

Consultation on Introducing a Deposit Return Scheme in England, Wales and Northern Ireland

No.	Question	Proposed Response
	What is your name?	Oliver Burt
	What is your email address?	oliver.burt@reading.gov.uk
	Which best describes you? Please provide the name of the organisation/business you represent and an approximate size/number of staff (where applicable).	Local Government
	If you are responding on behalf of an organisation, what is its name?	re3 (re3 is a partnership of three Unitary Authorities in Berkshire, Bracknell Forest, Reading and Wokingham Borough Councils)
	Would you like your response to be confidential?	No
6	Given the context of the Covid-19 pandemic we are currently experiencing, do you support or oppose our proposals to implement a deposit return scheme for drinks containers in 2024?	<p>Oppose</p> <p>(The current Covid-19 pandemic has accelerated many changes and identified imperatives that might otherwise have been overlooked. Residents certainly appreciate and are likely to favour convenience over complexity. Residents are also more receptive to issues relating to the environment and particularly so in relation to waste.</p> <p>The suite of changes introduced by the Environment Bill is too complex to be introduced at the same time as other measures (EPR and Consistency), Equalities issues are insufficiently considered (neither in terms of access nor performance impacts) and consequential costs to local authorities have not adequately been taken into account and reflected in relevant impact assessments.</p> <p>In relation to environmental (climate change) concerns, the impact of a DRS appears to be over-stated as it compares its own impact solely to the disposal of waste via landfill. For the re3 partnership, landfill</p>

		<p>usage is at c12%, so is not the appropriate comparator.</p> <p>A DRS directly duplicates requirements upon Local Authorities (LAs) that are included within the provisions on Consistency in Waste Collection (Consistency). Consistency should be fully introduced alongside the Extended Producer Responsibility (EPR) provisions and their impact assessed before the scope and scale of a potential DRS is then reviewed. DRS should only be introduced to the level required to supplement EPR and Consistency. Otherwise foreseeably supplemental/additional costs are built-in to the wider Environment Bill provisions on waste. LAs will be required to make costly amendments to collection and handling/sorting arrangements, to satisfy Consistency, but DRS will (if it operates to the 85% effectiveness expected))</p>
7	Do you believe the introduction of a deposit return scheme will have an impact on your everyday life?	<p>Yes, a detrimental impact</p> <p>Large impact but still manageable</p> <p>(From the perspective of consumers/residents, yes, a DRS will have an impact on everyday life. It will: (i) increase costs to consumers for products they buy regularly, (ii) impact on the utility of their existing waste and recycling collections, making them personally responsible for the separate storage, handling and 'haulage' of waste items, (iii) it will likely increase the numbers of journeys made, which will have additional (financial and climate change costs). This is because, while many people will take items when they are going shopping, our experience, from operating Recycling Centres, shows that many people also like to deal with their waste when it is convenient to them. Finally, the proposals seemingly fail to take appropriate, and advance, account of the impacts on the frail, elderly and/or those with disabilities. The imposition of a deposit on 'in-scope' items of packaging, may represent a form of unavoidable taxation to individuals who may find access to reverse vending machines difficult or impossible).</p>
8	Have your views towards implementation of a deposit return scheme been affected following the economic and social impacts of the Covid-19 pandemic?	<p>Yes because of economic and social impacts.</p> <p>(We consider that DRS during the time of a pandemic would be problematic. We may never have similarly disruptive lockdowns again but during 2020, the existing waste</p>

