

**Lesley Griffiths AC/AM**  
Gweinidog yr Amgylchedd, Ynni a Materion Gwledig  
Minister for Environment, Energy and Rural Affairs

**Hannah Blythyn AC/AM**  
Y Dirprwy Weinidog Tai a Llywodraeth Leol  
Deputy Minister for Housing and Local Government



Llywodraeth Cymru  
Welsh Government

MA - P/LG/2876/19

Mike Hedges AM  
Chair  
Climate Change, Environment and Rural Affairs Committee  
National Assembly for Wales

12 August 2019

Dear Mike,

Thank you for the Committee's report following its inquiry into policies and proposals relating to plastic pollution and packaging waste.

The recommendations fall across both our portfolios, please find attached responses to each.

Regards,

**Lesley Griffiths AC/AM**  
Gweinidog yr Amgylchedd, Ynni a Materion Gwledig  
Minister for Environment, Energy and Rural Affairs

**Hannah Blythyn AC/AM**  
Y Dirprwy Weinidog Tai a  
Llywodraeth Leol  
Deputy Minister for Housing and  
Local Government

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400

[Gohebiaeth.Lesley.Griffiths@llyw.cymru](mailto:Gohebiaeth.Lesley.Griffiths@llyw.cymru)  
[Correspondence.Lesley.Griffiths@gov.wales](mailto:Correspondence.Lesley.Griffiths@gov.wales)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

**Recommendation 1. More research is needed to address knowledge gaps in relation to nano and microplastics in Welsh waters. The Welsh Government should explore how such research can be supported, so that its policy interventions are informed by the latest knowledge.**

**Accept**

Marine litter is a global challenge, which needs to be tackled in partnership and at a global scale. The presence of microplastics in water sometimes result from the breakdown of products and waste materials, including litter left on our beaches and on land. We are therefore continuing to take action to reduce the amount of plastic and waste in Welsh waters. In 2017, the Welsh Government established the Clean Seas Partnership to develop and implement the first Marine Litter Action Plan for Wales. The Action Plan has been designed with prevention, collaboration and long-term solutions as its core principles. In relation to knowledge gaps, we commissioned Keep Wales Tidy to deliver a research project aimed at enhancing our marine litter evidence base. This research will support delivery of the Marine Litter Action Plan.

The draft Marine Evidence Strategy for Wales identifies marine litter as one of many evidence priorities for the marine environment. The strategy, once published, will seek to encourage and gather evidence to improve our understanding of the sources and spread of marine litter in Welsh waters to inform future measures and policies. In support of this work, through the delivery of the UK Marine Strategy, the Welsh Government is working with the other UK administrations and OSPAR to develop a new indicator to monitor micro-plastics in marine sediment. This new indicator will improve our understanding of the potential harm micro-plastics may be having on the marine environment and could inform future measures to address the issue.

We recognise that more research is however needed to determine the effect of nano and microplastic pollution in Welsh waters.

**Financial Implications** – the financial implications of accepting this recommendation can only be determined once the likely components of a proposed new research project are clearer.

**Recommendation 2. The Welsh Government should explore how an EPR approach can be applied to the clothing industry, with the specific aim of reducing levels of microfibre release through washing. It should undertake this exploratory work and report back to this Committee within the next 6 months, setting out its initial views on this proposal.**

**Accept**

We will work with the the UK Government and Devolved Administrations to explore the ways in which levels of microfibre release from clothing during the washing process can be reduced. An Extended Producer Responsibility (EPR) approach to textiles may have the potential to stimulate a more circular approach to the clothing industry in terms of reuse and recycling and encourage innovation, such as new solutions to reduce microfibre release. As outlined in the recent response to the consultation on EPR for packaging, such an approach is best delivered at a UK level to provide consistency and clarity for business and consumers.

