

# **Report of the Expert Panel on Environmental Charging and Other Measures: Recommendations on Single- use Disposable Beverage Cups**

**Scottish Government Response**

**October 2019**



**Scottish Government**  
Riaghaltas na h-Alba  
gov.scot

T: 0300 244 4000  
E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)

Dame Sue Bruce  
Chair  
Expert Panel on Environmental Charges  
and Other Measures

14 October 2019

Dear Sue,

Thank you for submitting the first Report of the Expert Panel on Environmental Charging and Other Measures, *Recommendations on Single-Use Disposable Beverage Cups*, on 17 July.

As I indicated when we met, I welcome the Report and I am grateful to the Expert Panel for their thorough, evidence-based assessment of measures to reduce the consumption of single-use disposable beverage cups in Scotland. This Report aligns with work already underway to address Scotland's throwaway culture and I echo the Panel's concerns over the impact of single-use disposable beverage cups as a form of litter as well as a difficult part of our waste and recycling stream.

The Report produced by the Expert Panel sets out a clear direction of travel, which is very much in keeping with the Scottish Government's own recent actions and commitments and the need for radical action to address the current climate emergency. The Scottish Government welcomes the Panel's ambition to have a sustainable model of consumption by 2025, which includes the majority of beverages in Scotland being sold in reusable cups.

The scale of the issue is also clear – as is the Expert Panel's conclusion that no one measure alone will be effective: our approach to reducing single-use disposable cups must involve a joined-up effort across government, business, communities and individuals.

We are committed to challenging Scotland's reliance on single-use items and to inspire others to do the same. Below is an overview of how we intend to take forward the Panel's recommendations, which I encourage you to share with the Panel. The Scottish Government is broadly content to accept the package of recommendations set out by the Panel. The latest Programme for Government announcement demonstrates our ambition to act quickly on key aspects of the report by including our intentions to introduce provisions

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in the forthcoming Circular Economy Bill that will enable charges to be applied in relation to items such as single-use drinks cups.

This is a clear statement of intent from this Government, that we can and will act to reduce the current dependence on disposable items. However, as I am sure you appreciate and, as alluded to in the Report, there are some aspects of following your work that will need to be given further consideration, such as setting consumption reduction targets. We need to ensure that we consider whether this is practicable or if other activities, such as extended producer responsibility, will drive the desired changes we wish to see. It is a complex landscape and as the Panel have reiterated, there will be no single policy or action that will have the desired impact on the consumption reduction of single-use disposable beverage cups.

I would like to reiterate my gratitude to you and the Panel, for producing this high quality Report, which will serve as a reference point to inform Scottish Government policy to tackle our throwaway culture and move towards a more circular economy.



**ROSEANNA CUNNINGHAM**

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## **Introduction**

Scottish Ministers would like to thank the Panel for their Report and for the time and expertise that they have brought to the debate about our throwaway culture and how to change how Scotland's people view the sustainability of their choices. The Panel has brought together expertise, research and stakeholder engagement to develop a valuable set of recommendations that are helpful in considering how we can tackle our dependence on single-use disposable cups, that can also be useful in considering how we use or reduce use of other similar items.

This document sets out the Scottish Government's response to the EPECOM Report recommendations and the initial action that Scottish Government will take to deliver them. Where the Panel have highlighted issues for Scottish Ministers to consider, Scottish Government officials will take forward work to ensure these issues are incorporated into the future actions that are highlighted in this response. This response focuses on actions that can be driven forward by Scottish Government or Zero Waste Scotland and other partner organisations, but specific timelines are not included because many actions are already underway and will converge over the coming years to deliver a variety of results. It is clear we need to change how we consume on-the-go given the ongoing issues around packaging and its disposal. We would welcome commitments from businesses and consumers to take the opportunity to consider their own actions and how we can all work together to tackle this issue.

