

## Response ID ANON-NZ8F-CYYP-B

Submitted to Delivering Scotland's circular economy: a consultation on proposals for a Circular Economy Bill  
Submitted on 2022-08-22 09:50:31

### Strategic Interventions

#### Circular economy strategy obligation

Neither agree nor disagree

2. Do you have any further thoughts on a statutory duty to produce a Circular Economy Strategy?:

Any legislation should reflect/mirror UK wide legislation to avoid consumer/householder confusion and ensure continuity of implementation across all businesses.

#### Statutory targets – consumption reduction, reuse and recycling

Neither agree nor disagree

4. Do you have any comments in relation to proposals to set statutory targets?:

#### Establishment of circular economy public body

Neither agree nor disagree

6. Please provide evidence to support your answer to question 5:

7. If a Circular Economy public body were to be established, what statutory functions should it fulfil? :

### Reduce and Reuse

#### Measures to ban the destruction of unsold durable goods

Neither agree nor disagree

9. Do you have any comments in relation to proposals to ban the destruction of unsold durable goods?:

10. Are there particular product categories that you think should be prioritised?:

11. Are there product categories that should be excluded from such a ban?:

#### Environmental charging for single-use items

12. The previous consultation showed broad support for the proposal that Scottish Ministers should have the power to set charges for environmentally harmful items, for example single-use disposable beverage cups. Is there any new context or evidence that should be taken into account in relation to this proposal? :

The AVA takes the position that ultimately 'single-use' cups used in vending are not harmful to the environment and therefore should be excluded from any levy or charges.

- The UK generates 222.2 million tonnes of waste per year (UK Stats on Waste 2022). All vending cups used in a year equate to less than 0.00061% of this total.
- Over 90% of all vending machines are in 'closed sites/venues', such as offices, hospitals, leisure centres. Less than 3% in Travel or truly 'on-the-go\*', so vending cups do not cause litter and are ideally placed to be collected either by mandatory or voluntary cup collection schemes. Or through existing, client contracted waste collection/recycling companies.
- The issues of charging – there is no way of charging for a cup at consumer point of purchase from most tabletop machines as there is no coin or payment mechanism. 40% of Free Standing and 90% of Tabletop hot beverage machines are free-vend. This equates to 66% of the Hot Beverage machines in UK market\*
- The Scottish Zero Waste proposal posits a 20p to 25p rebate for those using a reusable cup. With the implicit assumption that there will be no extra charge to the consumer. The average retail price for a vended cup of coffee (where charged) is 36p\* leading to an almost 60% increase in consumer price.
- The AVA has worked for over 10 years on developing routes for customers to recycle single use cups and there are now many proven options open. Our research has shown that this is not a situation where one size fits all and different solutions are appropriate for heavy industry, large warehouses and small, office based, companies.
- The AVA would argue that single use paper cups are not environmentally damaging. They are made from sustainable wood, coated in a thin layer of polythene, which has a proven recycling process – there is sufficient UK based paper mill recycling for all paper cups used.
- In terms of whether machines can use a reusable cup - over 75% of floor standing machines can recognise when a cup is present so that people can use a reusable cup\*.
- In cases where clients have moved to reusable mugs. In situations where the site provides mugs, they are supposed to be washed up and it is common for the dirty mugs to be piled in the kitchen space. On the other hand, where they have collected cups for recycling the container tends to smell even in

winter if it takes too long to fill. Volume of drinks sold drops by 50-60% where client goes "own cups". It is common experience that in organisations with tens of people or fewer, there is no one person delegated to wash the mugs even when a dishwasher is provided.

- It is also true that where individuals are provided with their own reusable mug, they do not always remember to carry it with them. The individual reusable mug system can work in an office where people have their own desk but not so well in more fluid arrangements such as factories & warehouses.
- Hygiene benefit of single use cups. There are two versions of reusables – generally available that must be washed up after each use, and the issue of a reusable cup to every individual. In the first instance, while the real risk from using a poorly washed reusable cup may be small, few people relish drinking from a cup someone else has used and washed up poorly. The benefit of single use in the time of Covid has been obvious and, if these cups are banned, this option will not be available in the future as the production lines will not be there. The installation of a washing machine is necessary for reusable cups in a workplace, but the issue is who operates it. Where it is no one person's responsibility there tends to be a pile of unwashed cups. In many sites vending has been introduced to resolve the personnel issues that result from this.
- In the case of individual reusables there is a problem of providing drinks to people who forget to carry their cup with them.

