

# Consultation on reforming the producer responsibility system for waste electrical and electronic equipment

## Responses to questions

### Consolidated list of questions

#### About you

##### 1. What is your name?

Angus Murdoch

##### 2. What is your email address?

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##### 3. Which of the following best describes you?

- local government

##### 4. Would you like your response to be confidential?

b. No

##### 5. If you answered 'Yes' to question 4, please briefly explain why you require your response to be confidential.

Increasing collections of waste electrical and electronic equipment from households

##### 6. Do you agree or disagree that producers (and distributors that do not provide their own take-back services for electric and electronic goods) should finance collections of small WEEE (for example, toasters, small toys and tools), from households? Please select one of the following options:

a. Agree

##### 7. Please provide evidence any evidence you have to support your answer to question 6.

WEEE remains a small part of the overall waste stream, but it is growing and becoming more complex with the arrival of (for example) disposable vapes. These materials are themselves complex with high levels of embedded carbon disproportionate to their weight, and extremely valuable and finite, but dispersed, materials.

The current retailer takeback schemes are inadequate. As a densely populated but relatively compact local authority we have only three household waste recycling centres to cover a population of more than 500,000 people, and relatively low levels of car ownership. It's not realistic to expect people to use these sites for small items. However, the current retailer-based takeback schemes are not well understood by the public- more needs to be done to raise awareness (and the work of Material Focus in this regard has been welcome). But the current schemes are too restrictive as most require you to return with your old toaster (for example) within a defined time period and with proof of purchase. This assumes people will

buy a new one (possibly on impulse) then remember or make the effort to take their old one back a few weeks later. Some people will do that but it's not likely to generate high rates of capture.

Take back schemes should nevertheless still exist in store in addition to any household WEEE collection service to maximise uptake. Take back schemes should be widely communicated, highly visible in distributor's aisles and online, and should be accessible to everyone, regardless of where the item has been bought or its brand, its age, and whether the customer buys a new item.

**8. Recognising the need to balance frequency of service with efficiency, what frequency**

**should a WEEE collection round be provided? Please select one of the following**

**options:**

d. On demand

9. Please provide any evidence you have to support your answer to question 8.

The optimum collection frequency is difficult to gauge, and WEEE is different to other materials as it's not usually consumed and generated on an ongoing basis (unlike packaging or newspaper for example). From our perspective too, **around 50% of our households are flats and do not receive kerbside collections**- their waste is collected from communal bins either sited on the street (approximately 50%) or from car parks and bin stores within their flats (the remainder).

While a traditional scheduled kerbside collection can be provided for lower density households with traditional kerbside collections, and this could potentially be any frequency from weekly to monthly depending on which other bin it's being collected alongside and the arrangements in each authority, for flats there is often limited space to allow the siting of an additional bin for small WEEE to provide a universal service for all households.

The benefits of an on demand service are that, if it's designed correctly, it can be made available for everyone, it can be provided when the householder wants it, and it could even be designed to be face to face so that the customer is able to hand over the items – this serves to reduce waste being left in the street, and could potentially be integrated with other services to allow recovery and reuse of the items as the items could be collected in such a way as they are not damaged.

**10. Would there be benefit in providing for different arrangements to apply in different areas according to circumstances, for example, on demand in some areas and regular collection round in others? Please provide any evidence you have to support your answer.**

Yes, as above, there is a particular need for an on demand service where people live in flats, although we've also highlighted some potential benefits of that for all households and for the collection scheme itself. On demand implies it would be bookable, so it can potentially be delivered at a time convenient for the householder, and also be scheduled to provide collection efficiency which also reduces emissions.

**11. What should items qualifying for this service be defined by:**

b. Dimension

**12. Please specify any products that, due to their properties, should be excluded from the**

**small WEEE household collection service.**

Please provide evidence to support your answer

It's really difficult to be very specific in explaining this to the public. For example, they might not be able to weigh an item. Similarly small WEEE items tend not to be defined standardised sizes. In practice we find it works to tell people to treat anything smaller than a microwave as small WEEE. A microwave is "large WEEE" and people can book a bulky uplift or take it to a household waste recycling centre.

That's how we operate at present and we could review this under any new system, but we do find this has proven a workable and pragmatic system.

**13. For any products listed in response to question 12, what measures should be put in place to drive up levels of their separate collection to minimise disposal in residual waste?**

At the current time we'd accept a booking of a bulky uplift for something like a microwave. Right now, people in Edinburgh pay £5 per item for this. The same is true for larger WEEE such as white goods (the price doesn't change). However, under your proposals bulky uplifts would either be free at the point of use, i.e. funded by the producers' collection scheme, or the old one would be collected when the new one was delivered.

This should in theory help to drive up recovery. However our experience of offering bulky uplifts (free, and with different charging models) would suggest that in practice there may be little difference- a greater issue is often lack of awareness or lack of care. The latter is hard to fix (a dumped microwave doesn't usually have name and address), but an advertising campaign would help to tackle the former.

More could be done both to raise awareness of the alternatives which currently exist for disposal of WEEE (albeit they do have limitations), and to challenge the perception that it's solely the responsibility of the local authority to manage this. Ultimately when the new systems are in place there needs to be a strong campaign to highlight that WEEE should not go in the residual waste at all (this would also serve to tackle the safety issues arising from battery fires).