## **Policy landscape and scale of the problem**

The Panel's considerations have coincided with significant policy developments at EU and UK level, including involvement in the UK-wide Plastic Pact led by WRAP. The EU Single-use Plastics Directive outlines a number of areas of action for EU member states, including banning certain items, encouraging reduced consumption of others and new targets to meet. The Scottish Government has indicated that it intends to continue to match the pace envisioned by the EU Directive post EU-Exit and the Expert Panel has been asked to advise on how we can go above and beyond the requirements of the EU Directive to tackle Scotland's throwaway culture. The Panel also noted the potential impact of UK wide consultation on proposed reform of packaging producer responsibility arrangements which, if pursued, will require businesses to take greater responsibility for the environmental impact of their products and for the costs of managing packaging at end of life. These and other external developments have been considered and noted throughout the development of the Panel's recommendations.

As set out in the Expert Panel's Report, in recent years there has been a significant increase in the use of single-use disposable beverage cups for consuming tea, coffee and other drinks. Around 2.5 billion single-use disposable beverage cups are consumed in the UK each year, with around 200 million of those likely to be used in Scotland, and this is projected to increase to 310 million by 2025. The growing dependence on single-use packaging associated with our on-the-go and throwaway culture has increased the volume of waste generated. According to calculations by Zero Waste Scotland, single-use disposable beverage cups generate circa 4,000 tonnes of waste in Scotland each year. Many disposable cups are made of paper with a waterproof plastic lining, and are difficult to recycle unless they are collected separately from other recyclable material and taken to specialist recycling facilities. As a result they are often incinerated or go to landfill, creating carbon emissions and contributing to climate change.

The CO<sub>2</sub>e emissions associated with producing and disposing of a disposable cup are approximately 1.5 times the weight of the cup itself, with more than half of this coming from the plastic lid. Disposable beverage cups in Scotland produce an estimated 5,900 tonnes of CO<sub>2</sub>e per year. In addition to the carbon emissions, an estimated 40,000 disposable cups are littered in Scotland each year, making them one of the most commonly littered items. As disposable cups are relatively large and easy to spot, they act as ‘beacons of litter’ which makes a place look untidy and attracts more litter, increasing overall plastic pollution.

## **Overarching Ambition**

The Panel has set the scene for their report with an overarching ambition that “Scotland has a sustainable model of consumption by 2025 which includes the majority of beverages being sold in reusable cups.”

The Scottish Government agrees that the move towards sustainable consumption is an essential development generally, especially for items that are difficult to recycle and are used for a very brief time, so the recognition of the Panel of the need to move towards this is very welcome. Further work would need to be done to deliver this and will need to be more wide ranging than focusing on certain items, like single-use disposable cups. Therefore, measures on cups and consumption will be encompassed in wider actions by Scottish Government and Zero Waste Scotland. This will manifest itself in particular in upcoming work such as the Circular Economy Bill, the Deposit Return Scheme and the commitment to taking forward the Single Use Plastics Directive.

## **Response to the Panel’s recommendations**

### **Culture of Sustainability**

The Panel highlighted the importance of moving towards a more sustainable model of consumption and shifting the social norm away from consuming disposables. The Panel noted that this could only be achieved by promoting nationwide cultural and behavioural change, and that social marketing, as a supportive measure alongside other interventions, would be key in accomplishing this.

#### **The Panel recommended:**

1. Using Scotland-wide social marketing measures to promote sustainable consumption and help make unsustainable consumption socially unacceptable.

### **Scottish Government response**

When we established the Expert Panel in 2018, the aim was to advise us on measures to help tackle our throwaway culture. The Scottish Government recognises that there is a need to deliver strong messages to businesses and consumers to change the current consumption of single-use items where there are sustainable alternatives, and this is particularly true of single-use disposable cups. The recognition of the Waste Hierarchy as a tool to minimise the impact of waste and the focus on prevention are both welcomed as being in keeping with the Scottish Government’s commitments to developing a circular economy and reducing waste.

We have already begun to challenge the status quo by withdrawing single-use disposable cups from our own main buildings, which is an effective way of demonstrating that change is

achievable. We have also shared our own learning of this by publishing a case study so that other organisations can trial similar approaches.

