

Copies of background notes, email exchanges and internal communication between the First Minister and the leading Department between 29/03/2023 and 22/05/2023:

From: <Redacted@gov.scot>

Sent: Fri 14/04/2023 18:19

To: Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Lord Advocate <Redacted@gov.scot>; Solicitor General <Redacted@gov.scot>; First Minister <firstminister@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; Ken Thomson <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; David Rogers <Redacted@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Alison Coull <Redacted@gov.scot<Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; Katriona Carmichael <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Tim Ellis <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>; Colin McAllister <<Redacted@gov.scot>; Callum McCaig <Redacted@gov.scot>

Subject: RE: Submission: Legal advice from Senior Counsel on the interaction of the Internal Market Act and Scotland's Deposit Return Scheme

With apologies for the delay, please find attached my submission of 14 March to Minister for Green Skills, Circular Economy and Biodiversity on the advice received from Senior Counsel Redacted on the interaction of the Internal Market Act on Scotland's Deposit Return Scheme. The advice received in full is also attached.

[Redacted]

Redacted

Redacted (she/her) | Circular Economy Division| Scottish Government | M: Redacted | Redacted@gov.scot |

From: <Redacted@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Finance

Sent: 11 April 2023 14:37

To: Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; Solicitor General <Redacted@gov.scot>; First Minister <firstminister@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Rural

<Redacted@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>;
Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; SGLD DRS Team
<Redacted@gov.scot>; Alison Coull <Redacted@gov.scot>; <Redacted@gov.scot>;
Elisabeth Campbell <Redacted@gov.scot>; Katriona Carmichael
<Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>;
<Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>;
<Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Tim Ellis
<Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Harry
Huyton <Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; Callum
McCaig <Redacted@gov.scot>

Subject: RE: Submission: Legal advice from Senior Counsel on the interaction of
the Internal Market Act and Scotland's Deposit Return Scheme

Good afternoon Redacted,

[Redacted]

Thanks,

Redacted

Deputy Private Secretary – Solicitor General
Crown Office
25 Chambers Street
Edinburgh, EH1 1LA
Email: Redacted@gov.scot
Phone: Redacted

From: <Redacted@gov.scot>

Sent: Thu 13/04/2023 14:07

To: <Redacted@gov.scot>; First Minister 2021 to 2023 <firstminister@gov.scot>;
Director of Environment & Forestry <director.enfor@gov.scot>; Cabinet Secretary for
Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet
Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>;
Minister for Green Skills, Circular Economy and Biodiversity2023
<MinisterforGSCEB@gov.scot>; Lord Advocate <Redacted@gov.scot>; Solicitor
General <Redacted@gov.scot>; Deputy First Minister and Cabinet Secretary for
Finance <DFMCSF@gov.scot>; Cabinet Secretary for Constitution, External Affairs
& Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Constitution,
External Affairs and Culture <CabSecCEAC@gov.scot>; Cabinet Secretary for Net
Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Rural
Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for
Wellbeing Economy, Fair Work & Energy <CabSecWEFWE@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero
<Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>;
DG Economy <Redacted@gov.scot>; DG Corporate <Redacted@gov.scot>; Quinn
M (Michelle) <Redacted@gov.scot>; Ford N (Nick) (DirectorSPPD)
<Redacted@gov.scot>; Bruce A (Andrew) <Redacted@gov.scot>; Grisewood A
(Aidan) <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>;
Campbell E (Elisabeth) <Redacted@gov.scot>; <Redacted@gov.scot>;

<Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; Coull AJ (Alison) <Redacted@gov.scot>; <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>; McCaig C (Callum) <Redacted@gov.scot>; PLU SSI Programme Mailbox <Redacted@gov.scot>; Rogers D (David) (Constitution and Cabinet Director) <Redacted@gov.scot>; <Redacted@gov.scot>; Crawford E (Ewan) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>>

Subject: RE: OFFICIAL SENSITIVE - COMMERCIAL - Update for FM on DRS

Adding Redacted.

From: <Redacted@gov.scot>

Sent: 13 April 2023 13:22

To: First Minister <firstminister@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>; Lord Advocate <Redacted@gov.scot>; Solicitor General <Redacted@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for Wellbeing Economy, Fair Work & Energy <CabSecWEFWE@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; DG Economy <Redacted@gov.scot>; DG Corporate <Redacted@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>; Ford N (Nick) (DirectorSPPD) <Redacted@gov.scot>; Bruce A (Andrew) <Redacted@gov.scot>; Grisewood A (Aidan) <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; Coull AJ (Alison) <Redacted@gov.scot>; <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>; McCaig C (Callum) <Redacted@gov.scot>; PLU SSI Programme Mailbox <Redacted@gov.scot>; Rogers D (David) (Constitution and Cabinet Director) <Redacted@gov.scot>; <Redacted@gov.scot>; Crawford E (Ewan) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: RE: OFFICIAL SENSITIVE - COMMERCIAL - Update for FM on DRS

Many thanks Redacted,

Please find an updated agenda with names of who is speaking to each item if FM is chairing.

