

CIRCULAR ECONOMY BILL UPDATE

1.0 INTRODUCTION

- 1.1 The Circular Economy (Scotland) Bill was introduced on 13 June 2023 and is published on the Scottish Government website. The Scottish Government (SG) states that the Bill will establish the legislative framework to support Scotland's transition to a zero waste and circular economy, significantly increase reuse and recycling rates, and modernise and improve waste and recycling services.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that Members of the Environment, Development and Infrastructure Committee consider and note this report, and note that future updates will be provided on the progress of the Circular Economy Bill.

3.0 DETAIL

3.1 Key provisions of the Circular Economy Bill

- 3.1.1 To enable the introduction of the Circular Economy Bill, the SG has considered the key provisions of the Circular Economy Bill which are noted below.
- A requirement for a Circular Economy Strategy with associated consultation, review and reporting requirements;
 - Powers to introduce circular economy targets with associated monitoring and reporting;
 - Powers to introduce restrictions on the disposal of unsold consumer goods for the purpose of reducing waste;
 - Powers to introduce charges for single-use items (expected to be initially used to introduce a charge for disposal beverage cups);
 - A new criminal offence for a householder to breach their duty of care in relation to household waste, and new fixed penalty regime for that offence;
 - Introduction of new enforcement measures around household waste disposal and recycling (fixed penalty and civil penalty charges);
 - A new statutory code of practice on household waste recycling;
 - Powers to set targets for local authorities relating to household waste recycling;

- Introduction of a new civil penalty charge for littering from a vehicle;
- Powers to introduce mandatory public reporting requirements for businesses in respect of waste and surpluses;
- Powers to enable enforcement authorities to seize and search vehicles to tackle waste crime.

3.1.2 The Scottish Government has consulted on proposals for a Circular Economy Bill from 30 May 2022 to 22 August 2022 and has published submitted responses.

3.1.3 An analysis of consultation responses was published by the Scottish Government on 30 November 2022. The Scottish Government had previously published a consultation on proposals for a Circular Economy Bill in 2019, with a view to introducing a Bill in 2020. This was delayed by the pandemic.

3.1.4 In tandem with the consultation on proposals for the Bill, the SG also consulted on Delivering Scotland's Circular Economy Route Map to 2025 and beyond, aimed to be complementary consultations. The routemap provided the wider context for the Bill, noting that the SG already has significant powers under a range of legislation for circular economy interventions, many interventions are non-legislative in nature, and a number of important interventions are taking place at a UK-wide level.

3.1.5 Council Officers submitted comments in relation to the SG Route Map consultation, the content is noted within Appendix 1.

3.2 **Circular Economy Bill – next stages**

3.2.1 The Circular Economy Bill next stages are noted below.

- Stage 1 - Committees examine the Bill and gather views. They produce reports before MSPs debate the Bill in the Chamber. MSPs then decide on the purpose (“general principles”) of the Bill.
- Stage 2 – Changes to detail - MSPs can propose changes (“amendments”) to the Bill. The amendments are considered and decided on by a committee.

3.2.2 Until the next stages of the Bill are progressed the full implications for Argyll and Bute are largely unknown. As matters evolve and more information become available further reports will be brought forward.

4.0 **CONCLUSION**

4.1 In concluding this report, Officers will continue to monitor the progress of the Circular Economy Bill and further updates on any changes and/or provisions made to the Bill as noted within this report. The new Bill will advise on additional powers being made available to local government. However, it is also noteworthy that there are further implications for local authorities and through

these implications may result in financial pressures.

5.0 IMPLICATIONS

- 5.1 Policy – The Council’s Waste Strategy will evolve in line with the changes in legislation relating to the Circular Economy Bill.
- 5.2 Financial – Compliance with the Circular Economy Bill may add financial pressure to Argyll and Bute to comply with the requirements, e.g. in relation to staffing resources. The Bill will need to be approved and a full understanding of the requirements known, prior to confirming any additional cost pressures.
- 5.3 Legal – Further powers will be given to local authorities through the introduction of the Circular Economy Bill.
- 5.4 HR – To comply with the Bill additional staffing resource may be required.
- 5.5 Fairer Scotland Duty:
 - 5.5.1 Equalities – None.
 - 5.5.2 Socio-economic Duty – None.
 - 5.5.3 Islands – There are no individual island issues noted at this stage.
- 5.6 Climate Change – The introduction of the Bill will impact upon climate change and should reduce Greenhouse Gas generated in Argyll and Bute.
- 5.7 Risk – Financial risk is prevalent. The extent of the risk is unknown at this time.
- 5.8 Customer Service – None.
- 5.9 Rights of the Child – None arising from this report.

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APPENDICES

Appendix 1 – Circular Economy and Waste Route Map Consultation