Scottish Water Consultation Response
August 2022

Delivering Scotland's Circular Economy: a consultation on proposals for a Circular Economy Bill

Overview

General Comments
Scottish Water is supportive of the move to a Circular Economy. This is embedded in our Strategic Plan to ensure we can deliver a sustainable service for our customers, now and in the future. Given that Scottish Water's activities are intrinsically linked to Circular Economy principles, we need to ensure that asset investment, particularly around biosolids recycling and resource recovery, are aligned with government ambitions. Moving towards a Circular Economy also needs clear policy signals to ensure that markets adjust, and the supply chain adapts to operate in a Circular Economy.

Detailed Response

Specific Comments
We would welcome an ambition for common metrics for the Circular Economy across Scotland and how industries and organisations can work together to identify Circular Economy opportunities. No one industry can deliver a Circular Economy in isolation and all sectors need clear incentives to ensure the economy develops at the correct pace.

1	**Do you agree there should be a duty on Scottish Ministers to publish a Circular Economy Strategy every 5 years?**
A) Yes	

2	**Do you have any further thoughts on a statutory duty to produce a Circular Economy Strategy?**
Implementation and adoption of a strategy needs to be monitored, the strategy refreshed, and results regularly published. This should initially be more frequently than the 5-year period, with enablers and monitoring included in the strategy. It would be helpful to identify areas that are mandatory and areas are aspirational. The strategy and its production should align with other related strategy developments eg biodiversity, climate change mitigation, economy.	

3	**Do you think we should take enabling powers to set statutory targets in relation to the Circular Economy?**
A) Yes	

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

To support proposals to set statutory targets, Scottish Water would welcome a review of the Scottish Government policies[1, 2] which provide guidance on how to report performance against such targets.

For example, if we consider biosolids, currently these define recycling activities as only those which produce PAS100 or PAS110 materials and, therefore, prevent non-PAS compliant material from being counted towards recycling targets. This is potentially limiting opportunities, particularly in rural areas where PAS-compliant organic waste volumes might not support a viable treatment process or where existing facilities might not be maximising energy yields. Co-treatment with non-PAS100/110 material (eg wastewater bioresource) could deliver an output with a life-cycle environmental benefit that is equivalent to that from a 'high quality' output and make rural treatment more cost effective and reduce transport costs and carbon. Where evidence supports this, Government policy should be flexible enough to allow this material to be counted towards recycling targets.

Statutory targets that would help businesses ensure that products (and in our case new assets) contain reused/recycled components of material and that these products and assets are designed with recyclability in mind.

1 Scotland's Zero Waste Plan, Annex A, 2010
2 Guidance on Applying the Waste Hierarchy, 2017

5	Should a dedicated Circular Economy public body be established?

A) Yes

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

There are many challenges that need to be overcome in embedding a Circular Economy such as designing metrics and monitoring progress, reviewing current legislation, establishing new markets and services, building skills and capabilities, aligning procurement and cross industry working. A public body could coordinate this, and it would raise the profile of Circular Economy, making organisations more accountable and proactive.

Zero Waste Scotland are well placed to support this type of activity and have the leadership and skills needed.

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

A statutory body should be given responsibility for the deployment of the Circular Economy Routemap and monitoring progress on Circular Economy targets. They could be responsible for reporting on all the milestones of the route map, supporting capability building, communicating with the public and suggesting improvements to the Circular Economy route map and bill.

8	**Do you agree that the Scottish Government should have powers to ban the destruction of unsold durable goods?**

A) Yes X

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

We suggest that the proposed ban on the destruction of unsold durable goods could be extended to include unused business equipment and assets at the end of their working life to encourage the repurposing and reuse of materials over waste creation.

Businesses should be asked to publicly report on what happens to their unsold goods in order to encourage preferred behaviours.

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

Scottish Water has no comment in response to this question.

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

Scottish Water has no comment in response to this question.

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?**

Evidence of environmentally harmful items:

For example, single-use disposable beverage cups which, when littered, may be washed into drains and enter the surface water system and will flow to and litter the local water course or Sustainable Urban Drainage System (SUDs). Items entering the combined sewer system will flow to the Wastewater Treatment Works (WWTWs) where they may be removed by screens as waste and sent to landfill or released to the water environment. This is the same for wet wipes, cotton wool and cotton buds which may also damage our network machinery.

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

Scottish Water has no comments in response to this question.

