



Committee for Agriculture, Environment and
Rural Affairs

OFFICIAL REPORT (Hansard)

Environment Bill:
Chartered Institution of Wastes Management

27 February 2020

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Declan McAleer (Chairperson)
Mr Philip McGuigan (Deputy Chairperson)
Ms Clare Bailey
Mrs Rosemary Barton
Mr John Blair
Mr Maurice Bradley
Mr William Irwin

Witnesses:

Mr Tim Walker

Chartered Institution of Wastes Management

The Chairperson (Mr McAleer): I welcome Tim Walker, who is a member of the Chartered Institution of Wastes Management. Tim, if you give a presentation for around 10 minutes, members will then ask you questions. Whenever you are ready, Tim.

Mr Tim Walker (Chartered Institution of Wastes Management): Thank you, members, for the opportunity to present to you. I am one of the trustees on the chartered institution's waste board, and I am here to give you an overview of our perspective, from a professional institution's stance, on the Environment Bill.

Do you know, or do you want to know, anything about the Chartered Institution of Wastes Management? If you need to, can you look it up online? *[Laughter.]* I ask that slightly tongue in cheek, because I have not prepared anything, but we are a professional body with well over 5,000 members and have been around for over 100 years, dealing with everything from street sweeping all the way through to the circular economy. As a very broad brush, it is a well-established institution that has been around for quite some time.

Today is about the Bill. I am looking at the creation of the new statutory and independent environmental body and how that may impact on Northern Ireland; the extension of the Office for Environmental Protection (OEP) to Northern Ireland and the issue of the border; and, specifically focusing on waste issues, resource efficiency and waste reduction as key areas for long-term targets that will be set by October 2022.

The Office for Environmental Protection is proposed to be a domestic independent watchdog that will take action over breaches of environmental law from a variety of public organisations and institutions. The expectation is that it will be fully operational by the end of this calendar year. It will have a scrutiny

and advice function to monitor progress on plans and targets, as set by various public-sector organisations. From our perspective: how will this work and how will the border be factored in, especially given the long, shared border and some of the shared organisations North and South? Will an additional OEP be required in Northern Ireland, because it is proposed to be headquartered in Bristol? How will that outreach to Northern Ireland? Obviously, if it is based in Bristol, it is quite a way from here and there is an issue of access and appreciation and understanding of local circumstance. The OEP will get its budget primarily from government directly, so what level of independence will it have in its function to scrutinise and monitor public bodies and to hold Departments to account? Will the OEP have sufficient resources and powers, as there is likely to be a number of cases that need to be investigated? You will have seen that most recently with regard to some of the air issues in London. How will that be scrutinised in an OEP-type environment?

Moving on to waste and resource efficiency, which is a subject that I know something about: the Government committed to using resources more sustainably, which, in this day and age, is only to be expected. There is a move towards a circular economy. That is referenced in the Environment Bill. Again, that is only keeping up with other European and global developments. It gives priority to preventing waste, which is as you would expect with regard to the waste hierarchy. When waste is created, the Bill gives priority to reuse, recycling and recovery; again, as per the waste hierarchy, so, effectively, it enshrines the waste hierarchy in statute. It will provide a framework for the delivery of the resource and waste strategy, which is primarily an English strategy. The resource and waste strategy was launched in December 2018, and primarily concerns England, but, given the sheer number of councils and weight of investment, the spillover from the resource and waste strategy will have a major impact on the devolved Administrations. I am not sure that that is reflected fully in any of the narrative or consideration of the implementation of the resource and waste strategy in England.

Moving on to the specifics: there is producer responsibility. In many regards, the industry and the professional institution have been calling out for that for a long, long time. It is the idea that those who place products in the marketplace should be responsible for paying for their recovery. At present, that cost rests primarily with councils through the public purse. It is extremely expensive, which has really come to the fore in the past 10 years with the austerity agenda across the water.

Producer responsibility, as drafted in the Environment Bill, allows for obligations on producers in relation to the reuse, redistribution, recovery and recycling of products. It would replace the Producer Responsibility Obligations (Northern Ireland) Order 1998, which would be repealed. It puts financial responsibility on producers for goods at the end of their life. The Bill has quite a clear limit, or list, as to what is appropriate for producer responsibility. I suppose that one of the questions that you may wish to ask is whether that can be extended, amended or enhanced in any way. Places like France, for example, have adopted a far more forward-facing approach to producer responsibility and have suggested that, potentially, it should be applied to almost any product that comes to the marketplace; everything from mattresses, to paints, to children's toys. You, effectively, place responsibility for every product that comes to the marketplace unless you make a case for a product to be excluded. That is far more draconian than what the Bill proposes, but if we really want to get sensible about resource management, materials management and commodity management — managing stuff — that is how we need to deal with it, as opposed to the way in which it is currently left in a large bucket and is then manipulated in some form or other.

With producer responsibility, the focus is placing the incentive on the manufacturer to deal with the waste, to reduce the hazardous component of the waste and to consider how it can reuse the waste in a better way. We see that most clearly with some of the manufacturers of cars, mobile phones and electronics, where that recoverability is almost inherent in the use of the product. Can that mindset be pushed further? That is what producer responsibility starts to do.

The next issue is the deposit return scheme (DRS). The idea of that is that the consumer pays a small, upfront fee for an item; mainly a packaging item for foodstuffs. The idea is that, at the end of the day, when you return your product or item — I will use this glass as a prop — and you present that back to the retailer, they give you back the fee that you paid in the first instance. If the product was worth 99p, you would pay an extra 10p for the packaging itself, and you would then redeem that 10p when you present it back to the retailer. It introduces a whole scheme of support around it, in terms of the value, data management and fraud. Anything involving finance and cash introduces the element of fraud, so a DRS will introduce the prospect of some interested parties making money or seeking to make money in a covert manner. It may well increase recycling and reduce litter, because much of what is currently packaging, and falls into the DRS, is effectively thrown away or casually discarded by a consumer on the go at the minute.

There are practical issues for the retail sector and the space and resources to manage the scheme. If you have a reverse vending scheme, where do you put the reverse vending machine? How is it kept appraised? How is it emptied? Where are the empty bottles taken to? Where do the empty crisp packets — should they fall within the scheme, which is not currently proposed — go to? Who would take them? How often will they take them? What about food standards? What about vermin and smell issues? There are lots of issues of that sort when dealing with an empty product, and all that will have to be worked through.

For councils, much of the DRS-type material, such as tins, cans and glass bottles, is where there is some potential value or, at least, a flat value. There is a concern in some council quarters that they will increasingly be left with the glar — the stuff of no or low value — because the high-weight, high-cost materials — for example, beverage containers, such as Coke bottles, Lucozade bottles and the Fanta cans — will be taken out of the equation and claimed by the individual purchaser, leaving low-grade material in the councils. The idea that they will be left with the low-grade material that they need to manage and handle is causing councils a degree of tension and interest, bordering on concern. Obviously, the high-value beverage containers will be taken out, but, on the low-value items, packaging companies that are not involved or engaged locally could flood the market with very cheap composite materials, and that causes the councils anxiety.

How will it operate locally? The issue of fraud comes in when you have a border and materials that can flow across the border. Does it mean that you need a database to determine your quick response code (QR) or barcodes from one jurisdiction to another? How are they maintained and updated product by product, material by material and beverage type by beverage type? Where is that managed?

That issue is not unique to here. Obviously, any DRS scheme in any of the member states has the same kind of transmissivity across borders, which they have to consider. The UK does not have to consider that, except for here. How will it work in Donegal or in Armagh? We need to pay attention to that.

The Bill allows for regulations to introduce charges on single-use plastic items. You will all be aware that Northern Ireland was amongst the first with the plastic bag levy. It followed in the footsteps of some of the other member states but, certainly, was the first of the devolved Administrations in the UK. The issue is this: can we do more? Can we take the responsibility and introduce other charges or levies to add momentum to the ownership and behavioural change around materials that we need to effect in the next ten years? There is a national authority to make regulations on charges for single-use carrier bags. Can we consider extending that authority? There is a potential for civil sanctions whenever that is avoided or discharged poorly.

On managing waste, in general, the Environment Bill contains proposals on electronic waste tracking and the power to establish electronic waste tracking and its horizons, so we can see where waste goes. Various attempts have been made in the past, under duty of care, to introduce an e-doc, web-based system, and it has not worked, because there has been less acceptance from many of the players in the waste sector. It is now becoming more mandatory. There will be an electronic waste tracking system introduced nationally.

There will be powers to tighten up on hazardous waste enforcement. The nature of hazardous waste is rapidly changing. As the impact of many of the materials that we use in everyday life gets more closely scrutinised, we recognise that everything from paints we have used, to oils in our cars and electrical products we generate now fall within the ambit of hazardous waste. Individually, they may not cause much of a problem, but, when they are bulked up, in mass, they cause an issue. How do we manage, control and enforce the treatment, disposal, management and storage of those materials? The powers provide a better mechanism.

I turn to powers to make waste charging schemes to recover costs for regulatory and enforcement actions. Does the NIEA have sufficient powers to recoup and recover all the costs, from everything from fly-tipping through to Mobuoy? Does that tie into the Sentencing Council and recommendations for the sentences? There is a whole thing about the Proceeds of Crime Act as well.

There are enforcement powers to direct waste to be collected and transported by specialist carriers, so you do not just leave materials that are dumped in a particular area to be collected by the next person, but you have a power to direct from the Environment Agency. You also have the power to direct specific registered carriers to carry out that work.

With regard to waste regulation, to change the definition of the Department in the Waste and Contaminated Land (Northern Ireland) Order 1997 to DAERA is a minor issue and is an expansive one to bring us into line with the powers that need to be discharged under the Environment Bill.

My final point is about the environmental principles. The environmental principles written into the Bill need to be seen in the context of the circular economy package and revised waste framework directive 2018, which we are currently up to abiding by. There are five important environmental principles in the Environment Bill around integration, prevention, precaution, rectification and polluter pays. The concern in the past, which has been expressed universally by the environmental services sector and the professional bodies, is that those principles are not high enough or given sufficient weight in the Bill. There are given almost only an advisory as opposed to a mandatory footing. There are also things like the proximity principle, which has fallen out of the equation and could see the movement of materials all over the place. That does not lead to self-sufficiency, resource security, energy security and a variety of other issues that, in a resilience-focused future, we need to be looking at.

Nevertheless, there remain important principles where policies are being developed. The issue is how those principles are promoted, promulgated and distributed across the development of all new policies and are not chosen ad hoc. They are largely unchanged from earlier consultations. The concern from the professional environmental services associations and institutes is that they are not strong enough.

The Chairperson (Mr McAleer): Thank you, Tim. I will move directly to members' questions.

Mr McGuigan: That was very interesting. You highlighted the fact that the OEP's headquarters will be in Bristol. Given all that you said, is there a necessity that it has a physical structure and office here in the North to do the stuff it needs to do?

On producer responsibility, you said that we might want to ask if it can be amended. Is that something that the Assembly can amend?

You said that councils will be concerned that, with all those other things, they will be left with low-grade material. I am trying to extrapolate what their concern would be because they are dealing with it anyway, although with other material. Are you saying that their ability to make money from the other material would cause them concern if all they were left with was stuff that they have to deal with anyway but are not able to make any money on?

Mr Walker: With the OEP being headquartered in Bristol, there is an issue of proximity. We are a devolved Administration, and we are quite a long way down the line. How do you raise things with the OEP in such a way that they register? What legs and arms does it have on the ground to go and investigate? It is supposed to oversee the likes of the NIEA, so it is not part of the NIEA itself. Yet, we have the issue of a land border, and we have had issues in the past about waste moving north and south. We have had issues about how some enforcement bodies or agencies have discharged their functions, and there have been a variety of quite critical reports of the likes of the NIEA and how it discharged its functions in some of those areas, going back 20-odd years, and previous comments about the DOE.

How will the OEP ensure that it has the knowledge, the wherewithal, the resources and the focus to consider, interrogate, investigate, scrutinise and monitor? I pose that as a question because I do not have an answer to that. It is just that from some of the initial proposals that are emerging from Whitehall, it does not seem to be terribly well resourced, nor does it seem to have a lot of bodies to put in place. It does not seem to have much time to come together and to be recruited, nor does it seem to have much wherewithal to give effect to its remit. It still seems to have the potential to be in thrall to the funding party, which is the Government themselves. There is a kind of poacher/gamekeeper thing here — am I really going to criticise my paymaster unduly?

You have seen what has happened with many of the environmental agencies and bodies that were funded by the state in the last 10 years, where their resources — the amount of money and number of people that they have — have been gradually but inexorably reduced. It is about that independence. It has been said time and time again that that does not seem to sit in the same space as the Court of Justice of the European Union does. It does not have that level of independence, oversight or interrogation. Whether that is purposeful or not is probably beyond my pay grade, but such things have been known to come to pass in the past.

Your second question was about whether extended producer responsibility (EPR) could be amended in Northern Ireland. I am not sure; I do not know whether it can be. I am not sure what status the Environment Bill, ultimately, will have, but surely amendments can be made, if it becomes a matter of national law, to extend its remit following interrogation, consideration and consultation.

The concern, if there is such a thing, in the devolved Administrations of Scotland, Wales and Northern Ireland is that we have now got to a position where, on waste at least, we are outperforming England and we have adopted very different approaches from what England has proposed. Wales is far further down the road in terms of cohesion of policy and strategy on waste and the broader environment into education, housing, transport and a raft of different government areas. Scotland has done a lot in framing the debate around the circular economy, zero waste and resource from productivity. In Northern Ireland, we have simply outperformed England in recycling and the recovery of materials.

The concern is that now, with it all being centralised back into London, we are, potentially, performing at the speed of the lowest performer. That is a devolved Administration concern. I will not go into that in any detail, because I am not really qualified to do so, but I know that, in discussions with my colleagues from those regions, there is a concern that, in fact, we will be pulled backwards. I suggest that it is up to you to familiarise yourselves as to whether EPR could be extended further and faster than maybe, initially, predicated in the legislation.

Your final question was about councils and their glar. As the materials that have a value get lifted out of the waste stream, by default that means that the materials that are left in the waste stream have no value or less value, or have a greater cost. Attention is being given to what that is likely to look like. Certainly, speaking to European colleagues, they are saying that there has been an offset, in that, as councils lose some of those materials to deposit return scheme (DRS)-type arrangements, it means that the void space in the back of a bin lorry is not so packed out with plastic bottles and they are more productive. Therefore, you do not need as many bin lorries. I have not seen any figures, and I certainly have not seen any as to how it would relate to the UK. It just leads to a tentativeness.

There is, however, recognition that, to some extent, this is Peter-and-the-dyke stuff. The nature of waste is going to change. It must change, over the next 10 to 15 years. It cannot stay the same. Therefore, some of this stuff will come to pass, no matter what. In that regard, how can we, in local government or the professional services space, assist, contribute and shape a proper, structured transition, at pace, to something new and different?

The concern is that, if councils are left with lower- and low-grade material and it costs more, what will the appetite be for those councils to pay more? They will not have the offset of the sale of recyclables. It is recognised that it will come to pass. You will have seen Coca-Cola, last night, on TV, saying that it wants to put a 100% recyclable product into its bottles by 2030. Where will that come from? Both producer responsibility and the deposit return scheme raise the spectre of how we, as collectors, improve the quality of product that we generate, either directly through our collection arrangements or indirectly in association with the various sortation plants in Northern Ireland.

