



Northern Ireland
Assembly

Committee for the Environment

OFFICIAL REPORT (Hansard)

Carrier Bags Bill: Departmental Briefing

21 November 2013

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Ms Anna Lo (Chairperson)
Ms Pam Brown (Deputy Chairperson)
Mr Cathal Boylan
Mr Colum Eastwood
Mr Tom Elliott
Mr Ian McCrea
Mr Peter Weir

Witnesses:

Mr Donald Starritt Department of the Environment
Mr Simon Webb Department of the Environment

The Chairperson: Members, we agreed at last week's meeting that we wished to delay the implementation of the Bill. The Department has responded by suggesting that it may be possible to commence the provisions of the Bill on 6 October 2014, but it has not specified the wording of an amendment. The Department has also detailed what the main elements of its communications campaign are likely to be. In addition, the Committee asked the Northern Ireland Retail Consortium to state how long it would require to incorporate the changes into its system. It asked us in a letter to postpone the commencement until April 2015, which is a full year —

Mr Weir: Chair, I was speaking briefly to the officials outside. There has been a further development. Of course, time is very much of the essence. From our earlier discussion, there seemed to be general agreement that the Department's approach of having a specified date for everything being implemented and live seemed to be the most sensible because it gave everybody certainty. I spoke a minute or two ago to a representative of the Retail Consortium to seek its views. Although its preference would still be for an April 2015 date because it coincides with the financial year, I expressed to him my concern that Assembly Members might feel that that was too long a period. I appreciate that the departmental officials will need to get ministerial thinking on this, but a date that might square the circle is the first Monday in January. Retailers do not want any changes clogging up Christmas shopping. A compromise between 6 October 2014 and April 2015 is the first Monday in January. I would like the Committee's —

The Chairperson: That is during the January sales.

Mr Weir: With respect, I think that the January sales now tend to start on Boxing Day.

The Chairperson: Or even before Christmas.

Mr Boylan: Or on Boxing Day the year before.

Mr Weir: To be fair, for those on the retail side, whose members do not particularly want this, an excuse can be found to put it off almost indefinitely. I appreciate that. The suggested January date is an attempt to deal with some of the practical issues. I would like the officials to take that suggestion away with them, and when we come to our final position, we should at least consider that as one of the options.

The Chairperson: We certainly want Simon or Donald to explain the rationale for arriving at the date of 6 October.

Mr Boylan: I support what Peter suggests as long as it is an all-in and certain date.

Mr Weir: An all-in date, whereby we know a long period in advance the date on which everything will fall into place, is in everyone's interest. It is in the Department's interest and the legislative interest. It is also in the interest of retailers because giving a date for the legislation with implementation six weeks, two months or three months later would not give them certainty. So an all-in date seems to be the right approach. There is just an issue with the date.

The Chairperson: I support what you say. A good, clear message needs to be sent to retailers to allow them to prepare. We want to ask Simon and Donald about the part that we would miss, which is the scrutiny of the regulations.

Simon, if the date is set and in the Bill, the Committee will not be able to scrutinise the regulations. Can you assure us that the regulations will be very straightforward, not involve any hassle and not require us to scrutinise them? We would need to be told about the regulations and have a chance to look at them. Do you want to wait for Donald before starting your briefing?

Mr Simon Webb (Department of the Environment): Donald will be able to elaborate on the regulations and explain the Department's position.

I will comment on the 6 October implementation date that was originally proposed. The concept was that it would give retailers some certainty now. It would mean having nearly a year until implementation, which would also coincide with the start of a new charging cycle for quarterly returns. That said, the Department wants certainty on the date, and you are quite right to say that the communication campaign is key. A firm date in the calendar is effective and in everyone's interest: it gives retailers and our communications team a date to work to, and it gives consumers a date to prepare for. So I think that the Department would be keen to look pragmatically at a date that would be acceptable to everyone and give as much certainty as possible.

Donald should be with us in a minute. In his absence, I am happy to go through some of the elements of the communication campaign in a bit of detail, if that would be useful.

The Chairperson: Donald is arriving now.

Mr Webb: Excellent. I do not need to fill in. *[Laughter.]*

Mr Donald Starritt (Department of the Environment): Apologies.

The Chairperson: Donald, will you quickly go through what the Department has in mind and what is written in your paper?

Mr Starritt: On the amendment?

The Chairperson: Yes. Why can you not give us the wording? That puts us in quite a difficult position, Donald, because we have to prepare our report.

Mr Starritt: I appreciate that. I cannot give you the wording because I do not have it yet. In fact, I have just been talking to the draftsman. It has taken some time to get the wording of the amendment. As we have said before, it is an unusual approach. It is not the approach that the Department had

considered taking. In a sense, we are reacting to the need, quite rightly expressed by the Committee, for certainty on a lead-in period. It is a matter of getting that into the Bill so that, once the Bill goes through and, we hope, receives Royal Assent, retailers and consumers will know when all of this will happen. It is an unusual amendment, so it was only last week that we had a chance to talk to the draftsman. I expect to have the wording in the next day or two.

