on the wider environmental goals.

**The Convener:** Thanks, David. I am afraid that the next question will be directed at you because I suspect that what I have just heard from Brydon Gray means that it might not be relevant to Shetland. However, you can certainly come in if you want, Brydon.

What I have heard when I have been travelling around is that using different coloured bins in 32 different council areas to achieve the same result is not helpful and is very confusing. Would a

standard bin system across all of Scotland and a standard recycling package benefit Scotland?

**David McCulloch:** Standardising waste collection across local authorities would have a lot of benefits and merits. Standardising what we do across all local authorities allows consumers and residents to understand, no matter where they are in the country, how to recycle. We should try to keep it simple for them; I am all for that. It would also allow commercial companies to invest into the infrastructure that is needed to support the collection, because they would know that they will have a consistent and continuous waste stream coming into their facilities.

One thing that is challenging and one of the challenges we have in Glasgow is different types of housing. Having a standard bin collection system for kerbside properties across the country makes a lot of sense. It is easy to install and easy for people to use. People in those households have responsibility for their bins and the system is easy to enforce. The challenge that we have in an urban area such as Glasgow is that two thirds of our housing stock is what we call high-density communal properties—high-rise flats, tenements and mid-rise flats—where consumers do not have responsibility for bins. Therefore, as part of the code of practice that will eventually be rolled out, we need to look at what kind of service is needed for those communal areas.

I go back to the starting point. I agree that standardising collections is important across the country, but we need to look at the property types that do not fit into that mould.

**The Convener:** Brydon Gray, I will give you the opportunity to tell me that Shetland has only two, three or four bins. Would a standard system be of use? I do not know how many bins you have in Shetland. How many bins does each household have?

**Brydon Gray:** We signed the recycling charter back in 2018. At the moment we have three bins. We have one bin for paper and card, one for cans and plastic, and one for general waste. We have a mini materials recycling facility at the landfill site, which separates the cans and plastic. That is how it works in Shetland: we bale up material and send it south for recycling.

I would agree with standardising the colours of bins. Quite often, we have tourists up here who will fire the wrong thing in the wrong bin because the bins are different colours where they come from. From our end, it certainly makes sense to standardise that.

**The Convener:** Okay. We might have to recycle a lot of bins. Jackie Dunbar has some questions that she would like to put.

**Jackie Dunbar:** Good morning. How well are existing circular economy policies being implemented and resourced at a local government level? What are the main challenges that you face? I will start with David McCulloch and then go to Brydon Gray.

**David McCulloch:** Circular economy targets are installed through our local government policies and procedures. What we find in a city such as Glasgow is that the main challenge is the supply chain. We have looked at working with the third sector in our household waste recycling centres on reusing. However, it is very challenging to work with the third sector or to find outlets for materials, due to the scale. That is where investment is needed in the supply chain for Glasgow. A lot of material comes through our centres, as there is a lot of material that people want to recycle. A lot of materials could be reused or redeveloped or redeployed for worthwhile causes, but the issue is about finding the systems and the schemes that are large enough to deal with the demand that a city such as Glasgow has.

That is something that we need to look at more widely with the third sector and with our suppliers: building that supply chain so that materials can be reused and redeveloped, rather than ending up in a recycling scheme or ultimately being used for energy from waste.

11:30

**Brydon Gray:** We are in a slightly similar position. However, in Shetland, there are not many outlets for that. We have a reuse centre that takes some stuff for reusing up here, but most of our stuff goes down for recycling or to energy from waste, of course.

**Jackie Dunbar:** What role does local government play in redistribution? You were saying just now that you have a recycling centre.

This is confusing, convener, I am sorry.

**The Convener:** It is very difficult. David McCulloch, do you want to answer that? Sorry, I have confused the sound person, because Brydon Gray's microphone is on and I have just called David. We will go to David now, because his microphone is on, and then we will come back to Brydon.

**David McCulloch:** The local authority plays a vital role. We see ourselves as having more of a co-ordinating role. We cannot do everything ourselves. We do not have the funds or, sometimes, the skill sets to be able to do everything, but we can bring on board partners who might work with us and whom we think could benefit. In the circular economy, we can co-ordinate reuse of materials for housing, such as

food shelves, for example. It is difficult for us to do things through procurement, given the constraints that local government has, but we could see ourselves sitting in a working group or a body to support that activity. We do not see ourselves as the people driving it.

**Jackie Dunbar:** Do you expect local government to head that up or are there organisations that are keen to head it up but just need a little bit of support from you?

**David McCulloch:** I think that the council would maybe not head it up, but it could have a significant role in supporting it. Local government should be a driving force. There are a lot of organisations out there that may not have the skills, the scale or the resources to deliver such things, so a co-ordinated approach across all willing parties is needed.

**Jackie Dunbar:** I do not know whether Brydon Gray has anything to add. Sorry, gentlemen, I am finding it difficult doing the online thing today. It has been a while since we have done it.