We need to recognise that we are an island off an island, and, as such, our access to markets and the number of reprocessors that may be available for that stuff may be limited, in which case, as it becomes marketable product again, there may need to be new transport chains and relationships established beyond, into England, Scotland, Wales or Ireland, or further afield, for the reuse of the materials, once they cease to be a waste. That point is not directly related to DRS. It is a more general comment.

Mr Blair: Tim, thank you, and apologies for missing the first couple of minutes of your presentation.

Let me make it clear, at the start, that anything I say is not intended to sound like a challenge. All of us should be looking at environmental and waste management issues in the atmosphere of challenging ourselves and each other on an ongoing basis, so as to achieve the best results and practice.

From a waste management point of view, let me say this, to start with, to everyone here and I include colleagues: the BBC reports today that, at any one time, there are 1.3 million pieces of litter on Northern Ireland's streets. That is a waste issue that, quite frankly, none of us is managing. We have to accept that and to try to deal with it. I will come to that later, in terms of some of the litter and waste product problems that you addressed in your presentation.

Can we say honestly that it is good practice in waste management to have 11 different structures or silos — call them what you will — in Northern Ireland replacing 26? They represent a wide variety of

waste management systems across a place of this size. Is that the best way to manage our waste, in what is described, in the environmental principles at the end of the presentation, as an holistic policymaking way? I suggest not, and I will give you some examples. I do not want to drag this out too much, but we have to put some specifics on it.

I have constituents who have different waste management systems because of the legacy of two councils that were re-formed five years ago. It is hardly a rapid rate of progress, whatever way you look at it. Here is the outworking of that. Some of my constituents have their glass waste collected at their door. Some do not, and that includes constituents who, because of age, infirmity or other reasons, have given up their motor vehicles. Even though they care passionately about these matters, they can no longer take their glass to a recycling plant, and they are losing out. All the people I have just described live in the area of and pay rates to the same local authority. That is not good practice, whatever way you look at it. I am not sure that any avoidance of new strategies or policies and perhaps, in some instances, tougher measures really gets to the root of those problems.

You mentioned the deposit return scheme, Tim. Those are things that are needed to challenge our thinking and to change our practices. As you rightly reflected, there will be new apparatus and structures required to deal with the handling of those systems. They already exist in other places, and there is strong evidence that recycling in places like Germany, for example, is way in excess of what we are managing to achieve. In addition, they appear to have much less of a problem with litter. Is there an argument, therefore, that those structures, those practices and that apparatus has worked perfectly well?

I take your point completely about councils being left with materials that are less desirable, but that is happening already. Some of us sitting at this table have parts of our constituencies that have a considerable proliferation of hot food carry-outs. Sometimes, business owners put practices in place to deal with the litter issue, but sometimes they do not. Therefore, some of the time, local councils and local ratepayers are dealing with the cleaning-up exercise as a result of having a proliferation of businesses in one place. So there is already a problem with litter and products that very often cannot be recycled.

You mentioned also the cross-border issue or problem or challenge if we want to stay in that context. Could we not also look upon that as the vital opportunity to have cooperation and collaborative approaches that could exist elsewhere as well? It is no bad thing to have two places within a short distance of each other having a joined-up approach to litter recycling and waste management.

That is my general thinking. I conclude by saying that the new strategies and new collaboration might well be what is required to sharpen minds, focus attention and change practices. Is it that we as departmental delivery agencies, if you like, and yourselves as waste management experts, have to adjust as we go and try to embrace some of these changes so that they can be managed as we go along? Sorry for the amount of points there.

Mr Walker: I am not sure that I will be able to address all the points that you have raised; I have noted as many of them as I can. You are right to recognise that there will be a change in structures. The very fact that there is a proposal for an OEP suggests that there is a change of structures coming. Doing what worked in the past, to misquote Einstein, would be like doing the same thing endlessly and expecting a different result. The structures of the past are just that, and they have led us to where we are now. Expecting the structures of the past to develop something new shows blinkered thinking. We will need to test our thinking and consider, "Do new structures, agencies and powers need to be vested into new organisations to make things happen, bring them together and change their shape?".

I will take the points that you raised as closely as I can, one by one. In terms of the number of items that are littered on the street, from a professional perspective what you are seeing there is leakage; leakage occurs as people discard stuff, as stuff escapes from bins that are overfilled, as machines collect waste or as waste gets blown from containers in a way that is not controlled. That has led to much of the litter that you see, not just in the streets or in the trees but also in the sea; it escapes in an uncontrolled manner. It is inherent upon the industry and collection arrangements to make a much better controlled collection of materials.

The problems with much of the waste and litter that we find is that it is plastic-based, which is why there has been such a focus on plastic in the last half a dozen years or so. That is why, as part of the circular economy package, there is a single directive on single-use plastics. I was reading two weeks ago that, if Henry VIII had discarded a plastic bottle, it would still be here, because that stuff lasts for a long time. That is the uncontrolled release.