Mr Weir: We must have it by the end of the month, so next week is our last bite of the cherry.

The Committee Clerk: Our stakeholder forum on the Local Government Bill is next week.

The Chairperson: So we propose to look at the report on Tuesday.

Mr Starritt: I have just been clarifying with the draftsman where the amendment was likely to fit into the Bill — whether it would be an amendment to an existing clause or a completely new clause. He is looking at a completely new clause, so it would not affect the existing clauses.

The Chairperson: Sorry, say that again.

Mr Starritt: It would not affect the existing clauses; it would be an additional clause.

The Chairperson: So, rather than amending clause 1, it would be a new clause.

Mr Starritt: It would be a whole new clause, and we anticipate it being towards the end of the Bill.

The Chairperson: The Committee has considered an amendment to include a commencement date at the end of the Bill. What would be the difference in that?

Mr Starritt: Putting the commencement date in the Bill, as it stands, would not, in itself, specify when phase 2 commences. The Department would still need to bring through a set of regulations. Effectively, what we are doing now is lifting the key parts out of the regulations and putting them into the Bill instead of bringing through a set of regulations. That means that the Bill itself becomes the legislation that delivers phase 2.

The Chairperson: OK. So instead of regulations later, we are lifting the details of the regulations into the Bill.

Mr Starritt: That is right. I anticipate that we will still bring through regulations simply to tidy up and make everything completely clear. As I said, it is an unconventional approach, but, in a sense, it is a reaction to where we are. Retailers are very familiar with the legislative framework for the single-use bag. That framework is not changing; it is only the type of bags that is changing. So we feel that we can build on the existing framework to allow us to extend the scope to low-cost bags.

The Chairperson: Peter has just been consulting the retail sector.

Mr Weir: I do not know whether you have had a chance to speak to the Minister about this. One way of trying to square the circle of the Department's position and that of the retailers is to reach some accommodation. A suggested commencement date is 5 January 2015. That is a good deal before the retailers want it to commence — ideally, they do not want it at all, but that is by the by. The suggested commencement date of 5 January 2015 would mean that any new charging regime would not hit in the run-up to Christmas, which would be out of the way. I suspect that any date will create some teething problems, but I offer that as a suggested compromise.

Mr Starritt: I have not had a chance to speak to the Minister, but my understanding is that the Department would be happy to accept a date early in January, if there was a date in early January that retailers could live with, although I appreciate that they are not happy with it, as you say.

The Chairperson: The Department would be happy to accept January.

Mr Starritt: Yes.

The Chairperson: That would mean almost another year of delay.

Mr Starritt: It would be a year, effectively, yes.

Mr Weir: As well as that, it would be on the basis of the same formula of, "Here is the exact implementation date." Again, that has all of the advantages.

Mr Starritt: That is right.

The Chairperson: Does it coincide with financial reporting?

Mr Webb: Yes, it would tie in nicely with the start of another quarterly cycle.

Mr Boylan: I do not agree that it is another year's delay, because we are trying to work with the industry. Like Peter, I prefer one all-in date. At what stage is the process of regulation, consultation and whatever else you need to do? Do you have all of that? Are there any other areas in which things need to be tidied up?

Mr Starritt: We would not need to consult again, because there is no real change to policy. All we are doing is delivering more in the Bill than was delivered previously and less, if you like, in the regulations. However, we will still have a Bill, albeit with an additional clause, and we will still have regulations, but those regulations will, effectively, be tidying up. They will make one or two, what I call, non-critical amendments, but they are amendments that I have already discussed with the Committee. There will be nothing new in them, and they will not be critical to the commencement of phase 2.

The Chairperson: We talked previously about the substitution problem: people buying reusable bags as single-use bags. The whole idea of the second phase is to stop that happening. What would be the consequence of delaying the commencement from April 2014 to January 2015?

Mr Webb: That would be expected to coincide with a period of increased purchasing of new reusable bags, the thicker gauge ones. Our concern is that, in the intervening period, those bags would be disposed of prematurely rather than being reused frequently. That said, if it allows us a little more time to focus our communication effort — we will use the communication campaign to drive home the message to reuse bags — we can, we hope, minimise any impact.

The Chairperson: Will you have an ongoing campaign? The idea of your campaign is to warn people that a new wave of bags is coming, so you are talking about a different type of communication.

Mr Webb: You are quite right, Chair. There are two key elements to the phase 2 campaign. One is a drip, drip reminder to keep building on phase 1 and reminding shoppers to bring bags with them. We envisage an element of the campaign running this Christmas, reminding shoppers to bring bags when Christmas shopping. In phase 2, a second element will be explaining to consumers the rationale behind that and what the Department is doing.

The Chairperson: Members suggested that the review, as detailed in clause 9, might be more effective if carried out after two years rather than after three years, as is currently drafted. Three years is the standard. What would you say about our wanting to change it to two years?

Mr Starritt: We would not have any real difficulty with that in principle. However, Scotland is making progress on a charge for single-use bags, and England is bringing in measures over the next couple of years. The three-year period might give us a greater option to react to what they have done, the impact of that and assess how we could learn from it with a view to how precisely we change. Although I do not have a difficulty with two years, the three-year period might be quite opportune for us.