**Financial Implications** – The costs of undertaking this work will be met from existing budgets.

**Recommendation 3. The Welsh Government should explore whether legislation can be introduced to restrict access to certain products that contribute to microplastics pollution through the waste water treatment pathways, such as non-biodegradable wet wipes. It should undertake this exploratory work and report back to this Committee within the next 6 months, setting out its initial views on this proposal.**

**Accept**

We are working with the UK Government and other Devolved Administrations to help fulfil the requirements under the European Union's Single Use Plastic Directive, which includes an Extended Producer Responsibility scheme for certain single use plastic items, including wet-wipes. Other items included for action under the Single Use Plastic Directive are listed under Recommendation 8 below.

We are also supporting the 21st century drainage programme that is being led by Dŵr Cymru - Welsh Water (DCWW) on behalf of the UK water sector. The 21st century drainage programme includes encouraging customers not to flush products which contain plastics such as wet wipes, as these block sewers, and is campaigning to get wet wipes to be clearly labelled as non-flushable to help users understand these are not to be flushed. We also support DCWW's 'stop the block' campaign which informs customers of the costs and pollution caused by flushing wet wipes and other products which contain plastics down the toilet.

**Financial Implications** – The costs of undertaking this work will be met from existing budgets.

**Recommendation 4. We were concerned to hear about the issues relating to the use of tyre infill on sport pitches and play areas. The Welsh Government should commission further research in this area and should explore how it can assist local authorities to address the negative impacts of the use of tyre infill.**

**Accept**

In moving to a circular economy, ensuring that products can be used for as long as possible and finding ways to encourage re-use once they have reached the end of their life are vital. We therefore welcome the Committee's consideration of the issues around the pollution caused by tyre use and the end-of life waste management of tyres.

In terms of the use of tyre infill in sports pitches, there is a Quality Protocol on the use of Tyre Derived Rubber Materials. Where tyre-derived rubber materials are to be used in unbound loose applications in close proximity to aquatic receptors (including rivers, streams, lakes, ponds and groundwater), then the guidance stipulated in Appendix D to the Quality Protocol should be adhered to. Should it be the case that tyre infill on sports pitches and play areas are potentially polluting a watercourse, the Environmental Permitting (England and Wales) Regulations 2010 provide that any person who causes or knowingly permits a water discharge activity or groundwater activity can be prosecuted. Water discharge activities include discharging poisonous, noxious or polluting matter or solid waste matter into inland freshwater, coastal waters and relevant territorial waters. Any instances where it is suspected that these regulations have been breached should be reported to Natural Resources Wales.

**Financial Implications** – The costs of undertaking this work will be met from existing budgets.

**Recommendation 5. The Welsh Government should explore approaches to reduce the amount of fishing gear discarded in the sea and encourage the retrieval of lost fishing gear, including awareness raising measures and the use of geotagging and sonar technology for tracking gear. The Welsh Government should also explore the potential inclusion of fishing gear in a future extended producer responsibility scheme.**

### **Accept**

The Welsh Government recognises that if fishing gear is lost at sea it has the potential to cause impacts on the marine environment. Due to the open nature of our oceans and seas and natural hydrodynamic conditions (currents), lost gear is recognised as a global issue and we need to build our evidence base to understand the source of lost gear. The Welsh Government is committed to working with the fishing industry to address the issue.

In addition to working with the fishing industry, in May 2019, a Single Use Plastics Directive came into force. This Directive includes a number of requirements, including the need to introduce an EPR scheme. This scheme is aimed at producers and fishing gear containing plastics will be a consideration for this scheme. The Welsh Government is working with the other UK administrations to implement the Directive and the EPR scheme and to explore solutions for dealing with end of life fishing gear.

**Financial Implications** – The costs of undertaking this work will be met from existing budgets.

**Recommendation 6. The Welsh Government should prepare and publish a 10 year, comprehensive and ambitious strategy aimed at reducing plastic pollution. The strategy should be developed with stakeholders and include targets and milestones. It must make clear linkages with other policy areas, such as waste management and “green” procurement.**

### **Accept**

Our aim is to move to a circular economy in Wales, where plastic pollution together with all other forms of waste is avoided and resources are kept in use as long as possible. This is a key part of the action needed on climate change and also brings considerable economic opportunities as part of the transition to a low carbon economy.