		collection and recycling services (certainly those within the re3 area) were robust and reliable in a way that was genuinely helpful to residents. They allowed residents to manage their waste and recycle from the comfort and safety of home. It was greatly appreciated by residents. A DRS will inevitably undermine the existing waste collection system and offers nothing like the convenience and safety of existing systems)
	Chapter 1: Scope of the deposit return scheme	
9	Do you agree that the cap should be included as part of the deposit item in a deposit return scheme for:	<p>a) Plastic bottle caps on plastic bottles – yes</p> <p>b) Aluminium bottle caps on glass bottles – yes</p> <p>c) Corks in glass bottles – no</p> <p>d) Foil on the top of a can / bottle or used to preserve some drinks – yes</p>
	<i>Note: For questions 10, 12, 13, 14, 15 respondents should note that these questions are only applicable to the outstanding decision on the final scope of a deposit return scheme to be made in England and Northern Ireland, since the Welsh Government have already presented a preference for an all-in deposit return scheme.</i>	
10	Do you believe we have identified the correct pros and cons for the all-in and on-the-go schemes described above?	<p>No.</p> <p>Alongside the other elements of the Environment Bill, as they relate to waste management, DRS is too disruptive to be introduced in one go.</p> <p>Consequential costs are absent from the accompanying impact assessments. As one example, many waste management contracts have revenue sharing provisions in them. LAs will likely be unable to avoid breaching such conditions because of the removal of tonnage and/or value from their contracts by DRS. These significant and foreseeable consequences have inexplicably been ignored in planning a DRS, thus far. Over-simplistic analyses, based only on litter, collection and sorting costs are insufficient and overlook contractual costs.</p> <p>Costs to the re3 partnership arising as a direct result of the introduction of an 'all-in DRS' have been assessed by the partnership's waste contractor in a range from £440,000 per annum to £670,000 per annum (each representing a single year, based on actual waste flows in, respectively 2019/20 and 2020/21). The above figures are conservative estimates and take no account of, negative impacts on remaining council collection services (where no direct financial incentive exists), other costs which</p>

		<p>may be unavoidable as a result of EPR or Consistency.</p> <p>Moreover, a DRS directly duplicates waste collection expectations on Local Authorities (LAs), that are included within the provisions on Consistency in Waste Collection (Consistency). Foreseeably supplemental/additional collection costs will be borne by LAs. This duplication of costs is unnecessary in the first place but will inevitably lead to legacy issues, as the Deposit Management Organisation (DRS) and Scheme Administrator (EPR) seek to reduce costs for producers. We would foresee further councils funding cuts being inevitable, and losses of value on investments that were originally forced upon them by the requirement to adhere to both EPR and DRS. Consistency should be fully introduced alongside the Extended Producer Responsibility (EPR) provisions and their impact assessed before the scope and scale of a potential DRS is then reviewed. DRS should only be introduced to the level required to supplement EPR and Consistency.</p>
11	Do you foresee any issues if the final scope of a deposit return scheme in England and Northern Ireland does not match the all-in decision taken in Wales? E.g. an on-the-go scheme in England and an all-in scheme in Wales.	<p>No.</p> <p>An 'on-the-go' scheme in England and NI would not impact on the choice for Wales to adopt an 'all-in' scheme, or vice versa. There would only be materially significant issues if one administration or the other rejected DRS completely – in which case there may be some issues of compliance. However, where the difference between administrations is one of scale, there should be no fears for compliance, nor operational issues either.</p>
12	Having read the rationale for either an all-in or on-the-go scheme, which do you consider to be the best option for our deposit return scheme?	<p>'on-the-go'</p> <p>An 'on-the-go' scheme would significantly moderate the avoidable duplication of costs and conditions (between DRS and Consistency), it would help to preserve the utility of existing council recycling collections for the public, it would moderate the additional expenditure on the part of consumers and the additional effort to subsequently redeem their deposits, it would moderate any Equalities issues for the frail, elderly or disabled, it would better recognise the objective of addressing litter)</p>
13	Given the impact Covid-19 has had on the economy, on businesses and consumers, and on everyday life, do you	Yes

