

## Response ID ANON-N5QQ-VH9W-K

Submitted to **Consultation: Introducing market restrictions on single-use plastic items in Scotland**

Submitted on 2021-01-04 10:59:48

### Consultation Questions

**1(a) Do you support the proposal to introduce a market restriction in Scotland on each of the single-use plastic items listed and all oxo-degradable products?**

**Question 1(a) - Single-use plastic cutlery (forks, knives, spoons, chopsticks):**

Yes

**Question 1(a) - Single-use plastic plates (plates, trays/platters, bowls):**

Yes

**Question 1(a) - Single-use plastic straws:**

No

**Question 1(a) - Single-use plastic beverage stirrers:**

Yes

**Question 1(a) - Single-use plastic balloon sticks:**

Yes

**Question 1(a) - Single-use food containers made of expanded polystyrene:**

Yes

**Question 1(a) - Single-use cups and other beverage containers made of expanded polystyrene, including their covers, caps and lids:**

Yes

**Question 1(a) - All oxo-degradable products:**

Yes

**1(b) Please give reasons and where possible provide evidence to support the view expressed in response to Question 1(a).**

**Please enter text here:**

The Marine Conservation Society's annual Great British Beach Clean shows a 186% increase in littered plastic items since 1994. Proactive policy intervention is required to reverse this trend. Our concerns about plastic straws are set out below.

**1(c) Do you support the introduction of a restriction on the manufacturing of the specified single-use plastic items, excluding those for which exemptions will be introduced? Please give reasons.**

Yes

**Please enter text here:**

To limit the sale of these items whilst continuing to manufacture them in Scotland would only be a partial solution. As a country which strives to be a leader on circular economy policy and practice, we cannot continue to profit from the manufacture and sale of environmentally damaging items, and selling them outside of Scotland simply off-shores our responsibility.

**2 To your knowledge, are any of the oxo-degradable products identified in this document present on the Scottish market? Are there any additional oxo-degradable products available on the Scottish market that we have not identified? Please provide evidence to support your answer.**

**Please enter text here:**

An outright ban should pick up all relevant products.

**3 The SUP Directive includes limited exemptions for single-use plastic straws and balloon sticks. Are there other exemptions we should consider in relation to the market restrictions being proposed? Please give reasons.**

Yes

**Please enter text here:**

All restrictions must be considered firmly in the context of the impact on equality and accessibility, and in consultation with stakeholders from disability groups.

**4 How can we make sure disabled people have access to plastic straws if they require them for medical reasons or to support independent living, whilst at the same time restricting wider access for environmental purposes in a way that fulfils the SUP Directive requirements?**

**Please enter text here:**

While plastic straws shouldn't be widely promoted for general use or given as standard, they must be available to purchase freely and easily when necessary,

without intrusive questioning of people's disability status. Hotels, restaurants, bars and catering should be required to provide them on request, no questions asked, but also required not to provide them when not requested. Making this a requirement of their licences would meet the SUP directive threshold without impeding the rights of disabled people. Staff will need to be offered training on this. We have answered no in question 1a, not because we do not want fewer straws to be handed out, but because we do not believe the exemptions to the SUP can be delivered alongside a supply restriction. The use of a straw while in a hospitality situation (or at home, or other settings) is indeed a medical reason for people with the relevant disability. The other approach worth considering is the pilot proposed by the Health And Social Care Alliance in its response: we endorse the principle that it would have to entail "sustained and in-depth engagement and consultation with individuals affected to evaluate the impact of the initiative on their needs and rights".

**5 This consultation highlights other items that the Scottish Government intends to consider market restrictions for in future (plastic wet wipes, plastic tampon applicators and those other products contained in the UK Plastics Pact's list of items to be eliminated by end of 2020 which are not currently subject to existing or proposed market restrictions). Would you support the consideration of market restrictions on these items or any other items we haven't listed? Please provide reasons and evidence where possible.**

Yes

**Please enter text here:**

We believe that this should be the start of a comprehensive process which leads to the elimination of all packaging and products made from plastic or any other materials which cannot be recycled or reused, rather than yet another arbitrary list of items that happen to be in the limelight. Our answer to Question 8 covers this in more detail. It is also vital that the needs of disabled people be considered, especially for items like tampon applicators or wet wipes: changes to those can be difficult in practice or impose undue costs on disabled people. The Health and Social Care Alliance, again, makes this excellent point: "Until inclusive, cost effective, and sustainable alternatives are available, we propose that a market restriction is not placed on disposable, plastic wet wipes, or plastic tampon applicators. To do so would potentially subject some disabled people and people with long term conditions to a discriminatory and disproportionate cost. In the interests of independent living, and to preserve autonomy and the needs and rights of disabled people, the Alliance recommends that any proposed market restrictions should involve in-depth engagement with the people who use, and may rely on, these products."