As a Government, we agree that the challenge of plastic pollution is a crucial part of our efforts and a comprehensive and ambitious approach will be needed. However, the issues associated with plastic pollution also apply to other materials, as fundamentally using an item only once or not disposing of materials correctly cause environmental pollution and waste valuable resources. A strategic approach therefore needs to not only address this issue for plastic, but also for other materials, recognising that the single-use nature of our consumption is a core part of the problem.

In revising our Zero Waste Strategy, our aim is therefore to not only address the issue of plastic pollution but also look at other waste streams. In doing so, we agree that there must be clear linkages with policy areas across government, including procurement.

The strategy will build on the measures we have already introduced to tackle plastic waste, such as the improvements in recycling that include the collection of plastics from households and encouraging alternatives that avoid plastic consumption like refill nation and incorporate action like the proposed ban on certain single use plastic products.

We are also developing a programme of work which will allow for a more holistic approach to tackle littering across Wales, regardless of the material, through a new Welsh Litter Prevention Plan. To help develop and deliver this, a new Advisory Group, drawing upon the expertise and knowledge of a wide range of stakeholders, has also been established. The Deputy Minister for Housing and Local Government will be publishing a statement outlining the overarching aims and aspirations of the Litter Prevention Plan by the end of 2019.

**Financial Implications** – The costs of undertaking this work will be met from existing budgets.

**Recommendation 7. The proposed strategy must ensure that policies to reduce plastic pollution prioritise reduction, then reuse, with recycling as a last resort if these cannot be achieved.**

### **Accept**

The waste hierarchy already underpins our current '*Toward Zero Waste Strategy*' which was published in 2010, and will continue to be central to our aims in moving to a circular economy in Wales. The Welsh Government has a legal duty under the EU Waste Framework Directive (Directive 2008/98/EC) to apply the waste hierarchy. In the transition to a low carbon, zero waste society it is however essential that we are dealing with any single-use non-recyclable waste as efficiently as possible, whilst also acting to reduce its use.

**Financial Implications** – The costs of undertaking this work will be met from existing budgets.

**Recommendation 8. The Welsh Government should explore the potential for introducing Welsh legislation to reduce plastic waste and pollution, based on the model for emissions reduction in the Environment (Wales) Act 2016. The Welsh Government should report back to this Committee on within 6 months of the publication of this report.**

### **Accept**

The Welsh Government is committed to implementing a range of legislative measures to help reduce, ban or restrict the sale of a number of commonly littered single use plastic items including cotton buds, cups for beverages and plastic straws. Additionally we are working with the UK Government and other Devolved Administrations to help fulfil the requirements of the European Union's Single Use Plastic Directive, including:

- Introducing an Extended Producer Responsibility scheme for certain single use plastic food containers, packets and wrappers, beverage containers, lightweight plastic carrier bags, wet-wipes, balloons and tobacco products with filters;
- Ensuring single use plastic beverage containers with a capacity of up to three litres are designed so that their lids and caps remain attached to the container; and

- For the packaging of feminine hygiene products, wet wipes, tobacco filters and cups for beverages to include information on the presence of plastics and appropriate waste management options.

For the greenhouse gas emissions associated with plastic, the Environment (Wales) Act 2016 sets emissions reduction framework requirements for all emissions generated in Wales including those associated with the manufacture, use and disposal of plastic and the issue of fossil-fuel derived plastic. The Act also requires Welsh Ministers to report on the emissions that may reasonably be attributed to the consumption and use of goods and services in Wales.

**Financial Implications** – The costs of undertaking this work will be met from existing budgets.

**Recommendation 9. Whatever the outcomes of the joint consultation with DEFRA and any subsequent decisions by the UK Government, the Welsh Government should introduce a comprehensive extended producer responsibility (EPR) scheme in Wales. The Welsh Government should use, as a starting point, the report it commissioned from Eunomia.**

### **Accept in principle**

The consultation that we recently undertook jointly with the other governments within the UK on the introduction of EPR received widespread support. As a Government we remain fully committed to the approach, following on from the research we commissioned from Eunomia in 2017. EPR will help to incentivise a reduction in the use of packaging materials and the better use of resources, both of which are key steps in our transition towards a more circular economy and important to our action on climate change.