	believe an on-the-go scheme would be less disruptive to consumers?	
14	Do you agree with our proposed definition of an on-the-go scheme (restricting the drinks containers in-scope to less than 750ml in size and excluding multipack containers)? b) If no, how would you change the definition of an on-the-go scheme?	Yes
15	Do you agree that the size of containers suggested to be included under an on-the-go scheme are more commonly consumed out of the home than in it?	Yes
16	Please provide any information on the capability of reverse vending machines to compact glass?	We cannot comment with authority on the ability of reverse vending machines to crush glass but, from the operation of a MRF, which occasionally and inadvertently processes glass (as a contaminant), and the collection of bottle bank glass, we can comment on the messy and abrasive properties of crushed glass.
17	Do you agree that the scope of a deposit return scheme should be based on container material rather than product?	Yes
18	Do you agree with the proposed list of materials to be included in scope?	Yes
19	Do you consider there will be any material switching as a result of the proposed scope? Please provide evidence to support your response.	Material switching may occur as a result of the proposed scope. That may occur in the event of unintended or unforeseen consequences – perhaps linked to the recyclability requirements of the EPR measures.
	Chapter 2: Targets	
20	Which of the following approaches do you consider should be taken to phase in a 90% collection target over 3 years? a) 70% in year 1, 80% in year 2, 90% in year 3 and thereafter b) 75% in year 1, 80% in year 2, 90% in year 3 and thereafter c) 75% in year 1, 85% in year 2, 90% in year 3 and thereafter d) 80% in year 1, 85% in year 2, 90% in year 3 and thereafter	(a) (this offers steady progression towards the objective and would allow much needed time for infrastructure and UK markets to develop)
21	What collection rate do you consider should be achieved as a minimum for all materials after 3 years? a) 80% b) 85% c) 90% collection rate should be achieved for all materials	(a)
22	Is it reasonable to assume that the same collection targets could be met with an on-the-go scheme as those proposed for an all-in scheme for in-scope materials?	Yes The proportionate capture of 'in-scope' material could be the same whether for 'all-in' or 'on-the-go'.
23	Who should report on the volumes of deposit return scheme material placed on the market in each part of the United Kingdom (England, Wales and Northern Ireland) for the proposed deposit return scheme, and what would be the implications of these obligations? a) The producer/importer b) The retailer c) Both the producer/importer and retailer	(c) The Producer/Importer and retailer (It must be both categories. The retailer must report because it is at the point of purchase, when the deposit is paid, that the DRS system becomes 'live' for an individual item of packaging. The Producer/Importer must report volumes so that the DMO can track produced/imported but unsold or out of sell-by date products (packaging), for which no deposit has been paid but for

		which a recycling and circularity burden remains)
24	What evidence will be required to ensure that all material collected is passed to a reprocessor for the purpose of calculating the rate of recycling of deposit return scheme material?	Passing to a reprocessor (which may not be a direct transaction) does not constitute recycling. Evidence that material has been passed, potentially through several stages of transit, to appropriate and trusted reproducers will be needed. However, conditions on the stakeholders under EPR (S12 - Compliance and Enforcement) could (or will) apply in this case. They could be used to provide the necessary assurance over the flow of materials through a DRS to appropriate/trusted reproducers.
	Chapter 3: Scheme governance	
25	What length of contract do you think would be most appropriate for the successful bidder to operate as the Deposit Management Organisation? a) 3-5 years b) 5 – 7 years c) 7 – 10 years d) 10 years +	(c) 7-10 years
26	Do you agree that the above issues should be covered by the tender process? Please list any further issues you believe should be covered as part of the tender process.	Yes (The only other issue we would identify is the involvement of stakeholder representatives in the process of drafting and finalising any procurement documents, and throughout the procurement process (attending appropriate meetings, sight of appropriate correspondence with bidders, scoring bids etc.)
27	Do you agree that the above issues should be monitored as Key Performance Indicators? Please list any further issues you believe should be covered by Key Performance Indicators .	Yes (Other indicators could be: <ul style="list-style-type: none"> Assessing overall scheme efficiency (relative to the ultimate 90% target) Assessing reverse vending utilisation (in terms of % availability) Composition of returned items, by material and geography Quality of returned items (there is an assumption this will be high) so that it can be compared against the measurements taken via Waste Collection Consistency.)
28	Do you agree that Government should design, develop and own the digital infrastructure required to register, and receive evidence on containers placed on the market on behalf of the Deposit Management Organisation and regulators?	Yes It is important that Government is seen to be involved and in ownership of this massive change for residents/consumers, particularly at the outset where most change/disruption