**14. Do you agree or disagree that producers (and distributors that do not provide their own take-back services) should finance collection of large WEEE? Please select one of the following options:**

a. Agree

**15. Please provide any evidence you have to support your answer to question 14.**

It's not clear why they wouldn't be expected to do this. All producers (and distributors) should be paying their way. That's what producer responsibility means. Excepting situations where there might be an exemption for a very specific reason, if they don't pay into it they are simply free-loading on their competitors who do.

**16. Do you agree or disagree that a producer-led Scheme Administrator, approved by government, is best placed to determine the most practical and efficient delivery mechanism to manage producer obligations to finance small and large WEEE collections from households? Please select one of the following options:**

a. Agree

**17. Please provide any evidence you have to support your answer to question 16.**

This is how the current system broadly works and also how other producer responsibility schemes operate. The current system does need to be improved but not replaced entirely. It could be redesigned to incentivise more area specific collections (such as the on demand services discussed earlier) and to encourage collection of items which can be recovered, repaired or upcycled for reuse, taking into account the considerable presence of not for profit organisations working in this field across items such as white goods, laptops, phones, etc.

The aim of EPRs is to raise awareness among producers of their responsibility in terms of waste production, and to encourage design of products in such a way as to reduce their overall environmental impacts. EPRs also make circular economy loops economically viable that would not have been possible without this dedicated funding.

**18. Do you agree or disagree that the most efficient and cost-effective delivery of the obligation to provide a regular household collection service for small WEEE and bulky waste collections for large WEEE is likely to be achieved through partnerships between a Scheme Administrator and Local Authorities and their waste management partners?**

**Please select one of the following options:**

c. Unsure

**19. Please provide any evidence you have to support your answer to question 18.**

The government, scheme administrator and the local authority all have an interest in ensuring that there is maximum participation at minimum cost. This implies making the scheme as simple to use as possible, and for most members of the public the local authority is the first point of contact to dispose of waste. A public waste collection service means the whole population would be covered, even in rural areas with low populations. So that would imply local authority partnerships.

However, it's also the case that the third sector currently divert items (particularly large items, but also some smaller items too) for repair and reuse and they could stand to lose out if there were a free service provided in partnership between the scheme administrator and the local authority. This would run contrary to the circular economy objectives and to the wider sustainability agenda. Most local authority collection systems are not set up to capture materials for reuse as they require the items to be left outside until they are collected.

There are various paths the Government could take to address this. It could simply take a decision that waste electrical collections should be removed entirely from local authority provision and mandate the collection scheme to work with third sector partners to operate the collections nationwide. This would be the simplest to communicate to the public, but might be problematic as it would require the third sector to collect materials they have no use for – they administrator would pay for that but they may not have capacity to accommodate that, and in some areas there may not be a provider who could deliver it.

Alternatively the local authority could work with charity partners to operate this element of its service, but this may face some of the same problems. In particular the third sector might not have capacity to deliver this nationwide so it might be there is a nationwide collection system, but that in some areas this undermines the third sector.

So in summary the model of working with the local authority would be the simplest, but does not deliver all the potential benefits. It's possible that there is not a one size fits all model which could deliver this, and the Government should perhaps engage with the third sector to investigate this further.

**20. If you answered agree to question 16, what, if any, safeguards might be necessary to ensure costs incurred by producers in meeting the WEEE household collection obligation are reflective of the actual costs of delivery through their service partners?**

In terms of local authority costs, we routinely provide information about these to regulators and government. A greater risk is that payments will not adequately reflect the different costs of providing the service across the country. These variations occur for a number of reasons, including housing types, demographics, geography and the timing of when contracts for collection or disposal were entered into.

Costs incurred by producers should cover not only the collection of WEEE waste, but also the costs of processing waste, preventing it at source, and marketing, as well as the collection of WEEE waste dumped in the environment. Producers should also ear-mark funds for the re-use and repair of WEEE. EPR should not perpetuate the current linear, throwaway culture. It should be an opportunity to advance circular economy models.

Otherwise, local authorities are not financed for the full costs of collecting waste.

**21. Do you agree or disagree with the analysis of this proposal set out in the accompanying**

**Impact Assessment? Please select one of the following options:**

b. Disagree.

**22. Please provide any evidence you have to support your answer to question 21.**

It appears that the emphasis of this is the challenges faced by rural authorities, which is of course entirely legitimate. However earlier, we've set out the particular challenges associated with collecting WEEE (and all materials, in fact) in densely populated urban areas. Flats typically have limited indoor storage space, while there can often be very limited space on the street, car parks, bin stores, etc to accommodate a wider range of collection containers than is currently the case.

**23. Are there are other means of delivering a cost effective and efficient household collection service to that described in question 18, with alternative delivery partners to Local Authorities and if so, what might that look like?**

Yes, in response to question 19, we've highlighted the existing role of the third sector and have highlighted the opportunity to expand this either directly or via local authority partnerships, and to increase the amount of materials reused as a result.

**24. Please provide any other comments and supporting evidence on the proposal for producers (and distributors that do not provide take-back services) to finance a system of kerbside collection of small WEEE and on-demand collections of large WEEE for households?**

Not responded

**25. Producers who place less than 5 tonnes of equipment on the UK market each year are exempt from financial obligations under the WEEE Regulations. Does that 5-tonne threshold remain appropriate? Please select one of the following options:**

c. Unsure

**26. If you answered no to question 25, what tonnage threshold is appropriate? Please provide evidence in support of an alternative threshold**

As a local authority we're not best placed to specify a threshold, but in principle any exemption on this basis should be kept to the absolute minimum. Such an exemption risks creating unfairness (to those who do pay) and also potentially creates an avenue for abuse of the system. It could also potentially increase the cost of the system overall as presumably it needs to be policed.

As a point of principle, any producer of WEEE waste should contribute to the EPR system, proportional to the quantities produced. Even small volumes (below 5 tonnes) have externalities and impacts on the environment. There is no reason why other stakeholders (e.g. local authorities) should bear these costs.

**27. Are there alternative, non-regulatory approaches that could be established to increase separate collection of WEEE from households for re-use and recycling? If so, please describe what this might look like.**

Not responded

## **Increasing distributor collections infrastructure**

**28. Do you agree or disagree that internet sellers and retailers should provide a free of charge "collection on delivery service", requiring the free takeback of large domestic appliances such as washing machines, dishwashers, fridges, freezers and TVs? Please select one of the following options:**

a. Agree

**29. If you answered agree to question 28, should there be a reasonable time frame stipulated in which the unwanted item should be collected to allow for circumstances where it is not available for collection at time of delivery? Please select one of the following options:**

c. Unsure

**30. If you answered yes to question 29, what should those timeframes be?**

a. 2 days

b. 5 days

c. 10 days

d. No there should not be a reasonable timeframe stipulated.

Not responded

**31. If you answered agree to question 28, should this service be extended to collection of smaller items when a large item is collected? If so, should this be subject to reasonable limits in terms of how many items can be returned at once? Please select one of the following options:**

a. Yes

**32. Should retailers selling new household appliances as part of a new kitchen also be obligated to take away the old appliances from the household free of charge? Please select one of the following options:**

a. Yes

**33. Please provide any evidence you have to support your answer to question 32.**

(Not answered)

**34. Do you agree or disagree that we should extend the existing take-back requirements for large retailers from 1:1 to a 0:1 basis ie by removing the requirement to purchase an item for the take-back obligation to apply? Please select one of the following options:**

a. Agree

**35. If you answered 'agree' to question 34, do you agree or disagree that such an obligation should be subject to reasonable limits as to the quantities of WEEE returned per householder? Please select one of the following options:**

a. Agree

**36. Do you agree or disagree that the definition of "large retailer" should be any business with an annual turnover of electrical and electronic equipment of over £100k? Please select one of the following options:**

c. Unsure

**37. Please provide any evidence you have to support your answer to question 36.**

(Not answered)

**38. If you answered 'disagree' to question 36, what should an alternative threshold be?**

**Please provide evidence to support your answer.**

(Not answered)

**39. Do you agree or disagree that the obligation be restricted to retailers only taking back items that are similar to those sold in their stores? Please select one of the following options:**

c. Unsure

**40. Please provide any evidence you have to support your answer to question 39.**

At the moment, you can't usually return an item like a toaster or a kettle to a standalone mobile phone shop. You can only return items like mobiles, tablets, headphones, etc.

On one hand that does make it more complicated to recycle WEEE items but equally it's quite likely that a mobile store (which are typically smaller retail units) might struggle to accommodate a wider range of items. It also seems less likely that a member of the public would expect to dispose of a kettle there- currently awareness of retail takeback still seems quite low, but if they did know about it, a consumer would probably be more likely to expect to return a kettle to a store that sells them.

On balance, therefore retailers should accept any brand – as long as the items are of a similar category to those sold in their stores, they should accept it, regardless of age, where it may have been purchased, etc but not necessarily be required to accept other types of electrical goods (unless they voluntarily choose to do so).

**41. Do you agree or disagree that an alternative obligation to 0:1 takeback be available to internet sellers such as payment into a scheme, similar to the current distributor takeback scheme, be used to support increased levels of collections for re-use and recycling? Please select one of the following options:**

a. Agree

**42. Please provide any evidence you have to support your answer to question 41.**

Agree reluctantly, purely on the basis that online delivery models might be indirect (e.g. the retailer delivers the items via a third party parcel delivery service, who would not currently be set up to accommodate returned items at all, and may be delivering when the customer is not at home. However in this case, there need to be very stringent requirements placed on the retailer to communicate clearly what the customer should be doing with their old items, and in particular that they should not go in the non-recyclable household waste stream, or into other recycling streams which don't accept them.

In an ideal world, WEEE deliveries would be based on a system of timed deliveries so that the householder would be at home. It's usually already the case that the householder would be at home to accept deliveries of large items such as white goods, and some retailers do in fact operate all their home deliveries on a timed basis (not just for WEEE), so this is feasible.

An alternative would be that the householder could be instructed to leave the old item outside for collection and recycling by the courier. However there could be challenges in offering this reliably, depending on the quality of the courier service and also factors such as small items blowing away in severe weather. It might not be suitable for all types of item.

A system like that would not work where the delivery doesn't take place to the household (e.g. the delivery is to a local locker or small shop) and in these cases clear guidance would still be required to tell the customer how to dispose of their item via alternative routes and to emphasise it should not go in the bin.