As we move forward we will work with Zero Waste Scotland to use online and social media channels to encourage the move towards more sustainable alternatives to single-use items. Zero Waste Scotland has, in its Corporate Plan for 2019-2023 set out a focus on sustainable consumption and has outlined its initial work in response to the Report on its website.

We will also consider if, as we move forward, a more sustained marketing campaign is required to encourage businesses and consumers to move to more sustainable consumption.

### **Next steps**

- We will highlight the work of the Panel and promote behaviour change through Scottish Government and Zero Waste Scotland activities.
- We will consider further marketing to promote sustainable consumption.

### **Prevention**

The Panel noted evidence that a charge is more effective than a discount in changing behaviour and increasing reusable cup use, and considered that a mandatory charge on a national level would be most effective in levelling the playing field for retailers and ensure consistent messages to consumers.

#### **The Panel recommended:**

2. The introduction of a national, mandatory requirement to sell beverages and disposable cups separately, including an initial minimum price of between 20-25p per cup.
3. Retailers and businesses should, in anticipation of future regulation, be supported and encouraged to put in place voluntary separate pricing (of beverage and cup) to promote behaviour change.
4. The Scottish Government should consider introducing an ambitious national consumption reduction ambition or target for single-use disposable beverage cups.
5. Banning sale of non-recyclable expanded polystyrene/PVC beverage cups in line with EU Single Use Plastic Directive by 2021

### **Scottish Government response**

We agree with the Panel's review of existing evidence that there is a clear case for encouraging behaviour change through price-based interventions. To this end we have announced proposed legislation as part of our Programme for Government 2019-20 to enable Scottish Ministers to mandate charges for items known to cause environmental harm.

This legislation will be part of our forthcoming Circular Economy Bill and will go above and beyond the Panel's recommendations by enabling charges to be introduced for items that have been proven to cause environmental harm, for example single-use beverage cups. The new legislation will enable us to take a proactive, future-proof approach to tackling the damage caused by single-use plastic and other items.

In our Programme for Government we also announced that we will match or exceed the EU Single Use Plastic Directive, and over the course of the next year bring forward legislation to ban or restrict sales of the single-use plastic items listed in the Directive. In line with the Panel's recommended measures this will include non-recyclable expanded polystyrene cups

for beverages, as well as food containers. Furthermore, we will make equality issues integral to our Scottish approach to implementing the Directive, to make sure the needs of those with a disability are met and recognising that for some, single-use plastic items are a necessity rather than a convenience.

The Scottish Government does not at this stage believe there is sufficient evidence to set a target or ambition for the reduction of the number of single-use disposable beverage cups in Scotland. There is a great deal of activity in this area, including changes to producer packaging responsibility, that we expect to have an impact. We will continue to consider research activity and EU-led targets that will help to inform this and consider how best we can determine a suitable national target as the activities noted above come to fruition.

### **Next steps**

- We will introduce powers in the new Circular Economy Bill for Scottish Ministers to charge for items proven to cause environmental harm
- We will shortly be consulting on the Bill proposals, and will actively engage with stakeholders to help inform the development of any future charging regime, and help industry and retail to design and adopt a voluntary approach to charging in anticipation of the planned legislation.
- We will ban or restrict sales on items listed in the EU Single Use Plastic Directive, through bringing forward the relevant legislation to implement the Directive.
- Zero Waste Scotland and Scottish Government will publish key evidence and case studies

### **Promoting Reuse**

The Panel highlighted that alongside measures to make single-use beverage cups less desirable, the accessibility and convenience of reusable cups should also be improved as part of the paradigm shift towards a culture of sustainability, and noted a range of measures that could help promote the uptake of reusable cups.

#### **The Panel recommended:**

6. Demonstrate the viability of reusable cup rental schemes for a range of hot or cold drink types at a local or national level by establishing ambitious replicable trials in significant parts of Scotland as soon as possible, potentially by the end of 2019, with a view to these being quickly assessed and rolled out to other areas. These should draw on learning from other countries.

7. Issuing best practice guidance to support better promotion of available reuse options by retailers at point of sale, including a duty to provide, facilitate and accepts reuse options alongside separate charging and communicating assurances that 'Bring your own' (BYO) reusable cups will be accepted at point of sale.