		will be experienced. Consumers should be clear that this is a Government initiative.
29	Government will need to understand the needs of users to build digital services for deposit return scheme. Would you like your contact details to be added to a user panel for deposit return scheme so that we can invite you to participate in user research (e.g. surveys, workshops interviews) or to test digital services as they are designed and built?	Yes
	Chapter 4: Financial flow	
30	What is an appropriate measure of small producers for the purposes of determining the payment of registration fees?	Taxable Turnover This is a better measure of the company's overall capacity to pay a registration fee.
31	Is a high level of unredeemed deposits funding the scheme problematic?	Yes. This initiative has been described as part of producer responsibility obligations, alongside the specific EPR arrangements. But a DRS for the UK is actually a 'consumer obligations' initiative. Consumers will entirely fund this, and while Government stresses that it is a consumer choice to either redeem or not redeem, there will be no choice over the initial deposit. Furthermore, consumers will forego the current ease and utility of their council recycling collections. They will make (to some extent) additional trips to return items of packaging and provide interim additional storage for DRS items. Covering scheme costs via unredeemed deposits is a poor idea from both the perspective of how it looks to consumers and in terms of overall fairness. Finally, it may be that frail, elderly and/or disabled consumers are amongst principal contributors to the unredeemed deposits – as it is those members of society that may find it hardest to return items and redeem deposits. This outcome, if it comes to pass, will be most unjust and also massively detrimental to the scheme. Age and Disability are protected characteristics under the Equalities Act and yet they only feature within the consultation as a KPI that 'could' be part of the contract management regime applied to the DMO. As protected characteristics, Government should have given appropriate, and advance, consideration to accessibility impacts. It must not seek to pass-on that duty to an organisation which has not been created yet and whose accountability is as yet undetermined.
32	Which option to treatment of unredeemed deposits do you support?	Option 2

		<p>However, again this has considerable scope to be poorly received by consumers. This scheme represents a form of taxation that which consumers will find it very hard, if not impossible, to avoid. A significant proportion (e.g. at least half) of any unredeemed deposits must be allocated to improvements which assist consumers – either directly through the development of technology which allows residents to scan and redeem at home (which could keep scheme costs low and reduce fees to Producers), or towards local environmental causes and/or climate change community adaptations.</p>
33	<p>With option 2, do you foresee any unintended consequences of setting a minimum percentage of the net costs of the deposit return scheme that must be met through the producer fee?</p>	<p>No</p> <p>We would expect Producers, who are (as a collective) powerful advocates for DRS, to fully support the effective operation of any UK DRS, regardless of a minimum level of fees. They must be seen to be investing in the entire system, rather than being perceived as (or actually) having run-up a debt which they pass to consumers in its entirety.</p>
34	<p>If a floor is set do you consider that this should be set at:</p> <p>a) 25% of net costs b) 33% of net costs c) 50% of net costs d) Other</p>	<p>(c) 50% of net costs</p>
35	<p>Do you agree that any excess funds should be reinvested in the scheme or spent on other environmental causes?</p>	<p>Environmental Causes</p> <p>(as described at Q32)</p>
36	<p>What should be the minimum deposit level set in legislation?</p> <p>a.) 10p b.) 15p c.) 20p d.) Other</p>	<p>C) 20p</p> <p>(cited research shows that, to work, the deposit needs to be significant. If it is too low, it may just constitute an unavoidable cost whose incentive is too low to prompt the behaviour it is designed to promote)</p>
37	<p>Do you agree that there should be a maximum deposit level set in legislation?</p> <p>Yes / no</p> <p>If yes, what should be the maximum deposit level set in legislation?</p> <p>a.) 30p b.) 40p c.) 50p d.) Other</p>	<p>(d) Other</p> <p>(The maximum should be set to rise based-upon inflation. However, it should be limited to rounded-up units of 5p and only increased when it can be increased in units of 10p. For example, only when inflation on the initial deposit of 20p reaches 26p would the actual deposit paid by consumers be increased to 30p. This would balance the relative depreciation of the deposit over time with the pre-loading of the deposit, in the interests of consumers).</p>
38	<p>Recognising the potentially significant deposit costs consumers could pay on a multipack purchase, how best can we minimise the impact of the scheme on consumers buying multipacks?</p>	<p>This may not be possible. The problem is that individual items in a multipack may be redeemed separately and at different times. It would be simplest to simply allocate the</p>

