

Sustainability Committee

SC(3)-08-08 (p1): 24 April 2008

Consideration of petition P-03-63, calling for a ban on plastic bags

Purpose

1. This paper invites the Sustainability Committee to consider petition P-03-63, which calls for a ban on plastic bags.

Background

2. At its meeting on 24 January 2008, the Chair reported that petition P-03-63 had been referred to the Sustainability Committee by the Petitions Committee on 6 December 2007. The Committee agreed to ask Members' Research Service (MRS) to produce a briefing paper on the petition for consideration at a future meeting. A summary of the MRS briefing paper is outlined below and the full briefing paper is attached at Annex A.

3. The petition is the outcome of the BBC Wales project 'If I Ruled Wales' launched in June 2007, in which members of the public were invited to make suggestions of laws that they would list to see passed in Wales. The proposal to ban plastic bags was the most popular suggestion and was lodged as a petition to the National Assembly for Wales on 20 September 2007. The petition is attached at Annex B.

4. At its meeting on 4 October 2007, the Petitions Committee took evidence from the petitioner and agreed to ask the Proposed Environmental Protection and Waste Management LCO Committee to consider whether the LCO would provide the legislative competence to impose a ban on plastic bags. In its response to the Petitions Committee, the LCO Committee quoted evidence from the Minister for Sustainability, Environment and Housing provided on 25 September, which is attached at Annex C:

"It [the LCO] would be of sufficient scope in terms of legislation to ban plastic bags, or it would enable a Measure to be passed to impose a levy on plastic bags by way of a charge made to consumers at the till point. We would have to be mindful of European law in this context. Legal advice currently suggests that an outright ban on plastic bags may be contrary to EU law, because it is likely to be disproportionate to the aim pursued insofar as other steps, such as a levy, could be taken to address the problem."

5. At its meeting on 6 December, the Petitions Committee agreed to refer the petition to the Sustainability Committee for further consideration. The referral letter is at Annex D and transcript of the meeting is at Annex E.

6. The Committee will take evidence on the petition from Keep Wales Tidy and the Marine Conservation Society on 24 April immediately following consideration of the petition and attached papers

Summary of MRS briefing paper on petition P-03-63

7. DEFRA research indicates that the number of plastic bags distributed in the UK is greater than 13 billion per annum, or 216 per person per year. In Wales, this equates to approximately 648 million plastic bags per year. Almost all of these are distributed 'free of charge', although using figures calculated by Keep Wales Tidy, the hidden cost to Welsh consumers of these bags is more than £6 million a year. The UK Government announced that a charge on single-use carrier bags would be introduced if a voluntary initiative does not provide 'sufficient progress'.

8. Keep Wales Tidy has conducted an analysis of a litter segmentation study conducted on behalf of the Welsh Assembly Government. This indicates that plastic bags comprise 2.7 per cent of litter in Wales by weight. Keep Wales Tidy calculated the cost for local authorities of dealing with this litter to be £1 million per year.

9. The levy on plastic bags in Ireland was introduced in 2002. Total revenue from the levy was more than €85 million between July 2002 and August 2007, or €17 million per year, and this revenue has been ring-fenced into an environmental protection fund. The primary effect of the levy was an 'immediate and dramatic' reduction in the use of plastic carrier bags, in the order of 94 per cent, from an estimated 328 bags per person per year to 21 bags per person per year after the levy. Up to 90 per cent of shoppers used long-life bags in 2003, compared with 36 per cent in 1999. Plastic bags were estimated to comprise 5 per cent of litter in the Republic of Ireland before the levy was introduced, and this proportion fell to 0.22 per cent in August 2004. The response from the main stakeholders - the public and the retail industry - has been so 'overwhelmingly positive' that it is considered that it would be politically damaging to remove it.

10. The proposed Bill to introduce a levy on plastic carrier bags in Scotland fell at the Committee stage. Although five out of eight environmental indicators showed an improvement under the proposed levy scenario, the Committee determined that it was "impossible to be definitive about the likely environmental impacts of the Bill and the arguments... are very finely balanced". Much of the uncertainty hinged on an assumption that plastic carrier bags would be substituted by paper bags in 25 per cent of cases, although evidence from Ireland indicates that such substitution did not occur.

11. Levies on plastic bags exist elsewhere in the world, although the experiences are less comparable than the Irish example, primarily because no other levy applies to the consumer at the point of sale. No OECD country has yet implemented a nationwide ban on plastic bags, although bans on certain types of bags are in place in Bangladesh, South Africa and Rwanda (among others), and a citywide ban is

in place in San Francisco.

Recommendation

12. The Committee is invited to consider the petition and papers attached.

Committee Service

April 2008