**The Convener:** Brydon Gray's microphone is live so he can add in now.

**Brydon Gray:** I would just back up what David McCulloch was saying, to be honest with you. We do not lead, as such, on reuse schemes, but there are people in Shetland who deal with that. For example, there is a community repaint scheme and the COPE furniture store, which takes old furniture and tools for reusing, and there is bike project and things such as that. We work in partnership with those people to encourage as much reuse as possible. Again, resource is limited for us, which is why we have to outsource.

**The Convener:** Thank you, Jackie. Mark Ruskell is next.

**Mark Ruskell:** I want to ask you about your experience of the most problematic waste streams. We have heard some evidence about furniture that has POPs in it. I am sure that there are lots of other waste streams where there are particular challenges with volume or handling of materials. Could you outline what those are? How do you see the bill addressing some of those issues? I am thinking of single-use charging or even the banning of certain products. Let us start with Glasgow City Council.

**David McCulloch:** There are a few significant problematic materials just now. In our experience, lithium ion batteries have resulted in a number of fires in collection vehicles or at recycling centres, and there have been significant fires at the energy-from-waste plant. That is becoming an ongoing problem. Although we have started some initiatives on bringing certain materials back to recycling centres for longer-term recycling, the

uptake has not been great. A lot of those materials end up in the bin, especially the vapes and electronic equipment with lithium batteries inside it. Something needs to be done to tackle that. Do we need an outright ban on some of those items? Potentially, we do. We might also need to engage with the manufacturers and producers of such equipment to make sure that the batteries can be removed or that there is a take-back scheme to support the process.

POPs are going to be a significant problem for local authorities, and that will have an impact on how we fund our services and on the public, and on our budgets for dealing with such issues. It is a huge problem that we are working on with many partners. It could result in increased fly-tipping, which brings other challenges for local government in dealing with that. Lithium ion batteries and POPs will cause significant problems for local authorities in the immediate future.

Another material type that has been an on-going challenge for local government that has never really been tackled in a significant way is food waste, which is a high-carbon impact material. We need to try to get people more engaged in food waste services. First, we need to get them to reduce the amount of food waste that they produce, but we also need to get them to use systems to recycle better. For some reason, across all local authorities, although food waste services are in place, uptake and usage have never been great. I do not know whether that is to do with education or the yuck factor for residents, but if we can recycle that waste stream better, it will have a significant impact. We can turn it into energy or put it into land use.

Those are the three waste streams that I think the bill should focus on tackling.

**Brydon Gray:** David McCulloch has touched on the two waste streams that I was going to mention: the POPs waste and the battery waste from the likes of vapes. I think that the waste from vapes is probably the more dangerous of the two at the moment, given that there have been serious fires at the handling facilities down the road. That is the most relevant type of waste that needs to be dealt with at the moment. We are saying to people, "Please recycle these items. Take them to the sites, and we'll take them from you and dispose of them properly." At the moment, that is the most relevant source of waste. We are certainly trying to keep on top of that, because the last thing that we want is a fire at the landfill site or the incinerator.

**Mark Ruskell:** I will follow up on a couple of those points. I want to get your reflections on soft plastics. Plastic films are very difficult to recycle. I noticed that a plant had been set up in Fife to mechanically recover some of that material. If we are to significantly increase recycling, do we need

to address the issue of soft plastics? Do we need to have a national facility or regional facilities?

The other issue that I want to ask about—I would like to get a Shetland perspective on this—is fishing gear. What is, in effect, ghost fishing gear has a big environmental impact. It lands on our beaches, and I am sure it lands on your beaches, too. Do you see the bill as having a role in dealing with that, or do you think that it should be part of the work of local authorities to deal with that, whether through a deposit scheme or enhanced regulation or standards in that area?

**Brydon Gray:** I will answer your last question first. Discarded fishing gear is a big problem in Shetland. We work closely with KIMO to provide a service whereby people can take in discarded fishing gear, pull it from the shore and put it in skips, which we then remove. On some of the piers in Shetland, we have skips specifically for discarded fishing gear. At the moment, we have a rough idea of what is coming in, but it is definitely a bit of an issue. I suppose that that could be dealt with as part of the bill. I have not thought too much about that, so I could not give you an informed answer, but that is certainly something that would be worth looking at.

Your first question was on soft plastics. If I am honest, at the moment, Shetland Islands Council does not run a soft plastics collection scheme. Up here, it is run by Tesco—one of our supermarkets takes back soft plastics. I suppose that the rest of our stuff just ends up in incineration. I am sorry—what was your question on that?

**The Convener:** I think that you have answered the question on soft plastics. Is that right, Mark? Are you happy with that?

**Mark Ruskell:** Yes. If we could go to David McCulloch, that would be great.

**The Convener:** I will bring in David McCulloch, although he might not have much to say on the fishing gear issue.

**David McCulloch:** No, there is not a huge need for it in Glasgow, but soft plastics are a significant challenge. In Glasgow, we do not offer a soft plastics service as part of our kerbside collection service as yet. We direct residents to local supermarkets and shops that have a return service for that. However, as part of our recycling improvement fund bid, we are looking to roll out an improved recycling service for our kerbside properties this year, which will involve the introduction of the collection of soft plastics. To capture that, through the fund, we are looking to develop and build a new materials recovery facility, which will be able to target soft plastics, remove that material from recycling bins and put it back into the market. At the moment, that will be for our kerbside properties, but we are looking at

the costs and the deliverability of a similar scheme for our high-density properties, which would be introduced over a number of years.

Tackling soft plastics is a worthwhile cause. At the moment, most of those plastics will go to energy recovery—they will get dumped to produce electricity. One issue that we should be looking at as part of the bill is not just what happens at the back end but whether a lot of this material could be prevented from being used in shops. Can we reduce the amount of packaging and wrapping of food so that we do not have such a high volume of it to deal with at the back end? We need to look at that, and we also need to look seriously at people's consumption. More importantly, if the material is being produced, we need to think about how we can capture it and put it back into the market. Again, we are looking to put in place a system for that over the next number of years in Glasgow.

**The Convener:** Do you have further questions, Mark?

**Mark Ruskell:** I do, but I can come back in later on.

**The Convener:** Perfect. I think that Bob Doris wants to come in.

**Bob Doris:** Yes. I thank Mr Ruskell for letting me come in at this point. I have a specific constituency question for Mr McCulloch, as he might have anticipated. I was pleased that the Scottish Government provided £21 million of RIF funding to allow Glasgow City Council to carry out a much needed overhaul of its recycling facilities—it has probably been waiting a decade for that investment. I hope that that will bring about a transformation, but I am obviously keen to know when the Blochairn recycling facility, which is a significant blight for many of my constituents, will finally close and more appropriate facilities will be used. It would be helpful to know that. Is that £21 million investment sufficient to allow Glasgow City Council to be on track to dramatically improve the current recycling rates? What percentage do you think that you will get to over the next few years, once the new facilities and the new kerbside collections are in place?

**David McCulloch:** On the Blochairn facility, the works have already started at our development site. Easter Queenslie is the development site for our new materials recovery facility. Demolition has started and procurement of the equipment suppliers is on-going. It is estimated that the new facility and the associated site will be commissioned by the financial year 2025-26. However, the existing Blochairn facility, which is 14-plus years old, is coming to the end of its natural life. Over that period, that site will be scaled back in line with the opening of the new

site. Realistically, we are still looking at the Blochairn site continuing to operate for another two to three years. There will be a general reduction until the new site is operationally ready.

You asked about a step change. Over the past few years, Glasgow City Council has taken the bull by the horns and has looked to make a step change, supported by the Scottish Government, to align our services. To date, the £21 million, along with investment from the council, has allowed us to invest in new infrastructure for the recycling facility at Easter Queenslie. We are in the process of commencing the introduction of a paper, card and mixed container service for kerbside properties after the Christmas period, which will result in an increase in recycling of that material.

As I have said already, the biggest challenge for Glasgow is the fact that two thirds of our housing stock consists of communal properties. Communal properties are notoriously difficult to recycle from. There is no ownership of material. All that it takes for a whole bin to be contaminated is for one resident from a block of eight tenements to dispose of something inappropriately.

11:45

Although we do not have a plan in place, we are working with Zero Waste Scotland on what the future design of that side of the service will look like. We are looking to understand how we can develop a service for the high-density properties—as we have said, providing a service to those properties is not as straightforward as providing one to kerbside properties; it has its challenges—what that service will look like and, more importantly, how we will fund it. That will be the biggest challenge for Glasgow.

We are on a trajectory of improvement. We have already seen early signs of improvement as a result of the infrastructure work that we have in place. However, there is still a lot to be done in Glasgow, and a lot of investment is needed to buck the trend of the current recycling figures.

**The Convener:** David, you have answered a very specific constituency question, which I let slide through. I may not be so generous in the future, but Bob Doris got away with it this time.

The next questions come from the deputy convener.

**Ben Macpherson:** It is invaluable to get your insight today, because the practicalities on the ground, particularly when it comes to implementation and enforcement, are so crucial in this area of consideration. How useful do you consider to be the proposed new household waste enforcement mechanisms in the bill of fining households through fixed or civil penalties for

misuse of waste services? What about the proposed new criminal offence in relation to the household duty of care to check the credentials of waste carriers? Do you see those as gaps in your current enforcement toolkit? In other words, will the bill as drafted make a meaningful difference?