		deposit to each item but to consider multi-packs in setting the deposit.
39	Do you agree with our approach to letting the Deposit Management Organisation decide on whether to adopt a fixed or variable deposit level, particularly with regards to multipacks?	This may not be possible. The problem is that individual items in a multipack may be redeemed separately and at different times. It would be simplest to simply allocate the deposit to each item but to consider multi-packs in setting the deposit.
	Chapter 5: Return points	
40	Do you agree that all retailers selling in-scope drinks containers should be obligated to host a return point, whether it is an all-in or on-the-go deposit return scheme?	Unsure (Smaller retailers should be given consideration because it may not be possible for them to maintain manual return points)
41	Given the proposed extensive distribution and availability of return points for consumers to return bottles to, do you think customers would be likely to experience delays / inconveniences in returning drinks containers? If so, how long or how frequently would such delays be likely to arise for?	It is very difficult to know how long delays will last – experience would suggest that times of week and busier times of year (e.g. Easter and Christmas) would be liable to be more problematic. However, it is likely to be generally more inconvenient to residents to need to attend and/or queue for a DRS reverse vending machine. This will inevitably place an additional burden on residents and may undermine scheme efficiency.
42	Do you have a preference, based on the 3 options described above, on what the schemes approach to online takeback obligations should be? We welcome views from stakeholders on who this obligation should apply to, including if there should be an exception for smaller retailers or low volume sales. Please explain your answer.	Option 3 The process of redemption (of deposits) seems to be a potentially complicated additional burden on what has become an efficient transaction (the delivery of groceries). It could be messy and difficult to keep returned in-scope items separate from other grocery deliveries etc.
43	Do you agree with the proposed criteria for the calculation of the handling fee? Yes / No Would you propose any additional criteria are included for the calculation of the handling fee?	Yes (none)
44	Please tick which exemptions you agree should be included under the scheme: - Close proximity - Breach of safety	Close Proximity <input checked="" type="checkbox"/> Breach of Safety <input checked="" type="checkbox"/>
45	Please can you provide any evidence on how many small and micro sized retail businesses we might likely expect to apply for an exemption to hosting a return point, on the grounds of either close proximity to another return point or on the compromise of safety considerations?	Unsure
46	Do you think obligations should be placed on retailers exempted from hosting a return point to display specific information informing consumers of their exemption? If yes, please tick what information retailers should be required to display: a.) Signage to demonstrate they don't host a return point; b.) Signage to signpost consumers to the nearest return point; c.) Anything else?	(b)