**6 Taking into account the accompanying Impact Assessments, can you identify any environmental, economic or social impacts we have not identified when developing the proposals contained in this consultation? Please give reasons.**

No

**Please enter text here:**

**7 Do you believe the COVID-19 pandemic has resulted in changes to the market or wider economy that are not fully accounted for through this consultation? Please give reasons.**

Yes

**Please enter text here:**

We support the response given by the Marine Conservation Society.

**8 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 enter text here:**

Where possible, an ambitious set of proposals in this area would start with what products get sold in the first place, what materials they use, and how they're packaged.

It does not make sense to continue to let "anti-circular" materials and products onto the market and hope to pick up the pieces afterwards.

Ministers already have wide-ranging powers here. Bans on plastic-stemmed cotton buds and on microbeads in cosmetics relied on powers under the Environmental Protection Act 1990 to "prohibit or restrict" the use of "injurious substances or articles".

This same power could be used more widely (and more consistently than proposed here) given the substantial body of evidence about environmental degradation and climate change.

Materials which cannot be reused or recycled should be banned or phased out - unless they are essential and there is currently no alternative, and even there incentives for alternatives can help to drive innovation.

As a fallback, manufacturers and importers could be required to list all of the materials and other inputs used in their products so that Ministers can see if they are "injurious".

Businesses can then be required to accept returns of everything they've sold, including packaging, and demonstrate that it can all be reused or entirely recycled, in line with the approach taken through the WEEE directive. It wouldn't have to happen overnight: it is legitimate to give companies time to adjust and prepare.

Above all we need a comprehensive system of assessing - and restricting, where appropriate - what comes onto the market, both as packaging and as product. The days of allowing either to be simply destined for landfill (or, worse, incineration) really should be numbered.

NB there appears to be an error on this response platform, in that question 1(d) in the consultation paper is shown here as 1(c), and question 1(c) is not shown. Our response to question 1(c) is as follows:

Yes. The use of oxo-degradable items as an alternative to plastic items is a false solution that brings a range of additional problems. Oxo-degradability in

materials contaminates the recycling stream, as it contains an unstable additive that cannot be removed during the recycling process. Please see the response from the Marine Conservation Society for a more detailed explanation of the problems created by oxo-degradable materials. This material is problematic in both a commercial and non-commercial capacity as there is no suitable way to deal with it, regardless of where it is used and disposed of. It should therefore be completely banned.

## Environmental Report

**1 To what extent does the Environmental Report set out an accurate description of the current baseline and the business as usual scenario?**

Please give details of additional relevant sources.:

**2 Do you think that the Environmental Report has correctly identified the likely significant effects of the proposed restriction on single-use and oxo-degradable plastics placed on the market in Scotland?**

Please enter text here:

**3 Do you agree with the recommendations and proposals for mitigation and enhancement of the environmental effects set out in the Environmental Report? (If not, what do you think should be the key recommendations and why?)**

Not Answered

Please enter text here:

**4 Are you aware of any further information that will help to inform the findings of the assessment? (Please give details of additional relevant sources)**

Please enter text here:

**5 Do you agree with the proposed arrangements for monitoring the significant effects of the proposed restriction? (If not, what measures do you propose?)**

Not Answered

Please enter text here:

## About you

**What is your name?**

Name:

John Mayhew

**What is your email address?**

Email:

john@aprs.scot

**Are you responding as an individual or an organisation?**

Organisation

**What is your organisation?**

Organisation:

The Association for the Protection of Rural Scotland

**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?:**

Very satisfied

**Please enter comments here.:**

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

Neither satisfied nor dissatisfied

**Please enter comments here.:**

There appears to be an error on this platform in that question 1(d) in the consultation paper is shown as 1(c), and question 1(c) is not shown. We have therefore provided our response to the original question 1(c) under question 8 as "any other comments".