**David McCulloch:** I have two points to make. On the enforcement of recycling, although enforcement by any means is a tool that you need to improve something, from a Glasgow perspective—and for all local authorities, I think—the residents in the communities that we struggle to engage with on recycling tend to live in areas that have language barriers or in areas of unemployment or lower incomes. Therefore, we do not see how enforcement or a fixed penalty notice on such householders will make a difference.

Where we see there being a bigger benefit in recycling across all local authorities is in education and engagement and trying to achieve behavioural change, although that is a significant challenge in Glasgow—and, I daresay, in every local authority. Putting infrastructure and systems in place is great. We can put the best infrastructure in place across the city, but, if we cannot get the residents to use it effectively and efficiently, we are wasting our time. Although fixed penalty notices might be a tool to be used, I think that far more engagement and education needs to be done at national level to try to change recycling behaviours.

On the household duty of care and preventing fly-tipping, there has to be more responsibility on the people who create the waste material. There is a feeling that, if they get somebody with a white van to come and pick the material up, that is their part done. However, nine times out of 10, some of that material ends up on the side of the road illegally tipped, which causes problems. Awareness of people's responsibility to appropriately remove waste from their homes is required.

**The Convener:** Brydon Gray, do you have anything to add on the bin police?

**Brydon Gray:** Well, we are quite fortunate in Shetland on bin contamination. As far as I am aware, we do not have any white van men going around offering to take away waste, so we are lucky in that regard. It is a small place, so it is a lot easier to police that.

I fully agree with David McCulloch. A fine would not be the right way to go, and education is the key. We have had some issues with bins and contamination up here, but the tagging system that we use and speaking to people and having a conversation with them is sometimes all that it takes for them to realise what they are doing wrong. Sometimes, it is just that they do not know.

Education is the way to go, and a fine would be the very last scenario.

**Ben Macpherson:** That is helpful. You say that fining households is less of a priority than educating households, but do you support holding to account carriers of waste to a higher degree?

**Brydon Gray:** Definitely, yes. I get David McCulloch's point entirely. The problems down south in more urban areas must be a bit of a pain, to say the least. We do not have any experience of that up here, but I would fully support that.

**Ben Macpherson:** Can I come back to David McCulloch to hear Glasgow's considerations on contamination? Brydon Gray stated that Shetland does not have a problem with contamination of recyclates, so perhaps there are lessons to learn from there. Feel free to just answer yes to this question, but it seems that changing the contamination issue is about changing householder behaviour and education and information. Yes, there is a need for more sustainable product design and producer responsibility, but, actually, it is all about ensuring that people put the right waste in the right place.

**David McCulloch:** I agree. There will be a significant benefit from making waste as simple as possible for residents, so that they know the right bin to use and where it will go.

**Ben Macpherson:** My final question is on food waste. It is relatively new for households to get into the habit of separating their food waste, but there has been reasonable success in that. However, stakeholders have raised concerns with us about the rise in the amount of bioplastics in food waste, and we have heard evidence about how food waste can be contaminated with plastic liners that are non-biodegradable. Do we need to get a consistent position to ensure that households put their food waste in biodegradable liners and that, ideally, those would be provided to households to help them in that effort, to avoid the contamination of food waste by bioplastics and by normal plastic bags?

**David McCulloch:** Yes. I agree with that. Contamination of food waste or organic waste in the supply chain is extremely challenging. It has an impact on the end user. What we need to consider, though—this comes back to investment—is that different recyclers of that material have different plants, and can accept different materials. Investment in the system and the infrastructure is needed. However, we need a consistent approach through all local authorities to use the same education materials with the same information, and we must link that to the reprocessors to ensure that everything that we do is in line with their ability to recycle it at the end.

**Ben Macpherson:** That will suffice, convener.

**The Convener:** Mark Ruskell has a specific question to raise on that.

**Mark Ruskell:** I want to ask about the wider point around charging for household waste collection—not just for special uplifts but for standard collections. There have been responses to the bill that have suggested that that works in Europe and that there are ways to do it in a way that is fair, such as through a save-as-you-recycle scheme. I want to get your opinions on that, because it is not currently a provision in the bill. Perhaps David McCulloch and then Brydon Gray will reflect on that.

**David McCulloch:** I have seen variable charging across Europe, and that has worked successfully. The concern is how it would be administered. In a city such as Glasgow, how would that be managed and enforced? In communal areas, multiple people use the bins and nobody owns or is responsible for them. I would be concerned about how such a scheme would be administered in a large city.

**Brydon Gray:** I share David McCulloch's concerns about that. It is not something that I have really considered, to be honest with you, but I agree with how David McCulloch has summed it up.

**The Convener:** We come to Douglas Lumsden and his questions.

**Douglas Lumsden:** Some of them have been answered already, but I will go back to the point that David McCulloch—or perhaps both of you—made about local recycling targets not being the best measure on which to judge councils. Do you agree with that? If not recycling targets, what should we be measuring?