47	<p>Do you agree with our rationale for not requiring retailers exempted on the basis of a breach of safety not to be required to signpost to another retailer?</p> <p>Yes / No</p> <p>Please explain your answer</p>	<p>No</p> <p>Signposting is a minimum form of assistance to consumers. The wording can make it clear that there are good reasons for no return point but information should be provided which supports consumers to comply with the scheme (and get their money back).</p>
48	<p>How long do you think exemptions should be granted for until a review date is required to ensure the exemption is still required?</p> <p>a.) 1 year b.) 3 years c.) 5 years or longer</p>	<p>(b) 3 years</p>
49	<p>Do you think the scheme could benefit from technological solutions being incorporated as a method of return, alongside reverse vending machines and manual return points? Yes / No</p>	<p>Yes</p>
50	<p>How could a digital deposit return scheme solution be integrated into existing waste collection infrastructure? Please explain your answer.</p>	<p>A digital deposit return scheme (DDRS) certainly should be part of the existing waste collection infrastructure. It will future-proof DRS as it could integrate (within the overarching objectives of Government to increase recycling etc.) technological advances, which are available or emerging at the moment. Unlike reverse vending based DRS, it will put a recycling convenience at the heart of the system. We believe that there is evidence that a large majority of residents would prefer to carry on benefiting from their existing, well-established kerbside collection and they should not be adversely burdened and asked to manually return items to redeem their deposits. This may be particularly impractical for elderly residents.</p> <p>To make DDRS happen – each householder should receive a unique card and/or a sticker with an assigned QR code that can be attached to the recycling bin or box. When the residents wants to return an in-scope item, it will use a smartphone device or designated reader (similar to use in the banking system for non-smartphone users) to scan/input the QR code to login to their account and then scan/input a code of the item (visible on the prescribed packaging label and as discussed elsewhere in this consultation) that holds a deposit. All deposited items can be mixed with other items and the recycling bin/box is then collected as usual.</p> <p>Any existing recycling app – for example one used by our re3 partnership – re3cyclopedia could be easily integrated with the national DDRS via an API.</p>

51	What are the potential fraud control measures a digital deposit return scheme could bring? Please explain your answer.	<p>We are aware that much thought is being given to this issue and while we do not have a technological answer to offer, we believe that the search for such is worthwhile.</p> <p>All efforts should be put into seeking to forestall the massive expense (ultimately for consumers and the public sector) which will be imposed by an 'all-in' DRS.</p>
52	<p>Do you think a digital deposit return scheme could ensure the same level of material quality in the returns compared to a tradition[al] return to retail model, given containers may not be returned via a reverse vending machine or manual return point where there is likely to be a greater scrutiny on quality of the container before being accepted?</p> <p>Yes / No Please explain your answer.</p>	<p>Yes</p> <p>We do not believe that there will be complete 'scrutiny' of use of reverse vending machines. Other items will likely be placed in them.</p> <p>It remains an assumption that the quality of materials deposited via a UK reverse vending DRS may be greater. However, it may all depend on the quality of the MRF sort. Based on our own data – our MRF achieves 99% purity of aluminium + 96% of PET + 96% HDPE +90% of mixed plastic. Accordingly, our view is that the quality of recyclate may reach a very similar level but will involve massive disruption to residents/consumers and vast amounts of additional cost. Retrospective improvements to existing MRFs is possible and we are undertaken this now.</p>
53	If the digital deposit return scheme system can be integrated into the existing waste collection infrastructure would its implementation and running costs be lower? Please provide evidence to support your answer.	<p>Yes</p> <p>Most certainly running costs would be lower. If each container at home could serve as an individual reverse vending machine, this will greatly reduce the overall number of required DRS points. This means less frequent emptying required and lower maintenance cost or transport costs. Individual costs would be much lower as well, as residents won't need to make an additional trip to the points to deposit their items. If there is no need for additional container delivered to residents but only a sticker/card and a widely available App – the cost of implementation would be off-set by lower number of public vending machines. Majority of bin vehicles have in built weigh in system – so any cost should be associated mainly with developing a suitable software that is required anyway.</p>
54	Do you support the proposal to introduce a new permitted development right for reverse vending machines, to support the ease of implementation for the scheme?	Unsure