**43. Do you agree or disagree that the current information requirements should be enhanced to ensure customers are provided with information about their recycling options 'at the point of sale'? Please select one of the following options:**

a. Agree

**44. Please provide any evidence you have to support your answer to question 43.**

As stated earlier, there is limited public awareness of the current systems, an assumption that this is the Council's job, and it's fine to just throw old electricals away. There needs to be more done to emphasise that there is a retailer takeback scheme in place, and how to use it. Dropping the "like for like" and time limit elements of the current scheme would be a significant improvement.

**45. Do you agree or disagree that the point of producer responsibility should be moved to the retailer or internet seller's premises such as the retailer's store, bulking point, distribution point? Please select one of the following options:**

a. Agree



**46. Please provide any evidence you have to support your answer to question 45.**

This seems like a logical change as the DCS is simply being asked to uplift from the retailer store, in the same way as they provide a service to the household waste recycling centre at present.

**47. Are there any other obligations we should place on retailers and/or internet sellers to increase levels of collections?**

For the current in-store collections, remove the like for like requirement for returning items to general retailers like supermarkets (not for specialist retailers such as mobile phone shops, as set out earlier), and withdraw the time restriction (i.e the returning with a receipt within 28 days).

**48. Please provide any evidence you have to support your answer to question 47.**

Not responded

**49. Do you agree or disagree that Online Marketplaces and/or fulfilment houses should have 'take-back' obligations where they facilitate the supply of the product to the householder? Please select one of the following options:**

a. Agree

**50. Please provide any evidence you have to support your answer to question 49.**

Online marketplaces are just as much a part of the retail chain and as such are producers of the waste. If they are allowed to avoid responsibilities this constitutes unfair competition. Perhaps the one difference might be that in the case of the marketplace, they would only apply the requirements, and the costs of compliance, on those vendors who actually sell items covered.

**51. How long will industry need to adapt to the proposals set out above? Please select one**

of the following options:

a. Up to 12 months

b. 12 to 18 months

c. 18 to 24 months

d. 24 to 48 months

(Not responded)

52. Please provide any evidence you have to support your answer to question 51.

**New producer obligations for Online Marketplaces and Fulfilment Houses**

**53. Do you agree or disagree that Online Marketplaces should be required to fulfil the producer obligations on behalf of their overseas sellers? Please select one of the following options:**

a. Agree

**54. Please provide any evidence you have to support your answer to question 53.**

As set out above, online marketplaces are just as much a part of the retail chain and as such are producers of the waste. If they are allowed to avoid responsibilities this constitutes unfair competition. Is this really so different from a conventional retailer importing its stock?

**55. Do you agree or disagree that fulfilment houses should be required to meet the producer obligations on behalf of their overseas sellers? Please select one of the following options:**

**a. Agree**

**56. Please provide any evidence you have to support your answer to question 55.**

Not responded

**57. Do you agree that Online Marketplaces/fulfilment houses should initially be able to use estimated weight data using a protocol agreed with the environmental regulators?**

Please select one of the following options:

**c. Unsure**

**58. If you answered agree to question 57, please provide evidence to explain why exact**

**data cannot be provided.**

Not responded

**59. What additional costs will accrue to online marketplaces and fulfilment houses as a result of becoming defined as a producer?**

Not responded

**60. Please provide any evidence you have to support your answer to question 59.**

Not responded

**61. What other ways, if any, should government explore to tackle the issue of noncompliance with the WEEE Regulations by online sellers?**

Not responded

**62. Please provide any evidence you have to support your answer to question 61.**

Not responded

## **Dealing with the environmental impacts of vaping products**

**63. Do you agree with the proposal to create a new category for vapes? Please select one of the following options:**

**a. Yes**

**64. What additional costs will accrue to producers, compliance schemes and regulators as**

**a result of creating a new category for vapes? Please provide evidence to support your**

**answer.**

Not responded

**65. Are there any other measures, beyond those for eco-modulation and littering set out in the call for evidence, you think government should take to curb the environmental impact of vapes? Please provide evidence to support your answer.**

Vapes need to be treated in a different way to other types of WEEE because they are used differently. These are small items which are used on an ongoing basis, whereas other types of WEEE are usually a more occasional purchase. Where used as intended, to stop smoking, they can help to reduce and prevent the environmental and health impacts associated with smoking. However, in practice disposable vapes in particular are often being sold to people who did not smoke in the first place and therefore represent an additional environmental and health burden.

Since this consultation has launched the UK Government has announced further action in relation to vapes. We welcome the plans to ban the disposable vapes in particular, but note that other types of vapes do remain and appear in the waste stream where they represent a loss of valuable resources and can still present a hazard due to the batteries. As such we hope that the Government will consider steps to minimise this e.g. requiring retailers of vaping products, and smoking cessation services, to provide takeback schemes in store/ clinic so that there is a clear link between the sale or provision of the product and its disposal. These could potentially offer a financial incentive. This might be helpful as people might be less likely to think of these types of products as WEEE and should encourage uptake of recycling services for these products without compromising efforts to encourage people to stop smoking (which also creates negative health and environmental impacts).