**David McCulloch:** Recycling targets are part of the story. However, every local authority has different challenges in meeting their recycling targets. You probably could not easily compare Glasgow with Shetland or another less urban local authority, because of the different challenges that they have. In addition to recycling targets that are tailored to the demands and needs of particular cities or local authorities, we need to look at wider things such as diversion from landfill, recovery and the carbon impact of the cradle-to-grave journey. We must look at those things, as well, because a single recycling target does not give the full picture of the journey of waste from cradle to grave.

**Brydon Gray:** As David McCulloch says, it is hard to compare different local authorities on their recycling targets. Our trailers are shipped hundreds of miles on road and boat to get to where they need to go, so, if we were to start recycling other material and shipping that from the island, we would have to take that into consideration, too, at some point. I do not know

what we would use to measure that, but we need to look at the whole picture and, up here in Shetland, we will certainly be doing that.

**Douglas Lumsden:** You mentioned POPs waste earlier on, and we heard from members of the previous panel that, for example, the disposal of sofas will be particularly difficult from next January. How are your local authorities looking at how you will deal with that sofa waste?

**Brydon Gray:** There have been a few discussions with the waste management network, and the situation seems to be changing back and forth. We have the incinerator up here, so we are slightly more at an advantage than other places. We are currently looking at different options as to how it will work, but, as I say, it has changed a couple of times in just the past few months. We are just keeping an eye on the situation and trying to follow it, basically.

**David McCulloch:** It is similar for us. What we are focused on just now is the separation of such material. A lot of our material comes in from commercial companies, housing associations and fly-tipping and even from the public using recycling centres. We want to make sure that POP material is kept separate to start with so that we do not contaminate further material types.

We are in discussion with the market about the end destination for such material. There is a lot of uncertainty in the industry about where it can go. Can it stay in the UK? Will it have to be shipped abroad to other energy-from-waste plants? There are still a lot of questions, but the early feedback that we have been receiving is that the cost associated with the end destruction of the material is significant. Therefore, we understand that there will be significant pressure on our budgets from that. Where possible, we need to minimise the volume of the material that we collect and send on to the suppliers. It will be extremely challenging for local government.

**Douglas Lumsden:** We heard from the previous panel members that some recycling centres refuse to take sofas. I guess that that leads to them being fly-tipped instead, which probably takes us on to the next set of questions, convener.

**The Convener:** Perfect. Monica Lennon, you have a question on that. Do you want to raise that before I bring in Murdo Fraser?

**Monica Lennon:** No, I am happy to leave it.

**The Convener:** I am grateful to you for allowing us to move on, because time is short. Murdo Fraser, you have some questions. You might be floored by the answers that you get from Shetland, but let us see how you go.

12:00

**Murdo Fraser:** Good morning, panel. I have a particular interest in fly-tipping, on which I am preparing a member's bill. I very much welcome section 10, on the enhanced duty on householders; that is good progress.

I have three fly-tipping questions on which I would like your view; I will ask them together. First, we know that fly-tipping is serious and that it is as much an urban issue as it is a rural issue. There is concern about the level of fixed-penalty notices, which is currently set at £200. There is nothing in the bill suggesting that that should be increased, but the Scottish Government's fly-tipping strategy, published in June, suggested increasing the fixed penalty to £500. I am interested to get your views on whether that would be a sufficient deterrent or not.

Secondly, when I ran my consultation on fly-tipping, people responded very strongly that the more barriers we put in the way of the legal disposal of waste, the more we were likely to drive up rates of fly-tipping. If councils are, for example, reducing access to recycling centres, as many are currently doing due to budgetary issues, will that see more fly-tipping? I would be interested in your views on that.

Thirdly, and lastly, is there anything that is not in the bill that would be useful to you when it comes to trying to address the problem of fly-tipping?

**The Convener:** We will go to Brydon Gray first, because that might be an easy question for you, while David McCulloch is thinking of the answers.

**Brydon Gray:** Again, Shetland being a small place, everybody knows each other so there tends to not be too much fly-tipping. I checked before the meeting and there were 13 instances of fly-tipping in the last financial year. No fines have ever been issued either, mainly because the items that are left are, say, a mattress or a fridge with no name on it so you cannot possibly find out who disposed of the item. Thankfully, there is not very much fly-tipping in Shetland, so we just go and collect it and get rid of it. It is marked as fly-tipping but it is not a major issue up here.

**The Convener:** David McCulloch, you have had a chance to marshal your thoughts.

**David McCulloch:** Fly-tipping in Glasgow is a significant challenge. Anything that is lying in the street in the public domain has been fly tipped, but I would say there are two different challenges. First, there is what we class as commercial fly-tipping, which is companies—white van man—fly-tipping on council land, along lanes and sometimes on private land. That is a significant challenge for us, especially in certain areas of the city. We have enforcement powers and

enforcement teams in place, but it is extremely challenging to gather enough information and evidence to charge those people. Although increasing penalties would be a further deterrent, the ability to gather information and act on it as quickly as possible to make that a deterrent can be difficult. As a city, we are working with a number of agencies to try to tackle fly-tipping, including the police, housing associations and community groups. Although we are all working together, there is no quick or easy solution. Therefore, any more powers that we get, backed up with resources, will be gratefully received.