	<p>Yes / No</p> <p>Do you have any amendments or additional parameters you would propose are reflected in the permitted development right?</p>	<p>How would 'appropriate locations' be assessed at a national level? Could scale be limited in some way? Neighbours of potential reverse vending machine sites should be able to rely-upon some protection from the implications of a new waste reception site being established.</p>
	Chapter 6: Labelling	
55	<p>Do you agree that the following should be part of a mandatory label for deposit return scheme products?</p> <p>(a) Identification marker that can be read by reverse vending machines and manual handling scanners</p> <p>(b) A mark to identify the product as part of a deposit return scheme</p> <p>(c) The deposit price</p>	<p>Agree all.</p>
56	<p>Are you aware of further measures that can be taken to reduce the incidence and likelihood of fraud in the system?</p>	<p>A unique marker, on every product, would be one way. However, it is doubtful whether such a system, capable of generating billions of unique symbols, exists.</p> <p>Markers could in theory be reused once the product had been returned and recycled.</p>
57	<p>Do you agree with our proposals to introduce mandatory labelling, considering the above risk with regards to containers placed on the market in Scotland?</p>	<p>Yes</p>
58	<p>Do you consider the risk of incorrectly labelled products entering the markets of England, Wales or Northern Ireland via Scotland to be a significant risk? Please provide any evidence to support your answer.</p>	<p>The likelihood of items from Scotland entering the markets of England, Wales or Northern Ireland (and vice versa) is undoubtedly present. However, it must be possible to identify a solution (sharing of appropriate bar codes, ID etc.). Failure to support collaborative systems across the UK would, to an extent which cannot easily be quantified, promote further distance and dislocation within the UK administrations and communities.</p>
59	<p>Do you consider leaving any labelling requirements to industry to be a better option than legislating for mandatory labelling requirements? Please explain your answer.</p>	<p>No</p> <p>Government is the body introducing DRS and it must remain the ultimate responsibility of Government. Plus, a centrally mandated approach to labelling will help to avoid the pitfalls and duplication of potentially multiple labelling styles. We have seen, in the case of dietary advice on products, that multiple and voluntary approaches do not improve customer knowledge. The theme of consistency is being applied to local authorities and is warranted in this aspect of the legislative package too.</p>
60	<p>Are you aware of any other solutions for smaller producers who may not currently label their products? Please explain your answer.</p>	<p>No</p> <p>However, this is why a single, national/Government approach is needed. It will be important for the minimum info requirements to be placed on all 'in-scope' packaging.</p>

61	We believe 18 months is a sufficient period of time for necessary labelling changes to be made. Do you agree?	Yes.
62	Will your processes change as a result of mandatory labelling? Yes/ No/ Don't know. Please explain your answer	No
63	Do you agree that our proposed approach to labelling will be able to accommodate any future changes and innovation? Yes / No / Don't know Are you aware of any upcoming technology in the field of labelling?	Yes
Chapter 7: Local authorities and local councils		
64	Do you agree that local authorities will be able to separate deposit return scheme containers either themselves or via agreements with material recovery facilities to regain the deposit value?	Yes Please Note: It should be possible for local authority MRF operators to provide sufficiently accurate weight data, from which estimates of unit numbers can be made. These should be used as a measure of deposit values. The potential for manual deposit of large numbers of 'in-scope' items would probably not be efficient.
65	Do you agree that local authorities will be able to negotiate agreements with material recovery facilities to ensure gate fees reflect the increased deposit values i[f] waste streams or a profit sharing agreement on returned deposit return scheme containers was put in place? - Yes - No Please explain your answer.	Yes Please note: Such agreements already exist for many MRF-related contracts. However, the proposals described here do not sufficiently replace the lost revenue and consequential contract costs that would be caused by an 'all-in' DRS.
66	In order to minimise the risk of double payments from the Deposit Management Organisation to local authorities, where should data be collected regarding the compositional analysis to prevent the containers then being allowed to be redeemed via return points?	Local authorities will not be seeking double payment. The only rational place that the data can be collected is at the MRF. An analysis of MRF output composition is already required in the Material Recovery Facilities (MRF) Regulations 2014. Redepmtion should be possible via weight assessment (as per answer to 64).
67	How difficult do you think this option would be to administer, given the need to have robust compositional analysis in place? Please explain your answer	As above, analysis of MRF output composition is already required in the Material Recovery Facilities (MRF) Regulations 2014.
68	What option do you think best deals with the issue of deposit return scheme containers that continue to end up in local authority waste streams? a. Option 1 b. Option 2 c. Option 3 Please briefly state the reasons for your response. Where available, please share evidence to support your view.	<u>If it were accompanied by an 'on the go' DRS scheme</u> , Option 1 would be the preferable option. However, the two must go together because of the failure of these proposals to recognise existing agreements between local authorities and MRF operators. If Government introduces an 'all-in' DRS then Option 2 would be preferable. As previously highlighted, MRF output sampling is already a requirement.