When you say it is on the streets, yes, there is a lot on the streets. Litter is, to some extent, an indicator of just how well collection arrangements work, but also the mindset of the local population, because councils are rarely placing waste on the streets themselves. So there is a huge behavioural piece that is ongoing and is a desperate requirement, but it is completely elastic. The amount of resources that you need to put into behavioural change and education in order to effect change is almost limitless. That means that it is very difficult to get change embedded at the core. It is imperative that it be done, but the best way that you can start to show that it is a beneficial thing to do is to show that there is a pull-through. There are direct benefits from having stuff sorted out for recycling and recovery, such as jobs, environmental benefits and cost benefits. We need to begin to articulate it and broadly frame it in such a way, because you are dealing with multiple audiences. For example, in certain parts of Northern Ireland which are poor or impoverished, messages about pandas and polar bears will not resonate, but if you are dealing with other areas of Northern Ireland, that is exactly the message. It is a matter of pitching and framing a whole series of messages that consistently get out there.

You mentioned councils working — a wide array, 26 down to 11 — and the council legacy issues. Yes, there are a lot of legacy issues. Yes, the councils are moving through an original stage of transitioning where, five years later, they are beginning to say, "What have we actually got here? How do we now begin to change, amend and shift?". On Monday, Lisburn introduced its stacker box collection system to begin to roll out a new arrangement whereby you are collecting materials and maintaining a higher integrity of the product at the kerbside, with a view that it would roll out across the whole area.

Mr Blair: I know it well.

Mr Walker: Belfast is doing something similar. Antrim and Newtownabbey have already gone down that road by quite some margin, but it takes time. Councils have limited time, people, money, kit and spend profiles, but they are moving. I suppose an indication of that is recognising that there are 11 councils and they all want to achieve the same aims and objectives, rather than producing different plans as in the past. It is time for a refresh of the waste management plans, and the 11 councils are now working together to see if they can produce one waste management plan for the whole of Northern Ireland. So not Arc21, not SWaMP2008, not North West Region Waste Management Group, but one collective.

They are grappling with how it gets achieved. How do the reporting line, governance and approval systems get put in place? Are there red lines around technology? Are there red lines around collection? Is collection included or excluded? I am going to quote a line I heard this morning about bins: bins are the strategic doorway into waste management. I know, as councillors and as Members, it is absolutely the thing you hear about when people have their bin collection missed. It is the thing that goes off like a balloon. Whether that bin is collected or not is only inching into what actually happens downstream, because the materials coming out of that bin could have an afterlife which goes on for 1,000 years. Yet that is the thing that you all hear, because, when it goes wrong, it is the thing that people pick up the phone about. What we need to do is make sure that we get those steps downstream also aligned so we make use of what comes out of the bin, but that does not get the attention because it is all done in the shadows and the smoke and mirrors.

Going back to your point, the 11 councils are now beginning to work together. It is difficult, because although you have 11 sets of technical officers, they have different views about what the future could and should look like. There is a certain amount of the storming and forming required to develop a shared common expectation. Some are saying, "Technically, I can see exactly what needs done", and others are saying, "Well, I can see that. Politically, I can't possibly go there". What trumps? What gives? Who shifts first? What are we actually looking to achieve?

You quoted Germany, and the technology and spend in Germany around waste is disproportionate compared to anything we have ever dreamed of here. By the way, the recycling rate in Wales is outperforming Germany. This is why we tend to look to what Wales is doing now, more than towards our German colleagues. But I take what you are saying; Germany, Denmark, Finland, Sweden and Austria all have a different mindset and expectation. It was brought about because they have much less access to resources. They needed to maintain a closed loop to get materials. There is also an issue with heating and lighting; they did not have access to coalfields and other such things. Therefore, they did not go down certain avenues and they use materials in a different manner.

There is a huge issue about enforcement with hot foods and carry-outs and stuff. Some councils are very good at doing litter enforcement, and other councils are dire at doing litter enforcement. It is not like putting a sticker on a car for bad parking. If you have to approach somebody and actually confront

them eyeball to eyeball and say, "I have seen you littering. I am giving you a fixed penalty. What is your name?". If they tell you they are Mickey Mouse, what are you going to do about it? If you catch them for the third or fourth time in a day, what are you going to do about it? It is really uncomfortable stuff. There are also issues with the hot food bars themselves, and building control has a role to play: "Where is your waste storage? How are you segregating out materials? Who is your collection agent?". There are issues for environmental health. What controls and licences have you got in place? Have you got duty-of-care notes to show that the waste you are generating is being taken away from you? There are issues about planning. Is the right space being put in place when the planning application comes in for these four, five or six different containers, and for the volume of materials?

There are also things under the Litter (Northern Ireland) Order 1994 where you are placing exclusion zones, saying, "You, as a hot food retailer, are responsible for 100m within your jurisdiction, which you have to pay for and keep clean". Again, that has to be served on them by the council. Again, evidence? "It wasn't me, guv. That's Kentucky Fried Chicken. It wasn't me, guv. It was McDonald's. It wasn't me, guv. It was Supermac's. It was everybody else but me." So that whole evidence piece needs to be built up, and that takes time, resources and evidential experience, and councils tend not to have put people in that space. From most people's perspective, waste is the last thing you want to consider, because it has no value. That is why you have thrown it away in the first place. It is a really wicked issue, waste.