Another issue that we have—this leads on to the second challenge—is what we call sideways fly-tipping. That is when residents put out a sofa or bagged waste. Perhaps they have done some work on their house and rather than take the waste to a recycling centre or arrange a bulk uplift they will put it next to a bin. They will put it at the end of their street next to a communal area, expecting somebody to pick it up. There are two issues. One of the challenges is that, over a number of years, financial constraints in local authorities have meant that charging has come in for bulk uplifts. There have also been extra restrictions, as you say, in access to recycling centres. Does that have an impact on fly-tipping? Another challenge that we have in an area like Glasgow is that not everybody has access to a car. Therefore, directing people to household waste recycling sites, which are predominantly set up to be accessed with a vehicle, can be quite challenging. If people do not have the finances to pay for bulk uplift, that material is left on the street. Although it is fly-tipping generally from the house, it is still a significant challenge.

Funding local government or local authority waste services to allow us to be a free-of-charge service is something that we could look at, but to go back to the last point, education and engagement with residents about the appropriate way to dispose of waste might also go a long way towards resolving it.

**Murdo Fraser:** Thank you. I have a follow-up question for you, David. You talked about problems with enforcement, which I appreciate, and about resourcing. If we were to increase the level of penalties, would it be helpful if there were some mechanism whereby you could ring fence that money, so that it went back into better enforcement, for example, to be more resource for your team?

**David McCulloch:** That is difficult. I do not look after enforcement; it is a separate entity, so I could not comment on the ring-fencing element. However, I would support any investment in additional enforcement officers. That would be well received. I know that there is also a national

difficulty in recruiting enforcement officers, so a mechanism needs to be in place to encourage and engage and get people into that line of work. Any funding to support additional enforcement would be gratefully received.

**The Convener:** Before we leave this subject, we heard in the last evidence session, and we have heard it before, that people who are uplifting rubbish could apply for an online certificate, which costs in the mid-£200. It is a paper certificate with no checks on it at all. David McCulloch, would you support liveried vans only for collection of rubbish with the licence number printed on the side, to help residents understand that it is an authorised collector and that then checks were made to ensure that that waste found its way to the recycling centre and not the edge of a road or wherever else it might end up?

**David McCulloch:** Yes, I totally support that. There are a lot of operators out there that have waste carrier licences and we do not know what background checks are made before the licence is issued. Anything that makes it easier for residents and businesses to use reputable businesses would be greatly supported. That could be information on the side of vehicles or some form of database that you go into to find out whether supplementary checks have been done. That would be better. We know that there are people operating out there who have waste management licences but who are not compliant.

**The Convener:** I will push one more thing. We have heard in evidence that, if it costs £200 to pick up the rubbish that has been fly-tipped, people should be charged a fine that is a multiple of five times that. Is that enough? Would you favour more or should that be the minimum? Five hundred pounds does not go very far if there is a chunk of rubbish.

**David McCulloch:** To responsibly deal with and manage waste is expensive, there is no doubt about it. Any fine has to be aligned with the true cost of uplifting it, so £500 might not be a great enough deterrent for some operators. The penalty has to reflect the material, where it has been left and the impact that it is having on the environment. Increasing the fines to a far greater level would be beneficial.

**The Convener:** Jackie Dunbar had a question to follow up on that.

**Jackie Dunbar:** Yes. It is following the same lines and is about evidence that we have already taken. Should manufacturers or suppliers be taking more responsibility for recycling the older goods? For example, if you buy a washing machine, you maybe have a chance to pay, say, £10 or something for the folk who are dropping off the new washing machine to uplift your old one.

Should there be more of that for things like sofas and so on, moving forward?

**David McCulloch:** The more take-backs that we can build into the system the better. It creates a true corridor if materials can go back into the system and be repurposed, repaired and put back into use. With certain material types, the producers and then the people selling the materials should take responsibility for taking them back and finding appropriate recovery or recycling facilities.

It all goes back to something that I mentioned earlier. It is okay taking something back and recovering the materials, but there has to be a supply chain to do something with them. For a lot of the high-carbon-impact materials, there needs to be investment in a supply chain to enable materials to be recycled or recovered cost-effectively. Shipping materials from, for example, the Shetland Islands and the northern local authorities down to the central belt or down into England is very expensive. We need to make sure that the supply chains are in place and that it is cost-effective for the local authority.