		Costs to the re3 partnership arising as a direct result of the introduction of an 'all-in DRS' have been assessed by the partnership's waste contractor in a range from £440,000 per annum to £670,000 per annum (each representing a single year, based on actual waste flows in, respectively 2019/20 and 2020/21). The above figures are conservative estimates and take no account of, negative impacts on remaining council collection services (where no direct financial incentive exists), other costs which may be unavoidable as a result of EPR or Consistency.
	Chapter 8: Compliance monitoring and enforcement	
69	Are there any other producer obligations you believe the Environmental Regulators should be responsible for monitoring and enforcing	No The list of obligations appears to adequately cover need.
70	Are local authorities (through the role Trading Standards and the Primary Authority Scheme) best placed to enforce certain retailer obligations? Yes /No Please give any alternative suggestions. To what extent will local authorities be able to add monitoring and enforcement work for the deposit return scheme to existing duties they carry out with retailers?	Yes Consultation with colleagues from Trading Standards (TS) revealed that something similar exists in relation to battery recycling, in supermarkets. The extent to which TS can devote additional time to a new enforcement obligation will be different across the country and will obviously relate to overall local authority funding. Payment for this role, through scheme costs, would be advised.
71	In addition to those in the table, are there any other types of breaches not on this list that you think should be? If so, what are they? These may include offences for participants not listed e.g. reproprocessors or exporters.	Likely types of non-compliance (or failure to actively support compliance) by reproprocessors and exporters should feature in the list
72	Are there any vulnerable points in the system? Please explain your answer?	It is hard to identify any obvious points of vulnerability. Complete compliance would be an incredibly high bar and an unlikely outcome and enforcement will need to evolve to maintain standards. We would, therefore, support a review of compliance being programmed on a suitable timetable (e.g. every two years). Following the review, amendments and measures could be introduced.
73	Do you see a role for the Deposit Management Organisation to seek compliance before escalating to the Regulator?	Yes
74	Do you agree with the position set out regarding enforcement response options? If not, please expand your answer	Yes
	Chapter 9: Implementation Timeline	
75	Do you have any comments on the delivery timeline for the deposit return scheme?	The timetable appears to be overly ambitious.

	Please pose any views on implementation steps missing from the above?	We believe that DRS should be postponed until EPR and Consistency have been successfully established. At that point, the case for DRS should be reviewed in light of any benefits or detriments it would add to the (then established) other measures. There are considerable risks from introducing an 'all-in' DRS at the same time as EPR and Consistency. Those have been reflected herein, and include, not least, the costs that have not been reflected in calculations associated with DRS e.g. relief payable to contractors for breach of value/composition agreements in waste management contracts.
76	How long does the Deposit Management Organisation need from appointment to the scheme going live, taking into account the time required to set up the necessary infrastructure? Please provide evidence to support your answer. a.) 12 months b.) 14 months c.) 18 months d.) Any other (please specify)	c) 18 months We believe that any extra time that can be provided, will be useful.
77	Depending on the final decision taken on the scope of the scheme in England and Northern Ireland – all-in or on-the-go – what, if any, impact does this have on the proposed implementation period?	An 'all-in' DRS would be disruptive and should, therefore, be accompanied by as much time as possible, and certainly 18 months as a minimum implementation period. An 'on-the-go' DRS would be far less disruptive and it may be possible to deliver such a scheme within 18 months.