Regards
Redacted

Redacted - Redacted
Deposit Return Scheme Assurance
Circular Economy Division
Directorate for Environment and Forestry

From: <Redacted@gov.scot>

Sent: 12 April 2023 16:41

To: Director of Environment & Forestry <director.enfor@gov.scot>; First Minister <firstminister@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>; Lord Advocate <Redacted@gov.scot>; Solicitor General <Redacted@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023

<CabSecforCEAC@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for Wellbeing Economy, Fair Work & Energy <CabSecWEFWE@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; DG Economy <Redacted@gov.scot>; DG Corporate <Redacted@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>; Ford N (Nick) (DirectorSPPD) <Redacted@gov.scot>; Bruce A (Andrew) <Redacted@gov.scot>; Grisewood A (Aidan) <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; Coull AJ (Alison) <Redacted@gov.scot>; <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>; McCaig C (Callum) <Redacted@gov.scot>; PLU SSI Programme Mailbox <Redacted@gov.scot>; Rogers D (David) (Constitution and Cabinet Director) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Crawford E (Ewan) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: RE: OFFICIAL SENSITIVE - COMMERCIAL - Update for FM on DRS

PO

Please find attached submission on DRS from Kevin Quinlan, Director of Environment and Forestry and agenda for the meeting with FM and Ministers to discuss.

1. Deposit Return Scheme – Assurance Assessment and Options

1.1 Priority and Purpose

IMMEDIATE

1. My submission of April 3 provided background information on the Deposit Return Scheme (DRS), its deliverability, and the options we are investigating to de-risk the scheme. This submission:
 - Provides an updated assessment of the deliverability of a 16 August launch following further assurance work and business engagement.
 - Provide options for the timing and scope for launch and seeks decisions on which of these options to pursue further.

1.2 Recommendation

2. That you **note** the latest developments on seeking an exclusion from the Internal Market Act (para 6) and further assessment of assurance for a 16 August go live date (para 8).
3. That you **approve** option B (scheme simplification), option C (de-scoping) and option 2 (6 months reschedule to 1 March 24) and advise on handling preferences (at para 38).
4. [Redacted]

Redacted - Redacted
Deposit Return Scheme Assurance
Circular Economy Division
Directorate for Environment and Forestry

From: Brannen R (Roy) <Redacted@gov.scot>; on behalf of; DG Net Zero <Redacted@gov.scot>

Sent: Wed 05/04/2023 16:28

To: John-Paul Marks <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; Mackie C (Christopher) <Redacted@gov.scot>; <Redacted@gov.scot>

Cc: DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>; Bruce A (Andrew) <Redacted@gov.scot>; Rogers D (David) (Constitution and Cabinet Director) <Redacted@gov.scot>; <Redacted@gov.scot>; Coull AJ (Alison) <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: RE: OFFICIAL SENSITIVE - COMMERCIAL - DRS Sitrep for PS discussion with FM

Thanks JP very helpful read out and in line with discussions Kevin and I had earlier. From my perspective, 4 will remain a challenge but we will go over again anything that seems feasible and will not create a degree of complexity or uncertainty. Noted on meeting for next week which I'll join also.

R

From: John-Paul Marks <Redacted@gov.scot>

Sent: 05 April 2023 15:14

To: Director of Environment & Forestry <director.enfor@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; Christopher Mackie <Redacted@gov.scot>; <Redacted@gov.scot>

Cc: DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>; Bruce A (Andrew) <Redacted@gov.scot>; Rogers D (David) (Constitution and Cabinet Director) <Redacted@gov.scot>; <Redacted@gov.scot>; Coull AJ (Alison) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: RE: OFFICIAL SENSITIVE - COMMERCIAL - DRS Sitrep for PS discussion with FM

Thank you Kevin, good conversation with FM just now, I emphasised:

- 1) *Reasonable expectation* of decision on IMA exclusion in April – we appreciate all efforts to get this over the line to remove uncertainty, so let's keep working all channels robustly with UKG
- 2) Emerging business support package is welcomed, and early view is we should maximise this to support small retailers and producers to de-risk the scheme, as per your good advice – please keep pushing the boundaries here e.g. to maximise small producer/retailer/hospitality easements as far as we can whilst ensuring the scheme is viable. Easements could always be time-limited of course too, to reduce volume/risk in early years subject to future review
- 3) Rescheduling, we discussed the balance of risk; and the additional SG integrated assurance work underway with CSL, and the emerging consensus that *some* limited additional time *could* help de-risk with more time to test and assure delivery confidence, and align the operating environment, so all could prepare properly once uncertainty was removed and the revised scope is clear, as per points 1 and 2 above. It seems reasonable that having made the changes in business support, we give industry time to adjust and plan accordingly

- 4) The additional point which FM made – could we have some form of milestone moment/additional testing phase/pilot from August – to support de-risking; please continue to exhaust options on this and advise accordingly
- 5) FM appreciates the work ongoing to advise Cab Sec and Ms Slater, and I would prefer accountable Ministers to address optimism based on your robust advice, via evidence and assurance, to ensure FM receives sound advice on an optimal delivery plan so the scheme can go live in a safe and secure way (as best feasible recognising this is complex transformation); please work hard on this in the coming days
- 6) Please do the best you can to use all the evidence, assurance and data available to make a recommendation on when optimal to deliver the scheme – to agree with your Ministers if you can. Please copy advice to FM's office
- 7) Chris will be in touch to arrange a meeting for you and your Ministers with FM next week, which I will join too – Roy/Kevin/Michelle all welcome, so we can ensure the evidence from the Gateway review, integrated assurance activity, CSL/ZWS/SEPA feedback is all included in the discussion
- 8) From my PAO perspective, you are doing all the right things, with integrity; please continue to do so. Your draft Comms below all look good to me, and you can package that up in your advice for agreement if possible, recognising that step 1 is to secure the UK IMA exemption.

Hope helps, best wishes, JP

From: John-Paul Marks

Sent: 04 April 2023 22:28

To: Director of Environment & Forestry <director.enfor@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>

Cc: DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; Michelle Quinn <Redacted@gov.scot>; Andrew Bruce <Redacted@gov.scot>; David Rogers <Redacted@gov.scot>; <Redacted@gov.scot>; Alison Coull <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; David McPhee <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: RE: OFFICIAL SENSITIVE - COMMERCIAL - DRS Sitrep for PS discussion with FM

Excellent, will talk to FM tomorrow and report back, well done colleagues, thank you

From: Director of Environment & Forestry <director.enfor@gov.scot>

Sent: 04 April 2023 20:39

To: Permanent Secretary <PermanentSecretary@gov.scot>

Cc: DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; Michelle Quinn <Redacted@gov.scot>; Andrew Bruce <Redacted@gov.scot>; David Rogers <Redacted@gov.scot>; <Redacted@gov.scot>; Alison Coull <Redacted@gov.scot>; <Redacted@gov.scot>;

<Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; David McPhee <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: FW: OFFICIAL SENSITIVE - COMMERCIAL - DRS Sitrep for PS discussion with FM

JP

With thanks to David and Michelle, in advance of your meeting with the FM tomorrow please see a brief sitrep of ongoing DRS policy work following our submission to the FM on Monday.

We are looking to translate the note below into a further submission which we plan to send on Wednesday evening to Ms McAllan and Ms Slater (on leave next week) with a view to discussing it with them on Thursday (following a good discussion with them last Friday). I don't want to pre-empt these further discussions with Ministers so I am keeping this note to a narrow list of officials for now.

We had hoped that the FM could join a ministerial discussion but we understand he is n/a this week. Grateful if you can test the shape of this with the FM tomorrow. Thank you.

DRS sitrep

IMA exclusion (readout from discussion with DEFRA DRS Director 4/4 – further discussion scheduled 6/4)

- DEFRA welcomed the Cab Sec letter of 3 April to the SoSs for DEFRA and Department for Business and Trade (DBT) on the issues of the Internal Market Act and trading standards with respect to DRS, and recognised this represented a clear intent to proceed with Scotland's DRS.
- DEFRA also recognised SG's need for urgency on a UKG decision on an IMA exclusion for DRS and sought to reassure that they were actively working through navigation of political considerations within UK Government in order to reach an outcome.
- Given the time critical nature of discussions within UKG (over the recess period), DEFRA emphasised that SG's position was clear and that the proposed bilateral with Scottish Ministers, although welcome, was not essential.
- SG stood ready to support DEFRA, as required, and urged that DEFRA work with UK departments to decouple considerations on DRS delivery (which were for SG) from with UKG considerations on an IMA exclusion. DEFRA appreciated that the issues were not interdependent and any risks to delivery should not be taken as reason not to grant an exclusion.

CSL Assurance work (Headlines from Michelle Quinn from assurance work to date)

[Redacted]

Detail:

- Redacted
- Redacted
- Redacted
- Redacted
- Next steps: Weds - further assessment of systems; Thurs - engage with ZWS and retailers; Next week – team will prepare report.

Options for Business Support and Rescheduling

Topline: [Redacted]

- Framed as “Business Support” we are firming up a recommended package to right size the obligations of DRS on producers (targeting small producers in particular):
 - Increased comms on SEPA’s light touch enforcement approach
 - Removing products with less than 5000 SKU’s a year – further analysis is needed, but initial work suggests this would remove a significant number of small producers from DRS obligations whilst only sacrificing a very small % of the overall volume of empty containers on the market (ie reduce political pushback at minimal cost to policy recycling objective)
 - Removing products less than 100ml from DRS (ie “miniatures”)
 - Removing return point obligation on off-sales for hospitality premises where off-sales are < 10% of total sales (possibly increasing to nearer 20% depending on evidence)
 - [Redacted]
- Framed as “Rescheduling” (to avoid the lethargy associated with “delay”) and subject to completion of the Assurance work above, we are likely to recommend a 6.5 months delay to DRS (from 16 August to 1 March) which would give businesses 10 months from 1 May to prepare. There are risks to delay (including loss of overall momentum) but on balance it will be welcomed by many.
- Communications around the above package would draw on your earlier steers and would be along the lines below including crucially a public restatement of commitment from the FM and a clear new date for all to work to:
 - DRS is the right thing to improve recycling, reduce littering and emissions and is central to our mission to achieving Net Zero in Scotland
 - Committed to delivering DRS safely and securely in Parliament, responding to feedback (especially to support smaller retailers and producers and ensure a consumer experience that is as smooth as possible)
 - Continue to seek an exemption from the UK IMA, expected from the UKG in April, to remove uncertainty.
 - Ministers have write to the PM to reaffirm commitment to rolling out DRS in this Parliament
 - Reassured by sustained levels of public support in Scotland for the DRS scheme

- We have listened to business: all want to DRS and some are ready but many are not and are calling for a delay.
- We want to manage this complex transformation safely and securely and accordingly....
- We are announcing a package of Business Support and Rescheduling to allow extra time for all stakeholders to be ready.
- The rescheduled launch of DRS will not be without challenge and we will all need to work together to secure the benefits it will bring to this generation of citizens and the next.

Kevin

Kevin Quinlan - Director of Environment & Forestry, Scottish Government (tel: Redacted)

From: Director of Environment & Forestry <director.enfor@gov.scot>

Sent: 03 April 2023 14:37

To: First Minister <firstminister@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>; Lord Advocate <Redacted@gov.scot>; Solicitor General <Redacted@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for Wellbeing Economy, Fair Work & Energy <CabSecWEFWE@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; DG Economy <Redacted@gov.scot>; DG Corporate <Redacted@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>; Ford N (Nick) (DirectorSPPD) <Redacted@gov.scot>; Bruce A (Andrew) <Redacted@gov.scot>; Grisewood A (Aidan) <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; Coull AJ (Alison) <Redacted@gov.scot>; <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>; McCaig C (Callum) <Redacted@gov.scot>; PLU SSI Programme Mailbox <Redacted@gov.scot>; Rogers D (David) (Constitution and Cabinet Director) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Crawford E (Ewan) <Redacted@gov.scot>; <Redacted@gov.scot> Director of Environment & Forestry <director.enfor@gov.scot>

Subject: OFFICIAL SENSITIVE - COMMERCIAL - Update for FM on DRS

OFFICIAL SENSITIVE - COMMERCIAL

PS/FM

Please see attached an update on the Deposit Return Scheme. This has been discussed with and reviewed by portfolio ministers Ms McAllan and Ms Slater.

1.3 Priority and Purpose

IMMEDIATE

1. The purpose of this advice is to:
 - Provide you with background and a status report on the Deposit Return Scheme (DRS) including current issues and risks; and
 - Provide you with a plan to provide further assurance following the Gateway review
 - Highlight work ongoing to provide options to descope and de-risk the scheme.

1.4 Recommendation

2. Recommend that you note the:
 - Background to the Deposit Return Scheme
 - [Redacted]
 - Work already being taken forward on options to descope and de-risk and around timing considerations. Further advice on this will follow as soon as possible.

Kevin

Kevin Quinlan - Director of Environment & Forestry, Scottish Government (tel: Redacted)

From: Director of Environment & Forestry <director.enfor@gov.scot>

Sent: Tue 18/04/2023 19:59

To: First Minister <FirstMinister@gov.scot>; First Minister 2021 to 2023 <firstminister@gov.scot>; First Minister 2021 to 2023 <firstminister@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>; Lord Advocate <Redacted@gov.scot>; Solicitor General <Redacted@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for Wellbeing Economy, Fair Work & Energy <CabSecWEFWE@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>;

DG Economy <Redacted@gov.scot>; DG Corporate <Redacted@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>; Ford N (Nick) (DirectorSPPD) <Redacted@gov.scot>; Bruce A (Andrew) <Redacted@gov.scot>; Grisewood A (Aidan) <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; Coull AJ (Alison) <Redacted@gov.scot>; <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>; <Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>; McCaig C (Callum) <Redacted@gov.scot>; PLU SSI Programme Mailbox <Redacted@gov.scot>; Rogers D (David) (Constitution and Cabinet Director) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot> Crawford E (Ewan) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: RE: OFFICIAL SENSITIVE COMMERCIAL - proposed FM meeting CEOs of Producers & Retailers

Correcting FM email address

Kevin

Kevin Quinlan - Director of Environment & Forestry, Scottish Government (tel: Redacted)

From: Director of Environment & Forestry

Sent: 18 April 2023 17:10

To: First Minister <firstminister@gov.scot>; First Minister <firstminister@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>; Lord Advocate <Redacted@gov.scot>; Solicitor General <Redacted@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for Wellbeing Economy, Fair Work & Energy <CabSecWEFWE@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; DG Economy <Redacted@gov.scot>; DG Corporate <Redacted@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>; Ford N (Nick) (DirectorSPPD) <Redacted@gov.scot>; Bruce A (Andrew) <Redacted@gov.scot>; Grisewood A (Aidan) <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Solicitor to the Scottish Government

<Redacted@gov.scot>; Coull AJ (Alison) <Redacted@gov.scot>;
<Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Legal Secretariat
to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>;
<Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural
Affairs <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>;
<Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>; McCaig C
(Callum) <Redacted@gov.scot>; PLU SSI Programme Mailbox
<Redacted@gov.scot>; Rogers D (David) (Constitution and Cabinet Director)
<Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot> Crawford E
(Ewan) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>;
<Redacted@gov.scot>; <Redacted@gov.scot>

Subject: OFFICIAL SENSITIVE COMMERCIAL - proposed FM meeting CEOs of
Producers & Retailers

PS/FM

As you are aware Ms Slater held separate meetings with DRS producers and
retailers following your earlier statement on the DRS delay. In general they were
anxious for assurance that an IMA exclusion will materialise and that the extra time
to prepare will be well used with clear timelines, milestones and accountabilities (as
you have also asked for). Separately, Ms Slater met with the Circularity Scotland
Limited (CSL) Chair and CEO who reiterated the importance of the First Minister
taking a meeting with the CEOs of its retailer, and especially producer,
members. Accordingly, I **recommend** that the First Minister take this meeting as
proposed below.

Purpose of the meeting:

- to personally reaffirm the First Minister's commitment to successful
implementation of DRS on 1 March 2024
- an opportunity for the FM to demonstrate leadership in engaging with some of
the largest businesses in the country
- to thank producers and retailers for their efforts in preparing for DRS to-date
- to ask them to now work on a "team Scotland" basis to deliver the Scotland's
DRS scheme paving the way for other schemes across the UK
- to explain in more detail the rationale for the simplification package and the
rationale for DRS delay (Ms Slater)
- to continue to listen to business concerns
- to urge them to call on UKG to do the right thing on the Internal Market Act
exclusion

Timing Thursday 20 April; 1 hour between 4 - 6pm subject to the FM's diary

Format

- One meeting of CSL's producer and retailer members together. A large
meeting but enables the FM and ministers to underline the whole system
nature of DRS and the differing perspectives.
- Opening remarks from FM
- Ms Slater to detail the rationale and the substance of the package announced
earlier that day to Parliament.

- (if time allows) Invite attendees to refreshments with some mingling by FM and Ministers

Setting

- In parliament or St Andrew’s House
- In person attendance preferred; [To confirm – whether hybrid is also possible];

Handling

The *producers* perspective is probably the most challenging as the large producers are arguably mostly ready [Redacted]. It will be important that large producers, [Redacted]. Large producers will need to hear a crystal clear statement of resolve from SG (and especially the FM) to launch DRS and that it is not being long grassed. 5 of the big 9 *retailers* have publicly called for a delay. Engaging retailers is an opportunity explore with them what milestones they can deliver to demonstrate their intent to be ready for 1 March 2024. Reciprocally they will want assurances that we will work across the system to establish clear timelines, milestones and accountabilities.

Invitees (36 + Ministers and officials)

- FM
- Ms McAllan (if diary permits)
- Ms Slater
- CSL Chair & CEO
- All members of CSL (31 as below)
- Scottish Retail Consortium Chair or Chief Executive, Leon Tomson, (UK Hospitality), Stephen Montgomery (Scottish Hospitality)
- SG Officials

CSL Producer members	CSL Retail members
1. A.G. Barr plc	16. Co-operative Group Limited
2. AB InBev UK Limited	17. Lidl Great Britain Limited
3. Accolade Wines Limited	18. Marks and Spencer plc
4. Asahi UK Ltd	19. Sainsbury’s Supermarkets Limited
5. Booker	20. Tesco Stores Limited
6. Britvic Soft Drinks Limited	21. Aldi Scotland
7. Coca-Cola European Partners Great Britain Limited	22. Wm Morrison Supermarkets plc
8. Danone Waters UK & Ireland	23. Asda
9. Diageo	
10. Heineken UK Limited	
11. Highland Spring Ltd	
12. Nestlé Waters UK	
13. Refresco Beverages UK Limited	

14. Suntory Beverage and Food GB&I	
15. Tennent Caledonian Breweries UK Limited	
Producer trade associations	Retailer trade associations
24. SIBA	28. Association of Convenience Stores
25. The British Beer and Pub Association	29. National Federation of Retail Newsagents
26. The British Soft Drinks Association	30. Scottish Wholesale Association
27. The Wine and Spirit Trade Association	31. The Scottish Grocers' Federation

Kevin

Kevin Quinlan - Director of Environment & Forestry, Scottish Government (tel: Redacted)

From: <Redacted@gov.scot>; on behalf of; First Minister <FirstMinister@gov.scot>

Sent: Tue 16/05/2023 10:34

To: Minister for Green Skills, Circular Economy and Biodiversity

<MinisterforGSCEB@gov.scot>; David McPhee <Redacted@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; First Minister <FirstMinister@gov.scot>

Cc: First Minister <FirstMinister@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; Lord Advocate <Redacted@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Wellbeing Economy, Fair Work & Energy <CabSecWEFWE@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Michelle Quinn <Redacted@gov.scot>; Nick Ford <Redacted@gov.scot>; Andrew Bruce <Redacted@gov.scot>; Pauline Aylesbury <Redacted@gov.scot>; David Rogers <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>; Callum McCaig <Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; Ewan Crawford <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Kevin Quinlan <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: RE: Internal Market Act Exclusion and UK Government

This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team in line with SG records management policy.

Hi David,

FM is content with the approach outlined and recommended in the submission. FM is also happy with the contents of the letter – he had reviewed the one which includes Ms McAllan’s edits.

FM has commented that if we get to the middle of next week without any progress FM should request an urgent call with the PM to discuss this matter. If Officials can keep us updated on progress we can make the necessary arrangements should they be needed.

[Redacted]

Many thanks,
Redacted

Redacted

Deputy Private Secretary to the First Minister

Office of the First Minister

5th Floor | St Andrews House | Regent Road | Edinburgh | EH1 3DG

M: Redacted

From: <Redacted@gov.scot> **On Behalf Of** Minister for Green Skills, Circular Economy and Biodiversity

Sent: 15 May 2023 17:05

To: David McPhee <Redacted@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterforGSCEB@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; First Minister <FirstMinister@gov.scot>

Cc: First Minister <FirstMinister@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; Lord Advocate <Redacted@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Wellbeing Economy, Fair Work & Energy <CabSecWEFWE@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Michelle Quinn <Redacted@gov.scot>; Nick Ford <Redacted@gov.scot>; Andrew Bruce <Redacted@gov.scot>; Pauline Aylesbury <Redacted@gov.scot>; David Rogers <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>; Callum McCaig

<Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; Ewan Crawford <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Kevin Quinlan <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: RE: Internal Market Act Exclusion and UK Government

This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team in line with SG records management policy.

David

Ms Slater is content, for her part, with the letter and with the recommendation to send the letter without publishing it in the first instance, reserving the option to publish at a later date.

Many thanks

Redacted - Private Secretary to the Minister for Green Skills, Circular Economy and Biodiversity - Lorna Slater MSP

Scottish Government | St Andrew's House, Regent Road, Edinburgh EH1 3DG |
Mob: Redacted | Email: MinisterGSCEB@gov.scot

From: <Redacted@gov.scot>; on behalf of; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>

Sent: Mon 15/05/2023 13:45

To: David McPhee <Redacted@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterforGSCEB@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; First Minister <FirstMinister@gov.scot>

Cc: First Minister <FirstMinister@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; Lord Advocate <Redacted@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Wellbeing Economy, Fair Work & Energy <CabSecWEFWE@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Michelle Quinn <Redacted@gov.scot>; Nick Ford <Redacted@gov.scot>; Andrew Bruce <Redacted@gov.scot>; Pauline Aylesbury <Redacted@gov.scot>; David Rogers <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>; Callum McCaig <Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; Ewan Crawford <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Kevin Quinlan

<Redacted@gov.scot>; <Redacted@gov.scot>

Subject: RE: Internal Market Act Exclusion and UK Government

Hi David,

Ms McAllan is content to go with the FM preference for publishing the letter. She has suggested some changes to the letter before he considers it.

Thanks
Redacted

Redacted | Private Secretary to Cabinet Secretary for Net Zero and Just Transition - Màiri McAllan MSP | The Scottish Government | Web: www.gov.scot | Mob: Redacted | Email: CabsecNZJT@gov.scot

From: David McPhee <Redacted@gov.scot>

Sent: 12 May 2023 15:36

To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterforGSCEB@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; First Minister <FirstMinister@gov.scot>

Cc: First Minister <FirstMinister@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; Lord Advocate <Redacted@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Wellbeing Economy, Fair Work & Energy <CabSecWEFWE@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Michelle Quinn <Redacted@gov.scot>; Nick Ford <Redacted@gov.scot>; Andrew Bruce <Redacted@gov.scot>; Pauline Aylesbury <Redacted@gov.scot>; David Rogers <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>; Callum McCaig <Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; Ewan Crawford <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Kevin Quinlan <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: FW: Internal Market Act Exclusion and UK Government

Apologies, resending with the correct Donald Cameron. Please use this copy list going forward.

From: David McPhee

Sent: 12 May 2023 14:27

To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterforGSCEB@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; First Minister <FirstMinister@gov.scot>

Cc: First Minister <FirstMinister@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; Lord Advocate <Redacted@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Wellbeing Economy, Fair Work & Energy <CabSecWEFWE@gov.scot>; Permanent Secretary PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Michelle Quinn <Redacted@gov.scot>; Nick Ford <Redacted@gov.scot>; Andrew Bruce <Redacted@gov.scot>; Pauline Aylesbury <Redacted@gov.scot>; David Rogers <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>; Callum McCaig <Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; Ewan Crawford <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Kevin Quinlan <Redacted@gov.scot>;

Subject: Internal Market Act Exclusion and UK Government

1. Minister for Green Skills, Circular Economy and Biodiversity
2. Cabinet Secretary for Net Zero and Just Transition
3. First Minister

Please find attached a submission from Kevin Quinlan, to be considered in the sequence above, which provides an update on the current position with respect to the UK IMA exclusion for DRS and seeks views on a letter from FM to PM to clarify the urgency of a response on this issue.

A response by the Minister and then the Cabinet Secretary would be helpful by close of play Monday to allow the First Minister to consider and opine, to enable a letter to be sent to the Prime Minister on Tuesday latest if required.

I have attached the submission with the proposed letter as annex A but have also attached the letter as a separate attachment should any amendments be needed.

Happy to discuss.

Thanks
David

David McPhee
Deputy Director: Deposit Return Scheme
Directorate for Environment and Forestry
Tel: Redacted

From: <Redacted@gov.scot>; on behalf of; First Minister <FirstMinister@gov.scot>

Sent: Tue 02/05/2023 10:51

To: <Redacted@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterforGSCEB@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; McPhee D (David) <Redacted@gov.scot>; Brannen R (Roy) <Redacted@gov.scot>; DG Net Zero <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>

Cc: First Minister <FirstMinister@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>

Subject: RE: DRS Stakeholder Meeting - FM & Minister - 20 April - Meeting Note

Hi Redacted,

To confirm FM is content with the minute. I would be grateful if you could send me a copy of the eRDM link once uploaded.

All,

Per the attached the Permanent Secretary has noted that *“FM would appreciate a meeting later in May to take stock on all the agreed actions from the Gateway report and stakeholder event to assure delivery progress is being made, including clarity on the data and reporting mechanism which will enable FM to be confident this is going from [Redacted] in the next 10 months, accepting there will be always some residual risk with complex transformation”*

FM would like to see a detailed plan on what needs done to get us to the launch date of 1st March 2024 with confidence. FM wants officials, and the Minister, to work backwards from 1st March 2024 and detail the milestones that need completed for launch. FM would like this detailed plan ready in the next couple of weeks. FM has asked that this information is presented to him with Ministers talking him through it.

I would propose that we schedule the meeting to go through the above Thursday 25 May 2023 13:30 – 14:00.

I would be grateful for confirmation that the above is being pick up and also grateful for confirmation as to who will attend the meeting from an official / Ministerial capacity and I can issue invites.

Happy to have a chat through if that would be helpful.

Many thanks,
Redacted

Redacted

**Deputy Private Secretary to the First Minister
Office of the First Minister**

5th Floor | St Andrews House | Regent Road | Edinburgh | EH1 3DG

M: Redacted

From: <Redacted@gov.scot>

Sent: 26 April 2023 11:35

To: First Minister <FirstMinister@gov.scot>

Cc: Minister for Green Skills, Circular Economy and Biodiversity

<MinisterforGSCEB@gov.scot>; Harry Huyton <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; <Redacted@gov.scot>;

<Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; David McPhee <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>;

<Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>;

<Redacted@gov.scot>; <Redacted@gov.scot>

Subject: DRS Stakeholder Meeting - FM & Minister - 20 April - Meeting Note

First Minister,

Please find attached meeting note from the Deposit Return Scheme Stakeholder meeting on Thursday 20th April. Ms Slater has confirmed she is content with her part of the note.

I would be grateful if you could confirm you are content with the note for sign off.

Many Thanks,
Redacted

DRS Division

ERDM Link – Meeting Note

[Redacted]

From: <Redacted@gov.scot>; on behalf of; First Minister <FirstMinister@gov.scot>

Sent: Tue 18/04/2023 19:22

To: <Redacted@gov.scot>; Director of Environment & Forestry

<director.enfor@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>; First Minister

<FirstMinister@gov.scot>

Cc: McPhee D (David) <Redacted@gov.scot>; <Redacted@gov.scot>;

<Redacted@gov.scot>; <Redacted@gov.scot>; Campbell E (Elisabeth)

<Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>; McCaig C

(Callum) <Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>;

Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet

Secretary for Wellbeing Economy, Fair Work & Energy
<CabSecWEFWE@gov.scot>; Minister for Small Business, Innovation & Trade
<MinisterSBIT@gov.scot>; <Redacted@gov.scot>
Subject: RE: DRS letter to CSL

Hi Redacted,

Please find attached letter now issued.