**The Convener:** Brydon Gray, it might cost more to recycle in Shetland. Do you have a view on that?

**Brydon Gray:** Yes. I fully agree that the more take-back schemes there are, the better. The cost of recycling in Shetland is obviously a lot more. As I said, every time we even think about putting a trailer on the boat it is £1,000 to start before you even get that to Aberdeen.

**The Convener:** Okay. Are you happy with that, Jackie?

**Jackie Dunbar:** Yes. Thank you very much.

**The Convener:** I will come to Sarah Boyack now and then I will go to Mark Ruskell to wrap the session up.

**Sarah Boyack:** It has been good getting your evidence. In its written submission, COSLA said that the financial memorandum vastly underestimates the cost for local authorities and overestimates the potential income. That was reinforced by the first witness panel today. Can we get your views from the ground? What would be your asks in order to meet higher recycling targets and to link into the wider net zero and sustainable development goals that were mentioned in your written evidence? May we go to Glasgow first?

**David McCulloch:** As I discussed in one of my earlier answers, for Glasgow to make that step change, significant investment is needed to improve infrastructure and the supply chain, and to keep on top of education and enforcement, training our staff and educating the residents of Glasgow. From a local government perspective,

however—it is quite hard to say this—we also need a very stable policy landscape. There is a lot of change and there has been a significant amount of change in the waste industry in the past five years. I do not think that it will calm down much in the next three to five years. It is difficult to understand what investment is needed and to commit to long-term strategic directions with the uncertainty that is still there. There are two things: we need the capital investment to improve and to invest in infrastructure, but we also need a more stable policy landscape.

A lot of embedding the circular economy is about embedding the practices. The Circular Economy (Scotland) Bill will, I hope, support embedding circular economy practices in day-to-day life—in how we consume things, how we buy things and how we operate our businesses—making sure that the circular economy is built into how we work and live our lives. I think that legislation and policy will be able to embed a circular economy into local government and businesses in order to make it a reality, but one area on its own will not work; it has to be embedded in different areas to make it truly circular.

**Sarah Boyack:** That is very helpful, thanks. Brydon Gray, do you have a view from Shetland?

**Brydon Gray:** If we are speaking about Shetland's recycling rate and how we are trying to improve it, we obviously want to improve it all the time. As David McCulloch touched on, there has been quite a lot of change these past few years with the likes of the deposit return scheme. We hinged on that and were waiting to see what would happen with it. The DRS was going to extract a lot of stuff from our household recycling scheme, which would then have given us a bit more room for working with the likes of plastic pots, tubs and trays, for example. That was our plan, which would have boosted the recycling figures, but that has changed, so we are slightly in limbo. As David McCulloch said, maybe it is just about having a bit of stability and a clear way forward.

12:15

Again, for Shetland it is definitely worth looking at the whole picture. We could spend a lot of money on fancy equipment to separate material, but if the amount of material on the island is not very much, will it be worth putting that equipment in? The alternative is to ship it away for somebody else to do it, and is it worth it then, taking account of the carbon footprint if we ship the stuff for hundreds of miles from the island on boats and trucks? There is a lot of thinking to do overall. It is not just a case of looking at our recycling figure and thinking about how we can get it better. It is about what the best way forward is for Shetland,

taking everything into consideration, not just the recycling.

**Sarah Boyack:** That is very helpful, that idea about clarity for supply chains and investment. I suppose the challenge is how you use the opportunity of this legislation and the discussions around it to get that. Thank you very much.

**The Convener:** Mark Ruskell has a couple of questions that he would like to pose.

**Mark Ruskell:** I will wrap up a couple of questions together. The last panel mentioned the recycling improvement fund. I wanted to get your perspectives on that, how you have used that, if you have, in recent years, and whether you see a continuation of that fund as being important to deliver the aspects that are covered by the bill.

I have a broader point about the bill. It is a framework bill and it has provisions to bring in secondary legislation. Can you reflect on whether you have engaged with secondary legislation in the past, such as that on the deposit return scheme and other bits of secondary legislation that are in this waste management space? What is the most effective way for you to be able to input a view ahead of decisions being made or while secondary legislation is being scrutinised in Parliament?

**Brydon Gray:** Touching on your second point, when the DRS was being spoken about, we were speaking quite a lot with the minister about the scheme and how it would work in Shetland. It was going to be a slight bit of a nightmare, to be honest with you. There was talk of shipping the material loose in trailers, which would increase the number of trailers leaving Shetland. We were not going to be able to bale the material to bulk it up. There was an awful lot of work that until the very last minute was not really looked at much. We would have been keen to do whatever we could to help there. We tried to come up with a solution where Shetland council would still run the recycling to a point, but yes, it just needs a bit more thought before it is implemented.

Sorry, could you repeat your first question again, just to remind me?

**Mark Ruskell:** It was about the recycling improvement fund, whether you have used that and how significant you see that as a way of delivering some of the provisions and investments that are needed that will come out of the bill.

**Brydon Gray:** I am not trying to make excuses here, but we rolled out our household recycling scheme back in 2018. We signed up to the charter. At that point we got a lot of funding. We got a new can baler, a new materials recycling facility, a new shed, bins, the lot. To be honest with you, the recycling improvement fund was

slightly too late for us. We had gone ahead and done the work already. We did not go for any funding with the recycling improvement fund because at the time we were still waiting to see what was happening with the DRS, which was going to change what happened in Shetland. I was a bit unsure what direction to go in with things. We could have gone to more glass recycling but the glass was going to come out with the DRS anyway. Not to make excuses, but that is why we did not put in for the fund.

**David McCulloch:** The recycling improvement fund for Glasgow has been a bit of a success story. Glasgow signed up to the charter back in 2020 or 2021, I think it was, and the recycling improvement fund allowed us to start delivering on that. To date, we have received just over £21 million from the fund to roll out an improved recycling service to our kerbside properties and to develop a new materials recovery facility. However, there is still a lot to be done in Glasgow and there is still a lot to be done in all local authorities. The fund has been well received and it has allowed us to kick-start that next step. However, for us and other local authorities, additional funding is needed to get to where we need to be.

In terms of engagement on other policies and bills, such as the deposit return scheme, Glasgow is quite lucky in that we get involved in a lot of consultations with the Scottish Government and Zero Waste Scotland about new policies and legislation coming into place. We were involved quite heavily in the consultations on the deposit return scheme. We were working with Zero Waste Scotland and with Circularity Scotland and the private sector on how it would be delivered in Glasgow. Unfortunately, the pause of the scheme has impacted on some of our potential service changes. We have to go back and look at how we will deal with glass. However, probably with all legislation, involving local government at an early stage to understand the concerns and the challenges at that level is needed for any of these schemes to be successful.

**The Convener:** Mark, does that answer your questions?

**Mark Ruskell:** Yes, I think so. It cut out a little bit at the end. I suppose the question is: based on the engagement you have had already with the development of DRS and other schemes, is that the model of engagement you would expect going forward? If there is more secondary legislation that is coming down the tracks, would you expect that early engagement and that joint work with Zero Waste Scotland and through COSLA? Despite some of the complexities around DRS and the changes, has that generally worked? Is that an

appropriate way for you to be engaged within this and does that deliver enough certainty, I suppose?

**David McCulloch:** From a Glasgow perspective, that level of consultation and engagement was extremely beneficial for us and for feeding back into the wider data gathering for the scheme. For anything going forward, that is what our preferred model would be: early engagement, different panels looking at different local authorities and at trade bodies to make sure that everybody's views and opinions are heard at an early stage, rather than something being implemented on people without them having an input.

**The Convener:** Brydon Gray, do you want to say anything?

**Brydon Gray:** I would just agree. For any future development of the likes of DRS or anything else secondary, Shetland Islands Council is always wanting to work with people to make sure that it will work in an island as well as on the mainland.

**The Convener:** Thank you. Mark, I hope that that is you finished with your questions because we are so nearly out of time.

I thank both of you on the panel who were able to contribute. Thank you very much for attending. For poor Paul Wolverson, who was not able to speak, if there are any issues arising from what you have seen and heard that you would like to respond to on behalf of Moray Council, we would be grateful to receive your feedback. I think that our stage 1 report will be published in January, and we look forward to sharing it with you and everyone else who has given evidence in our sessions on the bill.

As agreed earlier, we will now move from public into private session. I ask members to stay seated and those who are not participating in the private session to leave as quickly as possible. Thank you.

12:23

*Meeting continued in private until 12:47.*

## Corrections

Màiri McAllan has identified errors in her contributions and provided the following corrections.

### **The Cabinet Secretary for Transport, Net Zero and Just Transition (Màiri McAllan):**

*At col 3, paragraph 2—*

*Original text—*

“The schemes will put legal obligations on car and van manufacturers in the UK to sell zero emissions vehicles each year and for a percentage of their sales to constitute zero emissions vehicles, ramping up from 22 per cent of all those sold in 2024 to 80 per cent of new cars in 2030.”

*Corrected text—*

“The schemes will put legal obligations on car and van manufacturers in the UK to sell zero emissions vehicles each year and for a percentage of their sales to constitute zero emissions vehicles, ramping up from 22 per cent in 2024 to 80 per cent of new cars in 2030.”

*At col 6, paragraph 5—*

*Original text—*

“My colleague Fiona Hyslop recently announced our new vision for public charging in Scotland, which looks to take us to 6,000 public charging points by 2030, with £60 million of investment, some of which will be public investment, some of which will leverage in private investment.”

*Corrected text—*

“My colleague Fiona Hyslop recently announced our new vision for public charging in Scotland, which looks to take us to 6,000 public charging points by 2026, with £60 million of investment, some of which will be public investment, some of which will leverage in private investment.”

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