8. Developing reuse options which eliminate a range of single-use cups types for both hot and cold drinks across a wide range of 'closed loop' settings, for example: offices, events, festival venues etc. Changes to legislation should be introduced to ensure this is delivered and it should be supported by:

- Sharing best practice guidance to demonstrate viability of the approach and encourage more trials.
- Using public sector leadership to encourage adoption of reuse in closed loop settings more widely.

## Scottish Government response

Scottish Government welcomes the Panel's general proposition that there needs to be a change in focus towards reuse and trials will be required to develop reuse options. To promote reuse it is important to allow for tests of change and for projects that show how the changes can be implemented. Zero Waste Scotland has expertise in this arena and will continue to offer support and a range of funding streams that can be accessed for reusable cup pilot activity. Learning from these pilots will be shared to allow for the momentum and desire to do more to build both in closed loop/office type settings, and more widely in more open settings like the high street or transport hubs. Trialling reusable schemes will also strengthen our understanding of the full life-cycle impacts of different reusable options, which the Panel have flagged as a careful consideration in selecting the best long term sustainable solution in different settings.

As highlighted earlier, we are already promoting reuse through our withdrawal of single-use disposable cups from our own Scottish Government main buildings which is an effective way of demonstrating that change is achievable. We have shared our own learning of this by publishing a case study<sup>1</sup>, and are looking to other public and private sector organisations to show leadership.

We have also committed to supporting the Cup Movement<sup>®</sup>, a campaign developed and delivered by Keep Scotland Beautiful, which is looking to increase cup recycling and reusable cup use across Glasgow. The campaign, and its evaluation, will help to identify the readiness of consumers and businesses to tackle single-use and the disposability of single-use cups.

## Next steps

- Through Zero Waste Scotland's *Action on Plastics* initiative we will fund and establish reusable cup trials in Scotland.
- The Scottish Government is partnering with Keep Scotland Beautiful to deliver an independent evaluation of the Cup Movement<sup>®</sup> in Glasgow.

## Recycling

The Panel considered that while prevention is paramount, in line with the Waste Hierarchy, it will take time to shift on-the-go convenience culture and establish reuse as the social norm. Therefore it noted that in the short-term accessibility and uptake of recycling options would need to be improved where reuse is not yet possible.

### **The Panel recommended:**

9. Promoting the uptake of recycling where reuse is not yet possible by:

- Innovation in disposable cup design to move to a position where they are recycled more readily and widely recyclable and can be recycled through existing collection infrastructure
- Ensuring clearer consumer messaging and labelling, to avoid confusion about recyclability of cups, especially those made of biodegradable or compostable materials, and signal desired behaviour

<sup>1</sup> <https://www.gov.scot/binaries/content/documents/govscot/publications/publication/2019/07/report-expert-panel-environmental-charging-measures-epecom-recommendations-single-use-disposable-beverage-cups-july-2019/documents/removing-disposable-cups-hot-drinks-scottish-government-buildings-scottish-government-case-study/removing-disposable-cups-hot-drinks-scottish-government-buildings-scottish-government-case-study/govscot%3Adocument/removing-disposable-cups-hot-drinks-scottish-government-buildings-scottish-government-case-study.pdf>



- Building on future implementation of changes to packaging producer responsibility schemes to support further improvements in recyclability of cups and collection arrangements, including on the go recycling infrastructure.

### **Scottish Government response**

We welcome and endorse the focus on prevention and promoting reuse set out by the Panel. The Scottish Government and Zero Waste Scotland are committed to the Panel's approach and the move away from single-use is the most sustainable approach. Public awareness of the challenges of recycling and the issues around items is already increasing and we will build on this. It is important to recognise that a lot of work in this area has been industry-led, and has achieved significant progress to date. However, given the scale of the issue, it is clear that more needs to be done.