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?**

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Scottish Water has over 2000 current surplus assets and mandatory reporting could support a reduction and reuse of these assets. However, the method used to reduce this number is also important, as these surplus assets could all be put to use in waste streams. So, there is an additional need to report in tandem on how many stock items/assets are currently in use, which have been reused or contain recycled materials.

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?**

Scottish Water has no comment in response to this question.

16	**Are there other waste streams that should be prioritised?**

We suggest that water waste streams (such as surface water) should be prioritised both for business and home users.

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?**

Scottish Water, as a service user, is broadly supportive of placing additional requirements on local authorities to increase the rates and quality of recycling.

We would also welcome a review of the Scottish Government policies[1, 2] which provide guidance on how local authorities report performance to demonstrate improvements in recycling rates and quality. Current policies define recycling activities as those which produce PAS100 or PAS110 materials and, therefore, prevent non-PAS compliant material from being counted towards recycling targets. This is potentially limiting opportunities for recycling, particularly in rural areas where PAS-compliant organic waste volumes might not support a viable treatment process or where existing facilities might not be maximising energy yields. Co-treatment with non-PAS100/110 material (eg wastewater bioresource) could deliver an output with a life-cycle environmental benefit that is equivalent to that from a 'high quality' output. Where evidence supports this, Government policy should be flexible enough to allow this material to be counted towards recycling targets.

1 Scotland's Zero Waste Plan, Annex A, 2010
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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?**

Scottish Water as no comments in response to this question.

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**

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	Practice becomes a statutory obligation. Is there any new context or evidence that should be taken into account?
	Scottish Water has no comments in response to this question.
20	Do you agree that Scottish Ministers should have the power to introduce statutory recycling targets for local authorities?
	C) Neither agree nor disagree
21	If you agree with Q.20, do you agree that Scottish Ministers should have the power to introduce and set financial incentives for local authorities to meet these targets, or penalties should these targets not be met?
	C) Neither agree nor disagree
22	Please explain your answer.
	Scottish Water has no comments in response to this question.
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?
	Food waste recycling facilities across Scotland produce renewable energy and these could be further utilised.
24	Do you agree with the principle that local authorities should have more powers to enforce recycling requirements?
	C) Neither Agree nor Disagree
25	Please add any additional comments.
	In 2020 there were around 36,000 blockages within the public waste water network, over 80% of which were due to inappropriate disposal of items such as period and incontinence products. These 36,000 blockages cost around £7 million to clear. Reducing inappropriate disposal to the wastewater network will reduce the number of blockages and thus help reduce environmental pollution and keep customer charges low. Scottish Water would welcome any initiatives that support householders' reduction of non-flushable items entering the surface water and sewer systems. Scottish Water has launched the "Nature Calls" campaign to raise awareness with the public and initiated the UKWIR project "to identify and quantify plastics received by the water industry and how best to tackle these through source control" which involves stakeholders from across the UK and Ireland. SW would welcome any initiatives that support householders' reduction of non-flushable items entering the surface water and sewer systems.
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?
	The "50 Litre Home" initiative is working with companies, policymakers, innovators, researchers and communities to provide urban homes with access to affordable and safe water and instil the importance of responsible water consumption. The outputs from this may be useful to this question and help reduce chemical use, power consumption, transport costs and carbon.
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?
	Scottish Water has no comments in response to this question.
28	Please add any additional comments.
	N/A
29	Do you agree with the principle of Scottish Ministers, and local authorities, if appropriate, taking on the necessary powers to explore and trial commercial waste zoning approaches in Scotland?
	A) Yes
30	Please add any additional comments.
	Waste zoning approaches would be beneficial to the recycling rates for our offices and laboratory sites with improvements to carbon accounting and end-destination reporting encouraging behaviours.
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?
	Scottish Water has no comments in response to this question.
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?
	Scottish Water has no comments in response to this question.
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?
	Scottish Water has no comments in response to this question.

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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?**
Scottish Water has no comments in response to this question.	
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?**
Scottish Water has no comments in response to this question.	
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?**
Scottish Water has no comments in response to this question.	
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?**
Scottish Water has no comments in response to this question.	
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?**
Scottish Water has no comments in response to this question.	
39	**Do you think that the proposals contained in this consultation are likely to have an impact on the environment?**
Scottish Water has no comments in response to this question.	
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?**
We would support discussion on widespread adoption of the waste hierarchy and for all organisations to have Circular Economy policies. Scottish Water emphasises the requirement for discussion on the need for skills and capabilities throughout Scotland to meet the demands of our future Circular Economy.	

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