



30 November 2023

Sir Edward Mountain MSP  
Convener- Net Zero, Energy and Transport Committee  
Scottish Parliament

Via e-mail: [netzero.committee@Parliament.Scot](mailto:netzero.committee@Parliament.Scot)

Dear Edward

### **Circular Economy (Scotland) Bill**

— I am writing to follow up on our evidence before the Committee on 21 November 2023.

The political position that our Board took in addition to the evidence that you have already received, is attached.

I'm also aware that members of the Committee were keen to understand the full implications of rolling out a more standardised kerbside collection system across the 32 Local Authorities. We have not seen how the figures in the Financial Memorandum have been arrived at, however we did express in our response to the Financial Memorandum that the anticipated costs appear to be low. The costs would typically be comprised of the initial one-off investment for procurement of containers, delivery costs, changes to vehicles, re-routing costs, communication, infrastructure changes (transfer/processing arrangements) and then any revenue costs for running in the new service such as haulage and transfer and any ongoing changes to post-collection waste processing costs (e.g. gate fees) and increased ongoing communication costs.

As such, any decision as to standardising collection services in Scotland needs to be seen in the context of the size of initial investment and ongoing potentially increased costs, and the benefits realised.

As stated, when we gave evidence, we are keen to see a thorough evaluation of the Code of Practice of the Household Recycling Charter, it's strength and weaknesses, so we can determine what is the most appropriate way forward here.

Yours sincerely

Councillor Gail Macgregor  
COSLA Environment and Economy Spokesperson

## COSLA's Key Messages

### Circular Economy (Scotland) Bill

#### Aims

**We fully support the intent and direction of the Bill.** We are also aware that much of the bill focusses on household waste, i.e. the 'end' of the circular economy cycle.

#### Political capital

COSLA supports measures to tackle flytipping and waste contamination, but we are not convinced that the enforcement measures - especially those in section 10 and 11 of the Bill (on flytipping and waste contamination respectively) - will be workable for councils or will deliver the increase in recycling we want. Yet they are some of the most discussed sections of the Bill. We need to be discerning as to how and where we spend our limited political capital given the likely introduction of upcoming measures which will have a bigger impact on the wider net zero journey and also people's lives e.g. Heat in Buildings Bill.

#### Local recycling targets and penalties

**We want the threat of penalties for Councils removed from the Bill.** Section 13 of the Bill proposes imposing a liability on a local authority to pay a penalty to Scottish Ministers if a target is not achieved. This is not in tune with co-production, or the Verity House Agreement and we have asked Scottish Government to remove reference to penalties from the Bill. Given this is a framework Bill and there is significant uncertainty over future funding, we consider threatening councils with financial penalties is very unfair. We also cannot be convinced that taking away money from councils that may already be struggling is a good way of delivering improvement in services.

#### Household Recycling Charter/Code of Practice

There is no need to make the Charter for kerbside collection services mandatory. All 32 Councils have signed up to it. What is important, is that (a) the resources are in place to roll out any new provisions, and (b) that we undertake a thorough evaluation of the Code of Practice and get this right for the complex mix of challenges in Scotland (rural/urban/tenements etc). **It is impossible to determine at this point in time what the costs would be of rolling out a, yet to be revised, Code of Practice. Nor can we be sure how much new income there will be from the new Extended Producer Responsibility scheme for Packaging waste.**

#### Funding

**The Financial Memorandum is not capturing the full cost to local government.** Enforcement costs are certainly underestimated and, as above, we can not gauge the arising from a future yet undefined Code of Practice.

#### Net Zero

We are not on track to achieve the climate target in 2030. **Investments in improving kerbside waste and recycling collections are typically very costly and must be considered in the context of their carbon reduction and raw material saving impact.** They need to be weighted up against return on investment in other crucial areas such as heat/buildings and transport.