The Scottish Government are working with the other administrations on reforms to the current packaging producer responsibility regime. This will ensure producers will cover the full net cost of disposal of their packaging and a flow of funds from the system to local authorities. This should encourage packaging reduction, design for recyclability and use of recycled content, which will support circular economy principles.

Earlier this year a UK-wide consultation sought views on measures to reduce the amount of unnecessary and difficult to recycle packaging and increase the amount of packaging that can and is recycled, through reforms to the packaging producer responsibility regulations. It also proposes that the full net costs of managing packaging waste are placed on those businesses who use packaging and who are best placed to influence its design. This is consistent with the polluter pays principle and the concept of extended producer responsibility. Disposable cups were within the scope for the measures set out in the consultation document.

As announced in the Programme for Government 2019-20, the Scottish Government will host a recycling summit to bring together senior leaders across the public and private sectors to identify opportunities to accelerate the pace of progress towards Scotland's ambitious recycling targets and ensure a more consistent, efficient and easier to understand approach to recycling. In addition, in partnership with COSLA, we will establish a strategic steering group between Scottish and local government to identify opportunities to support delivery and further enhance or transform strategic approaches to waste and household recycling begin evaluation of the Scottish Household Recycling Charter.

There would be some opportunities through Zero Waste Scotland funding for innovative activities and messaging relating to recycling to be supported, however, this would need to be balanced against the value in using such funds in a more focused way to deliver a move to more sustainable alternatives, such as reusable cup schemes.

As indicated previously, the Cup Movement® in Glasgow is focused on increasing cup recycling and reusable cup use across Glasgow. The campaign will deliver a snapshot of the readiness of consumers and businesses to tackle single-use and the disposability of single-use cups.

### **Next steps**

- The Scottish Government is partnering with Keep Scotland Beautiful to deliver an independent evaluation of the Cup Movement® in Glasgow.
- We will continue to work with the other administrations on extended producer responsibility, subject to the proposals supporting Scotland's waste policy

### **Evidence and Analysis**

The Panel highlighted the need to strengthen and expand the evidence base on measures to prevent and address the impact of single-use disposable beverage cup consumption in a Scottish context, whilst making sure that analytical exercises would not delay the decisive action the Panel feel needs to be taken on this issue.

#### **The Panel recommended:**

10. Developing, synthesising, and learning from evidence from Scotland and more widely by Scottish Government, Zero Waste Scotland and academic institutes to inform policy development and promote behaviour change, especially on expanding the drivers of responsible consumption.

11. Embedding robust analysis and evaluation of tests of change within a Scottish context.

### **Scottish Government response**

The development of evidence and analysis is an important factor in any area and none more so than activity that needs to build behaviour change to develop a more sustainable society. The research work that the Panel has developed is a welcome starting point and we have published this along with the Panel's report.

### **Next steps**

- The Scottish Government is partnering with Keep Scotland Beautiful to deliver an independent evaluation of the Cup Movement® in Glasgow.
- Zero Waste Scotland will publish relevant analysis and evidence
- Zero Waste Scotland will publish case studies and evidence following pilots and projects set out in this response.
- The Scottish Government to consider how to address evidence gaps highlighted by the Panel's work

### **Key Enablers**

At the end of their Report, the Panel noted that three key enablers will be vital in delivering change: system change and transformational leadership from both public sector and commercial bodies, proportionate and targeted legislation and regulatory frameworks, and using existing levers to embed the importance of waste prevention and sustainable consumption.

### **Scottish Government response**

We agree that all these factors will be crucial in driving change and recognise the need to keep promoting activities and supporting organisations to sustain these enabling activities. As noted above, we are encouraging other organisations to follow our lead on eliminating single-use disposable beverage cups from our buildings where possible, and will be putting in place legislation that can enable us to take decisive action on single-use items in the future.

## **Conclusion**

The Scottish Government would like to once again thank the Panel for their dedication and considered response to a complex and high profile issue. As this response indicates, we will take forward the recommendations and report back to the Panel at future Panel meetings with progress and key milestones. The Panel will now move to the next phase of their work and a further report is expected in summer 2020.



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St Andrew's House  
Edinburgh  
EH1 3DG

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