## **System governance, the creation of a WEEE Scheme Administrator and performance indicators**

**66. Do you agree or disagree with the principle of establishing Government approved, producer-led Scheme Administrator to carry out specified functions in the reformed WEEE system? Please select one of the following options:**

a. Yes

**67. Please provide any evidence you have to support your answer to question 66.**

A government approved administrator is how other producer responsibility schemes operate and would have the ability to ensure consistency and drive up standards, while also avoiding the issues such as those which arose when the current system was introduced of more rural authorities struggling to find a partner compliance scheme.

**68. If you answered no to question 66, please set out details of an alternative approach to the proposed functions of a Scheme Administrator.**

Not responded

**69. Which of the following functions do you think the Scheme Administrator should carry out?**

i. managing the Producer Balancing system for household WEEE (and nonhousehold if necessary)

**ii. administration of a Distributor Takeback Scheme (for use by those distributors who are not required under the new system to offer in store take-back)**

**iii. development and administration of a compliance fee methodology in consultation with all PCSs, for approval by Government**

**iv. providing evidence and forecasts of the likely household WEEE arisings – presenting recommendations to Government s to inform setting annual financial obligations placed on PCSs for household WEEE collections**

**v. eco-modulation – support Government on potential new measures which could be applied to specific product categories, including development of a methodology upon which to base the modulation.**

**vi. assess and report on environmental performance of the future system against key performance indicators with recommendations to Government on measures to improve that performance**

All of the above

**70. Are there any additional functions that should be added?**

Ensuring that all compliance schemes are providing equivalent services and ensuring that they all meet minimum environmental standards for the disposal of materials, and for capturing items for reuse and upcycling. They could also potentially capture weights of materials collected for recycling by retail takeback within each local authority and this could be provided to the local authority and included in the recycling rate (although this would be subject to approval by DEFRA, SEPA, etc and may be biased towards those authorities with greater retail presence. In addition, where the takeback is via an online seller, this would be problematic to attribute to a local authority).

The consultation doesn't really cover built-in obsolescence, and this would really be more of a role for the Government rather than a compliance scheme, but we want to mention that there is a real issue with this. Some mobile phones, laptops and smart televisions for example have really short support cycles- there are mobiles and televisions that only receive updates and security patches for 2-3 years. Something like a television really should not be needing to be replaced in that timeline. The difficulties of these issues being dealt with by a single government are acknowledged but ideally the UK Government could use the opportunity to show leadership in this field and push for the design of more sustainable products which last longer.

**71. Please provide any other comments on the role of a Scheme Administrator.**

Not responded

**72. Which of the alternative performance indicators listed in the section above do you agree**

**or disagree should be included in the future system?**

**a. Quantity or weight of WEEE in residual waste.**

**b. Convenience of recycling.**

**c. Volume of WEEE in fly-tipped waste in each of the nations.**

**d. Level of consumer awareness of value and opportunities for reusing or recycling**

**WEEE.**

**e. Regular assessment of the carbon impact the UK WEEE system.**

**f. Assessment of circular economy performance of the system.**

**g. Improvements in the quality of WEEE treatment processes.**

**h. Amount of WEEE diverted for reuse.**

All of the above in principle but note that capturing data on specifically WEEE in fly-tipped waste will be challenging. Many local authorities won't be set up to monitor fly-tipped items by materials on an ongoing basis, while fly-tipping on private land won't usually be monitored by materials at all.

**73. Are there any other measures of success which government should consider to assess the performance of the system?**

Not responded

**74. Should information be collected to a level to support regional or local? Please select one of the following options:**

a. Yes

# **Call for evidence on reforming the producer responsibility system for waste electrical and electronic equipment**

## **Consolidated list of questions**

### **Full net cost recovery**

**5. Considering the points for and against set out in the call for evidence, please select which of the following activities producers should finance the cost of:**

- d) Residual waste
- e) Fly-tipped waste
- f) Littered waste

(Answer: all of those)

**6. Please provide evidence of the volume (tonnes) of WEEE arising at UK level and/or by nation level in residual waste.**

We took part in the national waste composition analysis for kerbside household waste and recycling in Scotland in December 2022. This found that WEEE comprised around 1% of household waste bins. While the sample sizes at the level of each individual local authority were small, and so need to be treated with caution, nevertheless this gives some idea. We managed a total of approximately 116,000 tonnes of household residual waste in 2022/23, although this also includes other sources of household waste and litter, including some bulky waste and fly-tipped items.

This work was undertaken as part of a Scottish waste analysis led by Zero Waste Scotland, who should be able to provide a more accurate analysis at a Scotland level.

**7. Please provide evidence of the volume (tonnes) of WEEE arising the UK level/and or by nation that has been fly-tipped.**

A predominant type of fly-tipping in our area is large items abandoned in the street or alongside communal bins, mainly in areas with lots of flats. This is far more prevalent here than the more traditional type of fly-tipping of large amounts from the back of a van (although this does happen). Unfortunately, we don't record fly-tipping by type of item or materials, however we would certainly say that white goods and items like microwaves are very commonly found.

**8. Please provide evidence of the volume (tonnes) arising at UK level and/or by nation that has been littered.**

We don't hold data on this, but we'd view the dumping of items like microwaves as fly-tipping rather than littering.