\* Source: AVA 2021 Census

13. Do you have any further comments on how a charge on environmentally harmful items should be implemented? :

See answers to Question 12 – Cups sold through vending should be excluded from any consumer cup charge or levy.

### Mandatory reporting of waste and surplus

14. The previous consultation showed broad support for the proposal that Scottish Ministers should have the power to require mandatory public reporting of unwanted surplus stock and waste. Is there any new context or evidence that should be taken into account in relation this proposal?:

15. The previous consultation showed broad support for the proposal that food waste should be a priority for regulations. Is there any new context or evidence that should be taken into account in relation this proposal?:

16. Are there other waste streams that should be prioritised? :

### Recycle

#### Strengthening approach to household recycling collection services

17. The previous consultation showed broad support for the proposal that Scottish Ministers should have powers to place additional requirements on local authorities in order to increase rates and quality of household recycling. Is there any new context or evidence that should be taken into account in relation to the proposal?:

18. The previous consultation showed broad support for the principle that there should be greater consistency in household recycling collections. Is there any new context or evidence that should be taken into account?:

19. The previous consultation showed broad support for the principle of moving away from the current voluntary approach to Scotland's Household Recycling Charter towards a more mandated approach, whereby implementation of the Charter and its supporting Code of Practice becomes a statutory obligation. Is there any new context or evidence that should be taken into account?:

#### The role of targets to support recycling performance

Not Answered

Not Answered

22. Please explain your answer:

#### The Duty of Care for households

23. The previous consultation showed broad agreement that householders' existing obligations are not sufficient. Is there any new context or evidence that should be taken into account? :

Not Answered

25. Please add any additional comments:

#### Incentivising waste reduction and recycling (households)

26. Are there further powers, if any, for Scottish Ministers, and/or local authorities, that should be considered in order to incentivise positive household behaviours, to support waste reduction and increased recycling in Scotland?:

27. Are there any other legislative measures that you consider Scottish Government should take to strengthen recycling and reuse at a household level, helping accelerate the rate and quality of household recycling in Scotland?:

28. Please add any additional comments:

#### Business recycling collection zoning

Not Answered

30. Please add any additional comments::

## Littering and Improving Enforcement

### New penalty for littering from vehicles

31. The previous consultation showed broad support for the proposal that Scottish Ministers should have the powers to introduce a new fixed penalty regime for littering from vehicles. Is there any new context or evidence that needs to be taken into account? :

32. The previous consultation showed broad support for the principle that the registered keeper of a vehicle bears primary responsible for offences such as littering from or in relation to their vehicle (for example by passengers or people using that vehicle at that time). Is there any new context or evidence that needs to be taken into account? :

### Seizure of vehicles

33. The previous consultation showed broad support for the principle that enforcement authorities should be given powers to seize vehicles linked to waste crime. Is there any new context or evidence that should be taken into account?:

## Assessing impact of bill proposals

### Equality

34. Taking into account the accompanying EQIA, are there any additional likely impacts the proposals contained in this consultation may have on particular groups of people, with reference to the 'protected characteristics' listed above?:

### Business and regulation

35. Taking into account the accompanying BRIA, do you think that the proposals contained in this consultation are likely to increase or reduce the costs and burdens placed on any business or sector? :

The AVA takes the position that ultimately 'single-use' cups used in vending are not harmful to the environment and therefore should be excluded from any levy or charges. In the event that there is IS introduction of levy and charges - then this will have a significant cost increase impact on both our member's businesses, their clients and the consumer.

### Children's Rights and Wellbeing Impact Assessment

36. Taking into account the accompanying CRWIA, do you think that the proposals contained in this consultation are likely to have an impact on children's rights and wellbeing? :

### Islands Communities Impact Assessment

37. Taking into account the accompanying ICIA, do you think that the proposals contained in this consultation are likely to influence an island community significantly differently from its effect on other communities in Scotland? :

### Fairer Scotland Duty

38. Taking into account the accompanying Fairer Scotland Assessment summary template, do you think that the proposals contained in this consultation are likely to have an impact in relation to the Fairer Scotland Duty? :

### Environment

39. Do you think that the proposals contained in this consultation are likely to have an impact on the environment? :

## Conclusion

40. Do you have any other comments that you would like to make, relevant to the subject of this consultation, that you have not covered in your answers to other questions?

please specify:

## About you

What is your name?

Name:

David Llewellyn

What is your email address?

Email:  
david.llewellyn@the-ava.com

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:  
AVA: The Vending & Automated Retail Association

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent

## Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:  
Slightly dissatisfied

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:  
Slightly satisfied

Please enter comments here.: