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22 March 2022

Dear Ministers,

Re: Litter Payments under Extended Producer Responsibility

Our organisations have worked for many years to reduce the environmental damage caused by modern-day packaging, billions of tonnes of which ends up discarded after a single use and is either buried in landfill or dropped as litter, ultimately polluting our waterways, countryside and oceans. This causes untold harm to ecosystems and wildlife as well as having a persistent and widespread impact on our communities.

Accordingly, we were pleased when the UK Government, the Scottish Government, the Welsh Government and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland proposed that under the forthcoming Extended Producer Responsibility system, producers would be made responsible for the full net costs of managing packaging waste, including bin and ground litter management costs.

The UK Government's proposal to hold packaging producers accountable for litter costs was in line with the polluter pays principle (which underpins Extended Producer Responsibility) and the prevention at source principle. The prevention at source principle requires preventative measures to be taken by producers to anticipate and avoid environmental damage before it happens. As is the case in many other countries, we would expect this to

mean that packaging producers contribute to the end-of-life costs of the materials they put on to the market and to contribute to prevention and awareness initiatives.

Unfortunately, we understand that there is substantial pressure on Government and policy-makers to exclude litter payments entirely from EPR, based on the flawed narrative that it is only citizens who are to blame for litter. Producers must accept and carry some responsibility and for EPR not to recognise this disregards both the polluter pays principle and the prevention at source principle. These principles have already been established in legislation through the Environment Act and a robust and effective EPR system would be a timely demonstration that environmental principles are informing UK Government policy making.

Producers place often poorly designed, excessive and unnecessary packaging on the market and the costs for managing the billions of tonnes of litter that this represents is currently incurred by local authorities and other duty bodies with the statutory requirement to keep their land free of litter (such as transport and highways or rail authorities). The cost and effort of this clean-up is also borne by private landowners and the many thousands of volunteers across the UK who work tirelessly to help to clear the litter from our streets, parks and beaches and report on the damage that this causes to our local environments every day.

Eunomia recently estimated that the cost of managing littered packaging by local authorities is around £384m a year,¹ however this figure only reflects a fraction of the scale of the problem of littered packaging and the resources that are needed to address it. It does not reflect the scale of effort and contribution by litter-picking volunteers across the UK which are often heavily relied on by local authorities. Neither does it reflect the considerable funds and resources that are raised and allocated for litter prevention campaigns across the UK.

Significantly, the UK Government's proposal to shift the financial burden of litter back to those who are responsible for putting harmful and pervasive items on to the market is also intended as an incentive to reduce the amount of packaging that is produced and to improve design so that it is not thrown away after just a single use. This shift in packaging design sits at the heart of wider policy across the UK to transition to a circular economy, free of litter and waste.

By holding the packaging producers to account on litter, the Government has the opportunity to have a truly transformational impact on litter levels and support an overall reduction of packaging materials. This could also establish a framework and precedent for future EPR regulations for other commonly littered items not covered in the packaging proposals, such as cigarette butts and fishing gear.

We urge your Governments to make the right decision to include litter payments in EPR that can contribute to the necessary measures such as cleansing and infrastructure, as well as raising funds that put prevention at the heart of any plan for a litter-free nation.

Kind regards,

Allison Ogden-Newton OBE
Chief Executive, Keep Britain Tidy

Lesley Jones
Chief Executive, Keep Wales Tidy

¹ <https://www.eunomia.co.uk/calculating-the-cost-of-litter-with-new-model/>

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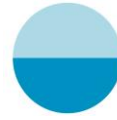
Teresa O'Hare
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GREENPEACE



Parks for London



Common Seas

ADEPT

Association of Directors of Environment, Economy, Planning & Transport



Canal & River Trust

Making life better by water



Butterfly Conservation

Saving butterflies, moths and our environment



ANGLING TRUST



CleanupUK

Pick up the past - Protect the future



WHALE AND DOLPHIN CONSERVATION



environmental investigation agency



Cymdeithas Eryri Snowdonia Society



Cardiff Rivers Group
Grŵp Afonydd Caerdydd



moroedd glân
troi'r llanw ar blastig
clean seas
turn the tide on plastic

Un Llais Cymru



One Voice Wales



Ymddiriedolaethau Natur Cymru
Wildlife Trusts Wales



Scottish Wildlife Trust



greenspace scotland

transforming urban spaces into people places



APRS
The Association for the Protection of Rural Scotland



FIFE COAST & COUNTRYSIDE TRUST



Northern Ireland environment link



Armagh City Banbridge & Craigavon Borough Council

nicva



Mid & East Antrim Borough Council



MOURNE HERITAGE TRUST

Caring for Mourne



National Federation of Parks and Green Spaces
supporting grass roots

Please reply to: Allison Ogden-Newton OBE, Chief Executive, Keep Britain Tidy,
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