**9. Please provide evidence of the net costs per tonne for collection of WEEE arising in residual waste.**

No, unfortunately we don't hold this data. However organisations such as Keep Scotland Beautiful, Keep Britain Tidy and Zero Waste Scotland may hold some.

**10. Please provide evidence of the net costs per tonne for collection of WEEE that has been fly-tipped.**

We can't provide a cost for this specifically as it would be built into our overall cost for Cleansing so would depend on the proportion of the overall stream which was WEEE, which we can't provide.

**11. Please provide evidence of the net costs per tonne for collection of WEEE that has been littered.**

As with question 10, we can't provide a cost for this specifically as it would be built into our overall cost for Cleansing so would depend on the proportion of the overall stream which was WEEE, which we can't provide.

**12. Please provide evidence of the types of WEEE commonly discarded in the residual waste stream.**

Smaller items like radios, phones (landline and mobiles), lighting, batteries, electric toothbrushes and both rechargeable and single use vapes.

**13. Please provide evidence of the types of WEEE commonly fly-tipped.**

White goods, microwaves, hi-fi equipment. As a local authority we also bear the burden of collecting commercial fly-tipping, in particular commercial fridges. This is problematic for us because we bear these collection and disposal costs- these items are not accepted through the current system and we need to make arrangements to dispose of them at our own cost.

**14. Please provide evidence of the types of WEEE commonly littered.**

We have no particular data on this but certainly items such as disposable vapes and disposable e-cigarettes are increasingly commonly littered. Smaller items of audio equipment – headphones for example – potentially form a proportion WEEE litter.

## **Allocation of costs for the collection and treatment of household WEEE**

**15. Do you agree or disagree that we should establish a rolling 3-year process for setting the financial obligations of producers to create more certainty in the system? Please select one of the following options:**

c. Unsure

**16. Please provide evidence of whether or not setting a rolling three-year forecast would provide more certainty in the system and act to encourage increased investment by the treatment sector.**

In some (many) categories of WEEE the lifespan of the product is such that there can be a considerable lag between it being purchased and becoming waste (or entering the waste stream after being stored for a period at home) so the challenges of setting annual targets are understood. As a local authority who has to bear the costs associated with managing much of this waste our primary focus is ensuring that any revised system does not compromise our ability to receive the costs associated with managing the materials in the same financial year as this takes place. Local authorities have very limited capacity to carry costs between years so we'd want to avoid that occurring, if that is a risk with this proposal.

**17. Please provide evidence of whether or not a three-year forecast to set financial obligations be supported by a three-year minimum PCS-DCF contract duration in order to encourage increased investment by the treatment sector?**

Not responded

**18. What are your views on the idea of establishing an allocation system as an alternative way to set financial obligations on producers and guaranteeing the financing of Local Authority collections?**

As a local authority who has to bear the costs associated with managing much of this waste our primary focus is ensuring that any revised system does not compromise our ability to receive the costs associated with managing the materials in the same financial year as this takes place. Local authorities have very limited capacity to carry costs between years, and it's not entirely clear whether this proposal could impact on that.

**19. Please provide evidence on the estimated costs and monetised benefits of both establishing and operating such a system.**

Not responded

**20. Please provide evidence of any other alternative approaches, not described in Chapter 2, which you think could be suitable for allocating financial obligations on producers.**

Not responded

**Prevention of waste and increasing re-use of unwanted electrical and electronic equipment**

**21. Do you agree or disagree that giving a higher weighting to tonnage collected by PCSs for re-use (or preparation for re-use) towards their collection targets, than tonnage collected for recycling would incentivise greater re-use (or preparation for reuse) of WEEE? Please select one of the following options:**

c. Unsure

**22. Please provide any evidence you have to support your answer to question 21.**

In principle we'd certainly support measures, which could include this one, to maximise the reuse potential of discarded WEEE. We acknowledge that there is likely to be informal reuse taking place, and the challenges associated with capturing this data.

It's also notable that for small WEEE in particular, the majority of items currently on the market or already in homes were not designed to facilitate repair and reuse. A measure like this could potentially be a step in the direction of improving product design to facilitate the repair or reuse of even relatively small items, and potentially to fund an easily accessible network of repair cafes and similar facilities to facilitate small repairs which could keep products in use for longer.

We don't collect any data in this area, but as a local authority we've made numerous efforts to divert materials (of all types, not just WEEE) for reuse at our HWRCs and have repeatedly run up against issues with the quality of the items disposed of and matching potentially reusable items to an organisation which can use them.

We do have one concern around this proposal which is that giving a greater weighting to reusable items could make it easier for the producers to meet their targets at the expense of less "attractive" items. The targets need to be seen as the minimum achievable measure, rather than as one which is all that needs to be achieved.



**23. Do you agree or disagree that we should introduce new targets for the re-use (or preparation for re-use) of WEEE that has been collected separately from other types of waste to incentivise more collections for re-use (or preparation for re-use)? Please select one of the following options:**

a. Agree

**24. Please provide any evidence you have to support your answer to question 23.**

Conversely setting targets for reuse would potentially act as an incentive to fund enhanced collection facilities which prevent WEEE being damaged. For example in most authorities bulk collections take place at the kerbside. In our response to the other part of the consultation we've flagged up that an on demand collection system operated perhaps by a charity partner, could offer a way to ensure that materials could be collected face to face or from in the home, which prevents items being spoiled by rain, etc. (In our case, we'd also view it as highly desirable because 50% of our households are flats).