The Chairperson: It would give you more time to gather statistics as well.

Mr Starritt: Yes.

The Chairperson: There is also an argument from members that implementing phase 2 too early would mean that you would not get enough information to inform us in making proper choices.

Ms Brown: A January date would be very useful for all sides. The communication strategy was mentioned a few times, but did we go into any detail?

Mr Webb: No, but I am happy to run through the key points.

The communication plan was signed off by the project board very recently, on 18 November. It is intended to focus on reminding shoppers, in the intervening period, to reuse bags and bring bags when shopping. We will look at partnership arrangements with other organisations and seek to tie in with other campaigns, particularly in the lead-up to Christmas. Then, a focused campaign will be gradually escalated in the five months or so in the build-up to the introduction of phase 2. That brings us back to the point about certainty. If we can be clear that we are working towards a key date set in stone, we can build the communication campaign around that.

The campaign will involve a number of key activities. In many ways, it will be similar in scale and resources to the phase 1 campaign. Stakeholder engagement is ongoing. We meet retailers and the retail representative bodies. We had a stakeholder event in September and are due to have another in a couple of weeks' time, in early December. We also have the carrier bag levy team. Its customer relations manager and large-case manager interact directly with retailers on a one-to-one basis. We will use social media more intensely in the phase 2 campaign than we did in phase 1. We have new expertise in that area through some officers in the communication team having specific expertise in digital marketing and social media. That will be particularly useful in reaching younger shoppers whose reuse of carrier bags is at a lower level.

In addition, we will have the same online information and resources as we had for phase 1: for example, free downloadable posters for retailers, fact sheets, question-and-answer documents, e-mail newsletters and an updated online video, which received thousands of hits in phase 1.

We will re-engage with local authorities, which was a successful element of phase 1. We will use district council magazines and put up signs in local authority offices, which are useful approaches. We will also engage with the likes of the Consumer Council and, as mentioned, the retail representative groups.

With nine in 10 schools signed up to the Eco-Schools programme, we intend, depending on the timing of the campaign, to engage with eco schools. We will repeat the bring-a-bag week that we had in phase 1. Our participation in public events may include having a stall dedicated to the bag levy.

Finally, we will have a dedicated information phone line, which is already active with NI Direct. The number will be on the posters and advertised online. The call-handling agents at NI Direct will have the most up-to-date information, and anyone with queries can call that line. We will, of course, use the standard tools of our press office, with press releases and ministerial statements timed to coincide. I will be happy to give more detail of the timing once we have an agreed implementation date.

The Chairperson: What is the budget for this?

Mr Webb: The budget allocated is up to £45,000, which is on a similar scale to that for phase 1. An element of that budget is flexible because, as with phase 1, there will be street surveys of shoppers in the build-up to implementation. So we will be able to gauge awareness levels among shoppers, and we can then adjust the campaign accordingly. There will be scope to make more funds available if we feel that we need to increase the communication effort when nearer to going live.

The Chairperson: Who will you use to do the surveys?

Mr Webb: The staff of the carrier bag levy team, as we did for phase 1. However, we will also have —

The Chairperson: Will you have a clipboard and all that?

Mr Webb: Indeed, we will be stomping the streets, but we will also have surveys carried out through, for example, the regular omnibus surveys that we can piggyback on to get a bit of information on awareness levels.

Ms Brown: Thank you for that useful information. The social media and digital marketing sides are welcome. Social media can be damaging in lots of cases but very useful in information campaigns.

You mentioned the Eco-Schools programme. I visited Fairview Primary School in Ballyclare, which is one of two schools in Northern Ireland that send zero waste to landfill. That was fantastic, and the children were absolutely amazing. That should be your first port of call because those children can teach us all an awful lot.

Mr Webb: Exactly.

Ms Brown: They know eco subjects inside out, and they go home and educate their family. That might even be the most effective way to get the message into a lot of homes, so I would welcome any further work in that area and, in fact, any further funding and encouragement that can be given to the Eco-Schools programme.

Mr Webb: Yes.

The Chairperson: It is so important to get the eco message into their thinking and behaviour while they are young.

Mr Webb: We certainly found the bring-a-bag week with eco schools in phase 1 very successful. We are talking about over 1,000 schools, so the outreach is great.

Ms Brown: I should mention that, on my visit, I noticed that the whole school was extremely clean and tidy, with different recycling bins everywhere. There was no rubbish or litter. In fact, when we came across some litter, a teacher informed us that it had come from parents picking up their kids. Children can definitely teach us a lot.

The Chairperson: Yes, very much so. I went to a school in west Belfast. It was great to see how good and enthusiastic the children were.

There are no other questions, so thank you very much. I am sure that we will see you again soon.

Mr Webb: Absolutely.

The Chairperson: Thank you for coming all the way here from Derry/Londonderry. That is where you are based, is it not?

Mr Webb: No, we are based in the city centre; the carrier bag levy team work in Orchard House in Derry.

The Chairperson: OK, thank you.