As you said, you have taken me from litter on the ground, albeit millions of items, all the way through to organisational structures at government level and back again. There is a lot of stuff in this space that needs to be unpacked. Then you talk about liaising with ROI. A brilliant idea, but they have such a different mindset about what they are doing with waste. There is not an easy read-across. There is around some of the things around behaviour change and education, but not in organisational structures at this time.

Mr Blair: I am sorry to go back here, Tim, and I am not challenging for a moment that there may be organisational differences and differences of thought processes and other things, but is the very point of where we are at here not to do address that challenge, and say, "OK, start to think differently. There is a Bill here that requires us to do it in this part of the island. How can we work best with you in that part of the island to get the best results?".

Is the sum total of this not that, whatever any of us think of the backdrop of this Bill and the EU withdrawal process that got us here — some of us have strong opinions on those issues — this is where we are, this Bill is coming, and we will try our best to deal with the outworkings of it? Right now, the priority is how we best do that. There will be negatives brought up about, for example, the deposit return scheme, and I understand that. This relates very directly to a job I had before I came here, in *[Inaudible.]*. Is the result not quite simply that such a scheme will reduce the chance of the Coke bottle or the soft drink bottle being thrown in the river, where the plastic ring of that bottle kills fish that swim into it? That risk would be reduced substantially if those bottles were going back to receive a small returnable deposit from a return scheme. Would you agree with that in principle?

Mr Walker: Absolutely, 100%.

Mr Blair: Therefore, there is a direct environmental benefit and a wide-ranging benefit.

Mr Walker: That is why I say, from a council perspective, there are concerns and anxieties about, "Oh, look, we're going to lose certain material values". That being said, almost to a man jack there is a recognition that we cannot stay where we are now. Just because we have put in place systems and structures that deliver at this point in time, it is not going to stay like that. Heavens above, it is a bit like the climate. The climate changes all the time. It is not fixed and set in stone. As waste becomes more of a priority and ceases to be waste but becomes a resource, a material or a commodity, those materials and commodities are going to get a different value.

The systems and procedures that we put in place are going to shift. Councils are slow-moving. Each council is a sovereign state in its own nation, in its own right. It has its own members, who believe whatever they believe. In some cases, they will fight tooth and nail before relinquishing any power, unless directed by an organisation such as the Committee or the Department and told to do stuff. Each will say, "My blue bin is going to be green because it's green, and it's different from the blue one", or "It's brown because it's green and it's not red". There is this kind of, "Sanctity of provision in my borough, and this differentiates me from the one next door. It is because everyone can see it,

therefore it is a primacy that I defend that." But it is shifting, because there is this recognition that what we did before we cannot do again. Therefore, moving to one plan is a start down that road.

Ms Bailey: This issue gets me really vexed, and I am busting to see big changes coming, so I am pleased to see it being addressed. We are lobbied by particular sectors that say they are not ready for what is contained within the Bill in terms of Northern Ireland not having the infrastructure for them. Therefore, if the producer of the product has to pay, they say, "We need infrastructure first before we can implement that." Can you indicate to us how long it will take to put in place infrastructure that is fit for purpose? From what I hear and know, Germany is the front runner in this, but is there a best practice closer to home that we can look at?

Mr Walker: In terms of infrastructure, are you talking about macro or micro?

Ms Bailey: I imagine it is both. We have a lot of conversations and we pat ourselves on the back about our recycling rates, and rightly so. However, we do not do very well here on waste reduction and tackling the overconsumption that produces the waste. The producers are now going to be levied with responsibility for the end-product waste. They are asking, "Where is our infrastructure? Where are the efforts to really target the reduction measures?"

Mr Walker: There is a waste prevention plan, produced by DAERA, that is out to consultation until 18 March. It seeks to outline, for the next couple of years, the kind of interventions that it is looking to play in the marketplace to promote a greater focus on waste avoidance, production and prevention. However, it is a light-touch consultation, primarily put in place to meet some of the requirements of higher legislation. We expect to see a different, more focused waste prevention plan in a few years' time. However, you are absolutely right to pick up on the prime fundamental that we consume and produce too much stuff. On that premise that I have said two or three times now, we cannot do more of the same and expect to get a different result. We need to look very seriously at the sheer volumes of material that we consume.

Ms Bailey: You used the Coca-Cola example. OK, they are going to move to a more recyclable plastic, but they are still using too much plastic and they are still the biggest plastic polluter in the world. We are slapping them on the back for that?

Mr Walker: There are bigger issues there about resource productivity and efficiency. Yes, you are right. There are big, inherent systemic issues to be addressed. The behaviour change thing, as I mentioned before, is completely elastic. It is absolutely front and centre. We must up the ante. Through different circular economy-type models of consumption, production, supply and provision of services, we must move away from this idea that everything I own, I have to own directly and outright. We must have recovery models and return models, which you are begin to see through extended producer responsibility (EPR). That is where the Environment Bill begins to put into practice some of the circular economy-type business models that we need to move to in the future. However, with regard to the macro, while we are having all these wonderful transitions which will take place between now and five, 10, 15 or 20 years down the road as we turn the curve, we need to make sure that we have adequate infrastructure to cover our backs. At the minute, it would be difficult to show that we have that. We are exposed in terms of our base infrastructure provision in Northern Ireland plc.