**25. If you answered agree to question 23, please provide evidence to indicate on which of the stakeholder groups below targets should be placed to maximise impact?**

**Please select one of the following options:**

a. Producers (via PCSs)

b. Retailers

**(Answer, those two)**

26. Please provide any evidence you have to support your answer to question 25.

Not responded

**27. Do you agree or disagree that an obligation on PCSs to provide free collection services to re-use charities and the charity retail sector for donated equipment subsequently deemed unsuitable for re-use would promote greater re-use by removing a significant cost barrier to the sector? Please select one of the following options:**

a. Agree

**28. Please provide any evidence you have to support your answer to question 27.**

Assuming the charity has capacity to do so, if PCSs are providing a free uplift service for those items which are not reusable, this potentially removes risk from the charity in terms of what they collect and could therefore make them more willing to accept electrical items.

It should be noted that nationally many charities have their waste collected by commercial trade waste companies and that not all local authorities provide a commercial waste collection service at all. So PCSs will need to engage with this sector.

**29. Do you agree or disagree that access to data from retailers and Local Authorities on how much used equipment is received at these collection facilities for re-use (and consequentially diverted away from entering the WEEE producer responsibility system) would provide significant and useful new insight into volumes of equipment being re-used that is not classified as waste? Please select one of the following options:**

a. Agree

**30. Please provide any evidence you may have to support your answer to question 29.**

Not responded

31. Please provide evidence (including from international sources) of other potential mechanisms to increase levels of re-use and preparation for reuse activities across a broad range of products.

## **Moving to a circular economy through the design of better products and business models**

**32. Do you agree or disagree that implementing a system of eco-modulation into the UK's WEEE system could incentivise more sustainable product design? Please select one of the following options:**

a. Agree

**33. Please provide any evidence you have to support your answer to question 32.**

Learnings from other EPR schemes should be used to ensure that eco-modulations actually incentivise more sustainable product design. For example, in France, it has been found that Eco-modulations work poorly in the packaging sector, with only a fraction of the packaging being affected by a penalty. Eco modulations should focus on reducing waste at source rather than on recyclability. According to Zero Waste France, the effectiveness of eco-modulations cannot be demonstrated at this stage. Source:

<https://www.zerowasteFrance.org/revoir-systeme-rep-reduction-dechets-plastiques/>

The costs should be high enough to provide an incentive for producers.

**34. If you agree with question 32, which of the following approaches would you most likely**

**support:**

**a. A new system of EPR in which variable fees, based on units placed on the market (POM), are modulated through the implementation of a malus (increased fee) or bonus (reduced fee).**

**b. Maintain the current system of setting obligations based on a market share (by weight) approach but with that market-share modulated to reward producers whose products have the lowest environmental impact, thereby reducing their compliance costs compared to those producing more harmful products.**

**c. Either of the above approaches**

Answer C, either

**35. Which of the following metrics should we use to prioritise products to eco-modulate?**

**Please select one of the following options:**

**a. Total weight of the product (in tonnes).**

**b. Total volume (in units) sold on the UK market.**

**c. Carbon intensity of the product.**

Answer C, carbon intensity

**36. Which of the following criteria should be used as an effective basis for eco-modulation:**

- a. Recycled content**
- b. Recyclability**
- c. Reparability**
- d. Durability**
- e. Energy efficiency**
- f. Hazardous substances**

Answer- all of the above if you can choose that, otherwise hazardous substances, reparability and durability

**37. Are there any other criteria, other than those set out in question 36, which you feel would be relevant? Please specify what these could be.**

Not responded

**38. How should compliance with eco-modulation criteria be verified in a way that balances cost with the integrity of the system? Please select one of the following options:**

- a. Self-declaration
- b. Third party declaration
- c. In advance control or inspection by the authorities
- d. Other (please specify)

Possibly....b? On the basis that a is likely to be abused and c might be too onerous.

**39. Do you agree or disagree that eco-modulation should be supported by mandatory labelling to give consumers visibility of the extent to which the product has met certain eco-design criteria? Please select one of the following options:**

- d) Agree

**40. Please provide any evidence you have to support your answer to question 39.**

Not responded

**41. If you answered 'agree' to question 39, in which format do you think this information should be displayed? Please select one of the following options:**

- e) Physical label

**42. Do you agree or disagree that products made available on the market using circular economy business models should be excluded from the calculation of collection and treatment obligations placed on producers because they will in any case be responsible for the individual product when it becomes waste? Please select one of the following options:**

a. Agree

**43. Please provide any evidence you have to support your answer to question 42.**

In the specific context of products which are leased or rented and are automatically recovered at the end of the agreement, this would make sense both in terms of equity and because it reduced the cost to the consumer of sourcing goods in that way so increasing uptake. However care does need to be taken to ensure this is drafted sufficiently tightly so as not to become a loophole to avoid contributing financially into the system.

