

Dear Mr McKinney

**CONSULTATION PAPER ON  
RECOVERY AND RECYCLING TARGETS  
FOR PACKAGING WASTE IN 2001**

Thank you for the opportunity to comment upon the proposed changes to targets within the Packaging waste System. Whilst predominantly of interest to those obligated by the Regulations Surrey County Council has a keen interest in packaging recovery that will help contribute towards household waste recovery targets.

It is interesting to note that the DETR has accepted some shortfalls in the current PRN mechanism and market. This was the view of local authorities during the initial 1998 review when little direct impact from the regulations was being felt. It is of little benefit to local authorities that the regulations are again being reviewed due to a weak market mechanism and consequent under investment. It is surely a costly exercise that with better forward planning could have been avoided.

Local Government is for the first time working under a regime of statutory recycling targets and it is with these in mind that local government waste professionals are again reviewing the Packaging Regulations. After all, increases in packaging waste recovery should in some way go towards improved household waste recovery targets. This unfortunately has not been the evidence of experience from the regulations thus far. If local authorities are to achieve the stiff targets now established as part of the Best Value regime, greater financial and market support for packaging waste must appear throughout these Regulations.

It is disappointing that the Regulations have been plagued by poor data as evidenced by much of the first 4 pages of the consultation paper. It is also disappointing that despite this and an earnest desire to improve the packaging regime through better and more robust data provision work commissioned by DETR will either not be available until later in the year or has not been used due to a 'lack of credibility'.

I am sure that the data provided by the Materials Organisations will prove more reliable but it would benefit from more transparency. This is especially true of the growth projections, which are remarkably small. Is such a minimal growth prediction due to the effects of waste minimisation in the packaging wastestream, predicted loss of sales or stagnation in the market place? How do such figures compare against an average annual growth in the overall economy of 2-3%? Having had such a poor data base since the inception of the Regulations it is surely reasonable to be open and honest with the source of the latest data. Much of the other comment on data in the document is convoluted and complex, a sad indictment of the complexity of the Regulations whose principal purpose at times seems to be to confuse. I can only offer sympathy to companies that are required to understand and comply with such complex regulations.

The revised targets proposed seem sensible enough in light of the extensive preamble regarding packaging volumes and difficulties in pinning down exact figures. However, it appears that predictions of achieving compliance with the EC Directive 94/62 on Packaging and Packaging Waste are based upon assumptions of 100% compliance with the UK regulations, no free riding and as previously mentioned an inexplicably small growth prediction for the packaging sector. If this is the case then achieving compliance seems less than certain. Surrey County Council would welcome the provision of extra resources to the Environment Agency to ensure that the regulations are implemented correctly, free-riding is eliminated and data returns from obligated companies are robust to allow further accurate forward planning.

We would also welcome further consideration from the DETR on the introduction of compulsory targets for obligated companies or compliance schemes drawn solely from the household wastestream. This was a view supported by 67% of respondents to our survey with 83% supporting the compulsory reporting (from obligated companies. Material Organisations or Compliance Schemes) on the amount of packaging waste recovered from household sources.

It is our view that only by making such changes to the producer responsibility regime that any true element of producer responsibility will be shown by the packaging and associated industry. Whilst no doubt onerous in some areas the regulations to date have failed to bite as shown by the lack of investment and the flat PRN market. It is LARAC's hope that tougher, well enforced producer responsibility regulations across the spectrum of industries will go some way to support the burden of achieving waste diversion targets that have recently been laid at our door. It is further hoped that the producer responsibility regime will go beyond achieving mere compliance with EU Directives and influence the thinking and business planning of companies such that less material is put on the market place. This it is hoped would lead to the advent of eco-design and design for the environment as serious components of company's research and development capabilities.

Yours sincerely

Group Manager, Waste Policy

**Packaging Regulations Consultation  
September 2000**

	<b>YES</b>	<b>NO</b>	<b>A LITTLE</b>	<b>DON'T KNOW</b>
<b>Q1:</b> Has your authority directly benefited from the introduction of the Packaging Regulations and PRN system?	2%	94%	0%	4%
<b>Q2:</b> Has your authority entered into a direct relationship with a compliance scheme, obligated company or Material Organisation?	2%	98%	0%	0%
<b>Q3:</b> Has your authority received and Packaging Recovery Notes?	0%	100%	0%	0%
<b>Q4:</b> Do you consider that waste packaging material markets have improved as a result of the Packaging Regulations?	0%	78%	10%	12%
<b>Q5:</b> Have your local contracts for waste packaging been adversely affected as a result of the Packaging Regulations?	18%	53%	0%	29%
<b>Q6:</b> Do you feel that retailers are complying with the LARAC/BRC Good Practice Guide on Recycling Facilities in Retail Carparks?	36%	30%	0%	34%
<b>Q7:</b> Have any retailers introduced new facilities on their carparks without prior discussions?	17%	72%	0%	11%
<b>Q8:</b> Would you support the introduction of Producer Responsibility targets for packaging waste explicitly from the household wastestream?	67%	12%	0%	21%
<b>Q9:</b> Would you support the introduction of a mandatory mechanism to ensure obligated companies engaged with local authorities to discharge their obligations?	58%	21%	0%	21%
<b>Q10:</b> Do you think that obligated companies or compliance schemes should be required to publicly report the amount of packaging waste recovered from the household wastestream (Subject to commercial confidentiality)?	83%	4%	0%	13%

**60 Respondents**