In terms of the specifics of a DRS, a lot of the emphasis has been given to reverse vending machines and the multiples, the supermarkets. They are very simple. They work throughout Europe. You go to Germany, you stick your bottles in and you get a paper voucher which pops out the other end, saying, "You have put four bottles in. You have €0.20 off when it comes to paying at the till." That is great, but each of those machines costs something in the region of £30,000. Will the likes of Sainsbury's, Asda, Dunnes Stores and all the rest are going to pony up for all their different premises and put 30 grand here, there and all over the place? I am not sure they will.

Some of the schemes in Europe run almost on a trust basis. They have stuck Portakabins on the side of the big supermarkets. You go in with your bag of bottles and somebody says, "How many bags have you got there? Right, off you go with your voucher." It does not always need to be technologically induced. It often is, but it does not need to be. It requires a change in how things are done. Whether the cost is low or high comes down, to some extent, to who runs the scheme. The DRS is seen to be a scheme that runs totally in parallel to the state, so councils per se do not get involved in it. It is funded by the likes of Coke, Fanta and those people who are producing the materials onto the marketplace. They then create a floating fund of, I am not sure, several million pounds, which effectively pays for the vouchers to be issued, and then, as the money is returned through the bottle, they recoup from the

providers. So you create, effectively, a different system that manages the flow of these materials and vouchers and interface with the public.

The schemes that are run in the likes of Finland and Estonia work on four different routes to get materials from the marketplace back in. They work on a deposit refund scheme where you go and drop things in through a machine. They work on the council household collection scheme, so the council does a degree of separation and claims the money back for itself. For those people who are too young, who cannot be bothered, who are too old and do not want to do the recycling scheme and think, "It is not worth it for the €0.20 that I am going to get back, but I recognise that it is a value that I will gift to the council". Similarly, the council provides either bring points or recycling centres where you drop off your bottles in the same way. Finally, there is a shed that is either stand-alone, attached to a library or attached to a supermarket.

So you have four different collection or deposit schemes. That seems to be the most common kind of DRS. How much does it cost? It costs some money. Who pays for it? It would be paid for by the multiples themselves. The infrastructure for how they deal with that stuff on the back end in that instance of a DRS — there may be an issue about wash-and-sort plants and nurdling plants where you actually create new plastic pellets or plastic film. If we are in a free market economy, surely if there is an opportunity there for somebody to take the risk to put in place that technology, or if the technology is not there, it is a matter of bulking up until you have a sufficient volume and bringing it to the nearest processing centre that does nurdlise or pelletise your plastic.

Coca-Cola is not going to take a Coke bottle and just immediately produce another Coke bottle. That is not what I took from last night's television coverage, where it was talking about lightweighting. It is going to take that Coke bottle, pelletise it or flake it and send it off for re-melt. So it does not come back as that bottle; it comes back as that bottle only it is lighter. Are they going to invest in that? Now you are into the nub of what the circular economy is about, because suddenly we are not talking about the management of materials from a single point. It all comes out of the householder or commercial sector or whatever to a person. It comes back to a supply chain. The circular economy will see the management of supply chains and the creation of new players up and down that supply chain who are pelletising, who are wash-and-sort plants, who are shipping and transport companies. Some of the conventional players will move into that space. Coca-Cola itself may move upstream or downstream. Actually, probably not, because the Coke model is very independent. Pepsi will do it. It goes up and down. It has a much more integrated supply chain. Suddenly, I am not talking to you about waste; I am talking about the supply chain and the value chain for materials. This is a million miles away from litter, yet litter is one of the baseplates, one of the initial feed-ins for it. A report has just been done, which was launched upstairs just this morning, from Keep Northern Ireland Beautiful, which is all about the nature of —.

Mr Blair: I have copies of it here.

Mr Walker: Do you happen to have a spare one? I have not got it myself yet.

Ms Bailey: Busy man today.

Mr Walker: It shows who is the main producer of some of those materials and how then they can be taken back in for gainful re-employment, redistribution, reuse. There is an investment required.

Ms Bailey: Huge business opportunities.

Mr Walker: There are, but somebody has to take that risk or else the state has to move into the space. There is a question in Northern Ireland about just how well the private sector has performed, but that is probably not for today.

The Chairperson (Mr McAleer): Can we move on here?

Mrs Barton: I will keep my question short. You spoke about waste. Generally, you have to bring the population of the country with you. I think that the population likes to see something gained. They like to see a gain by their waste. Have there been any talks with some of the big multiples — the Asdas and Tescos of this world — so that, when you have someone in doing their weekly shop etc, they are bringing their bags in to collect their shopping, so they can bring their bags in full of waste so that they can get rid of it? When they are in getting rid of their waste, the pound or two that they get from their

waste can be removed from their bill as they shop. Make it a circular process. Have any talks happened about that?