The current packaging producer responsibility system operates UK-wide and the responses to the consultation demonstrated widespread support for this to continue as this would be clearer and more consistent for both consumers and business. We are therefore working with the other UK administrations to that end. However, should the current policy intentions of the individual nations change prior to implementation, we will consider the action that can be taken in Wales.

**Financial Implications** – The costs of undertaking this work will be met from existing budgets.

**Recommendation 10. The Welsh Government should introduce a DRS that applies to the broadest variety of containers, so that no restrictions are placed on the size of containers eligible for the scheme. If the UK Government decides to introduce a scheme with a narrower scope, the Welsh Government should consult on a specific scheme for Wales, with a DRS with the broadest scope as its preferred and recommended option.**

### **Accept in principle**

The outcome from our recent joint consultation on proposals for a Deposit Return Scheme (DRS) for drinks containers indicated widespread support for the introduction of a scheme. In taking this forward, we will be working to ensure that the final approach is right for Wales,

recognising that we are starting from a different baseline, so that the DRS will build on the significant progress that we have made on recycling to date.

It would not be appropriate to commit to the final scope of a DRS before more detailed analysis is undertaken to support the development of the scheme, but we note the Committee's preference. In relation to the successful development of a DRS in Wales, we are keen to ensure that it complements our existing collections and recycling infrastructure, which has seen Wales become a world leader when it comes to household recycling.

**Financial Implications** – The costs of undertaking this work will be met from existing budgets.

**Recommendation 11. We welcome the funding that has been made available for the Circular Economy Fund. The Welsh Government should clarify how the fund will be monitored; how it will assess the fund's impact and effectiveness; and how it will assess whether the fund has provided value for money.**

### **Accept**

The Fund is being managed and monitored by the Waste and Resources Action Programme in Wales (WRAP Cymru), which has considerable experience in the delivery of such schemes across the UK. The fund's management includes the provision of a full time grants officer, regular panel meetings and financial assessment of applicants. To ensure due diligence and meet requirements under State Aid Block Exemptions, external contractors have been procured in order to provide independent technical, environmental and financial assessment and project monitoring services. Applications are considered against assessment criteria by a panel, including a Welsh Government representative and an independent assessor with a financial and industrial background.

Projects will be compared against each other (and against a national legacy of similar projects), to ensure support is directed to the most cost-effective, robust, and deliverable capital investments. A competitive process is being used to assess all applicants and award funding. The following evaluation criteria are being applied:

- Value for money in terms of the tonnage of additional waste reused or recycled as a direct result of the grant assistance requested;
- Financial robustness of the proposal;
- Quality of arrangements for marketing & use of the facility outputs;
- Quality and design of the facility;
- Quality of arrangements for sourcing the input material;
- Financial viability of the project/need for grant funding clearly demonstrated;
- Applicant's ability to deliver the project;
- Corporate environmental commitment & overall environmental impact of the new facility;
- Corporate commitment to Health & Safety.

Furthermore, all applicants are required to demonstrate that (additional) waste and CO<sub>2</sub> equivalent emissions will be reduced or avoided as a result of the intervention, and to provide estimates for job creation and increased turnover.

**Financial Implications** – The costs of undertaking this work will be met from existing budgets.

**Recommendation 12. The Welsh Government should set out the steps it is taking to raise public awareness in relation to plastic pollution. Measures to raise public awareness should form a central part of any future strategy to reduce plastic pollution.**

**Accept**

Awareness raising and behaviour change have been core to Wales' success in achieving high recycling rates to date. In addition, through programmes such as Eco Schools, there is a great deal of activity across Wales aimed at raising awareness and tackling the problems associated with plastic pollution. Going forward, we are developing options to support behaviour change through, for example, highlighting the presence of plastic in certain products, the availability of reusable alternatives and, the impact of littering and other inappropriate waste disposal. This includes supporting wider litter campaigns and programmes being undertaken by Local Authorities and Third Sector organisations such as Keep Wales Tidy. Messages around prevention and encouraging positive behavioural change will be central to this work.

**Financial Implications** – The costs of undertaking this work will be met from existing budgets.