## **Increasing collections of business WEEE**

**44. Do you agree or disagree that the current business to business (B2B) system (EEE or WEEE that is designed for business, industry or professional use only, rather than household use) is an effective mechanism by which end users can return WEEE to producers for proper treatment? Please select one of the following options:**

c. Unsure

**45. Please any evidence you have to support your answer to question 44.**

As a local authority we're not involved in the provision of commercial waste collections. As a business we're not aware of easily accessible facilities which allow cost-effective and convenient disposal of small items such as (for example) desk fans. This is less of an issue with things like IT as those tend to be owned by the service provider, although it does still arise here too.

**46. Do you agree or disagree that we should extend the principle of producer responsibility to the premises of the business end user (and other non-household premises) and introduce a collective producer responsibility system for Business to Business (B2B) WEEE? Please select one of the following options:**

a. Agree

**47. Please provide any evidence you have to support your answer to question 46.**

Not responded

**48. Are there circumstances (for example, for certain product types) in which individual producers should be responsible for the cost of collection and treatment of the products they place on the market when they become waste? Please select one of the following options:**

a. Yes

**49. If you answered yes to question 28, please set out what these product types might be.**

It would make sense for a parallel system for the disposal of all business WEEE to be established. This needs to be as simple to use, and be free, in the same way as that proposed for household waste.

**50. Do you agree that a system in which producers financed the cost of collection from the business end user and adequately supported by appropriate communications would be sufficient to drive increased levels of business WEEE into the system? Please select one of the following options:**

c. Unsure

**51. Please provide any evidence you have to support your answer to question 50.**

We don't operate commercial waste collections, but in principle this would be a positive step forward. The need for that communication and understanding of responsibilities though is key.

**52. Are there any circumstances in which it might not be appropriate for producers to finance collections from businesses? Please select one of the following options:**

b. No

**53. If you answered yes to question 52, please say circumstances these may be. Please provide any evidence you have to support your answer.**

Not responded

**54. Do you agree or disagree that there should be a ban on producers and distributors sending whole items of electrical equipment (such as surplus stock) to landfill or incineration? Please select one of the following options:**

a. Agree

**55. Please provide any evidence you have to support your answer to question 54.**

Clearly, unsold stock should be prioritised for reuse. Unsold stock should be donated to charity, and damaged items repaired for reuse.

Whether it's unsold stock, returns, damaged items etc, if it can't be reused then it must be prioritised for recycling and there needs to be an appropriate collection system in place to facilitate this.

**56. If a ban were to be implemented, do you foresee any unintended consequences of unwanted electrical stock being redirected to any of the following routes? Please select one of the following options:**

**o Reselling**

**o Repair / refurbishment**

**o Re-use**

**o Recycling**

Answer: reselling, repair/ refurbishment and reuse

**57. Please provide any evidence you have to support your answer to question 56.**

If a ban were implemented there is potential to greatly expand the reuse sector, but there could be a mismatch between the volumes or types of items and the ability to resell, repair, or otherwise reuse. There's also a scope for non-repairable items to leak into the repair stream. However provided there is an effective collection system in place to manage that at no cost to the recipient of the goods then this might actually be desirable. If the recipients can afford to be less selective as to what they accept in the knowledge they can dispose of unusable items free of charge for recycling, this could potentially increase the flow of goods to reuse, repair, etc more than would otherwise be the case.

**58. What are your views on alternative policies to improve the B2B system? Please provide**

**any evidence you have to support your answer.**

Not responded

## **Improving treatment standards**

**59. Do you agree or disagree that the recovery and recycling rates for WEEE should be reviewed to ensure that those targets remain sufficiently challenging whilst achievable? Please select one of the following options:**

a. Agree

**60. Please provide details of evidence sources used to support your answer and evidence on the extent current targets are being met and exceeded.**

Not responded

**61. Do you agree or disagree that AATFs should be required to report annually on the extent to which they have met those recycling and recovery targets and that their report should be supported by an independent audit? Please select one of the following options:**

a. Agree

**62. Please provide any evidence you have to support your answer to question 61.**

Not responded

**63. Please provide evidence of likely costs of both reporting and independently auditing recycling and recovery rates.**

Not responded

**64. Do you agree or disagree that the introduction of individual recovery targets for specific materials, including critical minerals would drive recovery of and demand for those materials thereby contributing to Net Zero and Circular Economy ambitions whilst supporting security of supply of certain materials? Please select one of the following options:**

a. Agree

**65. Please provide any evidence you have to support your answer to question 64.**

Not responded

**66. If you agree with question 64: would you support the introduction of reporting on specified materials to form a useful evidence base ahead of setting targets in the future? Please select one of the following options:**

a. Agree

**67. If you answered agree to question 66, should these targets be mandatory or nonbinding?**

a. Mandatory

**68. We require treatment facilities to demonstrate sound management of WEEE, including removal of specified hazardous material and POPs. Are there any other substances and components which should be added to the restricted list? Please provide evidence to support your answer.**

Not responded

**69. What do you think are the key barriers to improving material recovery when treating WEEE? Please select one of the following options:**

c. Other

**70. If you answered 'other' to question 69, please specify what this would be.**

For the small WEEE stream there are challenges associated with the sheer mix of materials being co-collected. Many items, such as disposable vapes, electric razors, headphones, etc also have built in batteries which are a particular hazard.

**71. What information do you think suppliers of products should be required to provide to assist waste treatment operators to increase the recovery of specific materials or components commonly found in WEEE?**

Not responded