Mr Walker: Not at local government or central government level. There are conversations through the likes of WRAP and the Plastic Pact, and some supermarkets themselves, about how you can close those loops. Supermarkets have got their corporate social governance arrangements or their environmental and social government arrangements where they are looking to showcase best practice. I know Tesco's and Sainsbury's will have a place where you can bring back your defunct plastic bags and drop them in. You do not get anything for them at this stage. In fact, there is no proposal within this to catch plastic film by recycling, but that is not to say that plastic film will not be caught in a few years' time. Plastic film will have to be included to meet the targets coming out of the circular economy package of 65% by 2035.

Now, there was a thing about time frame, which I was asked about a minute ago. Much of this stuff is not due to come in until 2022, so there is a bit of a lead-in. Whether we are exactly cut and shut as per the English agenda, or whether there is any delay for Northern Ireland to ameliorate and to align better, is a matter for discussion within the Environment Bill process itself.

Returning to the question of the public, there is a bit of a mishit here which means that some of the council waste thinking is caught in a bind. On the one hand, we are trying to encourage as much engagement from the public as possible and to make it as easy as possible for the public to recycle. On the other hand, we are minded with the stuff we collect: what does the market want? There is no point in me making it super-easy for the public if the stuff they gather is of no use to downstream. As a purchaser, when I turn up to a car showroom and say, "I would like a Ford Mondeo" — which are almost defunct at this stage — and they give me a Fiesta or a Skoda, I say, "That is not what I wanted. I wanted a Ford Mondeo". Similarly, if I am Huhtamaki and I come along and say I want 100 tons of BS EN 643-grade paper, and you give them 100 tons with a lot of plastic bottle tops on top and a couple of yogurt pots, I will say, "That is not what I wanted". If the councils and sorting plants are trying to maximise their income, they need to give the re-processers what they want.

Therefore, you get this pinch point between making it easy and accessible to the public to get as much material out as you can, and then making it fit for purpose downstream. It can require a lot of manipulation and intervention, which can be very costly and carbon rich. This is ultimately what the Environment Bill is about: how to minimise the carbon footprint from this stuff. There is a balance to be achieved between getting as much in from the public and making it fit for purpose downstream. If we want to get to 80%, 90% or 100% recycling, the cost equation for that is going to go through the roof.

Mr M Bradley: I will be brief, as you have already answered most of my queries in your presentation. I will pick up on the OEP based in Bristol. In my experience, remote management does not work. It is a system of failure.

One of the most important points is that this document that was left on the desk here says that almost 500,000 cigarette butts are on the streets at any one time. I am amazed that chewing gum is not on this list. Councils find litter wardens a low priority, and councillors find the provision of litter wardens not high on their rates agenda, so there is a massive problem at council level. Yes, they will put out their black, blue and brown bins or whatever, but the biggest tools for tackling litter is on-the-spot fines and education. Education has to start with the young people. Nobody educates an adult easier than a child, and that is a fact. We in Northern Ireland live in a throwaway society. We go out and take our coffee, and if there is no wastepaper bin we throw it down. People eat chewing gum and spit it out. People smoke. You can almost tell where there is a booth for cigarette smokers because it is littered with butts. It is an educational issue, and that needs to be tackled as well as the work that you need to do. Should there be an OEP based in Bristol? No, but, if there is, there should be an equivalent Department in Northern Ireland. I am trying to keep it short, Chair.

The Chairperson (Mr McAleer): What is your view on the OEP, Tim?

Mr Walker: I think that that is a matter for you. Distance is an issue, absolutely, and how effective that is and about how much they understand and appreciate local circumstances. When Chris Mills came from Wales to do the investigation into the Mobuoy inquiry, he based himself here for two to three years. He was permanently located here and did a very good report. I am sure that many of you are familiar with the Mills report from 2013, which highlighted the illegality in the waste sector in Northern Ireland.

Gum is a lovely one to choose as an example because when gum is flat on the ground, even though you can see it, there is no 3D protrusion from the surface and so it does not constitute litter; it just looks unsightly. However, it has become part and parcel of the fabric of the road, and, therefore, it becomes a DFI Roads issue, and we are into those wonderful silos as to who does what and why.

I do not disagree. With wardens at the front end, enforcement has to go hand in glove with education. Nudge theory and the behavioural economics theory that has emerged in the last dozen or so years are not simply about enforcement and education; there also has to be awareness raising, praising of success and showcasing. It is not just a two-pronged approach; it is a four-pronged approach. There is thinking and theory on how it should work and be resourced. In the area of environmental awareness, we probably need to move to that space, because we have not done it very well in the past.

Mr M Bradley: Litter, as well as being unsightly, is a danger to wildlife and, most importantly, to livestock. As somebody who lives in the country, I see it day and daily: plastic bags stuck in hedges, blowing across fields, etc. It poses a real risk of injury to animals.

Mr Walker: You are right.

The Chairperson (Mr McAleer): No other member is down to ask a question. Thank you very much, Tim, for your comprehensive answers to our questions. We are very grateful to you for taking the time to come to the Committee, and, no doubt, we will be engaging with you throughout the remainder of the mandate and in the time ahead.

Mr Walker: Thank you for the opportunity; I really appreciate it. If you have any further questions or queries, please get in touch with us, as we will be keen to present to you, collectively or individually.