Many thanks,

Redacted
Deputy Private Secretary to the First Minister
Office of the First Minister
5th Floor | St Andrews House | Regent Road | Edinburgh | EH1 3DG | Redacted |
Redacted

From: <Redacted@gov.scot>
Sent: 18 April 2023 18:33
To: Director of Environment & Forestry <director.enfor@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>; First Minister <FirstMinister@gov.scot>
Cc: McPhee D (David) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>; McCaig C (Callum) <Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Wellbeing Economy, Fair Work & Energy <CabSecWEFWE@gov.scot>; Minister for Small Business, Innovation & Trade <MinisterSBIT@gov.scot>;
Subject: RE: DRS letter to CSL

Hi FMPO,

Can you confirm if this letter will issue this evening?

Thanks,
Redacted

From: Director of Environment & Forestry <director.enfor@gov.scot>
Sent: 18 April 2023 13:35
To: Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>; <Redacted@gov.scot>; First Minister <FirstMinister@gov.scot>
Cc: McPhee D (David) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>; McCaig C (Callum) <Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Wellbeing Economy, Fair Work & Energy

<CabSecWEFWE@gov.scot>; Minister for Small Business, Innovation & Trade
<MinisterSBIT@gov.scot>;
Subject: RE: DRS letter to CSL

Letter now with some tweaks tracked from me.

Also copying in Mr Lochhead.

Kevin

Kevin Quinlan - Director of Environment & Forestry, Scottish Government (tel:
Redacted)

From: <Redacted@gov.scot> **On Behalf Of** Minister for Green Skills, Circular Economy and Biodiversity2023
Sent: 18 April 2023 13:27
To: Minister for Green Skills, Circular Economy and Biodiversity2023
<MinisterforGSCEB@gov.scot>; Redacted <Redacted@gov.scot>; First Minister
<FirstMinister@gov.scot>
Cc: McPhee D (David) <Redacted@gov.scot>; <Redacted@gov.scot>;
<Redacted@gov.scot>; <Redacted@gov.scot>; Campbell E (Elisabeth)
<Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>; McCaig C
(Callum) <Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>;
Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet
Secretary for Wellbeing Economy, Fair Work & Energy
<CabSecWEFWE@gov.scot>
Subject: RE: DRS letter to CSL

Apologies – extending the copy list further to keep Mr Gray appraised for his
interests also.

Redacted – as discussed.

Redacted - Private Secretary to the Minister for Green Skills, Circular Economy and
Biodiversity - Lorna Slater MSP

Scottish Government | St Andrew's House, Regent Road, Edinburgh EH1 3DG |
Mob: Redacted | Email: MinisterGSCEB@gov.scot

From: Marissa Gallagher **On Behalf Of** Minister for Green Skills, Circular Economy
and Biodiversity2023
Sent: 18 April 2023 12:50
To: <Redacted@gov.scot>; First Minister <FirstMinister@gov.scot>
Cc: David McPhee <Redacted@gov.scot>; Director of Environment & Forestry
<director.enfor@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>;
<Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>; Callum McCaig
<Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; Minister for Green
Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>;
Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>
Subject: RE: DRS letter to CSL

All,

To note the response we have received this morning from the PM – I don't envisage this requires a response from the FM but please do let me know if you would advise any action.

Kevin – to note we are looking to schedule a stocktake meeting on Thursday 25 May.

Many thanks,
Redacted

Redacted

**Deputy Private Secretary
Office of the First Minister**

5th Floor | St Andrews House | Regent Road | Edinburgh | EH1 3DG | Redacted

From: <Redacted@gov.scot> on behalf of First Minister <FirstMinister@gov.scot>

Sent: Saturday, April 22, 2023 4:18 pm

To: <Redacted@gov.scot>; First Minister <FirstMinister@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023

<CabSecforCEAC@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterforGSCEB@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Lord Advocate <Redacted@gov.scot>; Solicitor General <Redacted@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; DG Economy <Redacted@gov.scot>; DG Corporate <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Michelle Quinn <Redacted@gov.scot>; Nick Ford <Redacted@gov.scot>; Andrew Bruce <Redacted@gov.scot>; Aidan Grisewood <Redacted@gov.scot>; David McPhee <Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; David Rogers <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; PLU SSI Programme Mailbox <Redacted@gov.scot>; <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; Callum McCaig <Redacted@gov.scot>; Ewan Crawford <Redacted@gov.scot>; Spads Admin <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: RE: DRS: Letter from First Minister to Prime Minister
Hi Redacted,

Please find attached letter which was issued to the PM this afternoon.

Many thanks for your co-ordination on this.

Best wishes,

Redacted

Deputy Private Secretary to the First Minister

Office of the First Minister

5th Floor | St Andrews House | Regent Road | Edinburgh | EH1 3DG | Redacted |
Redacted

From: <Redacted@gov.scot>

Sent: 21 April 2023 19:10

To: First Minister <FirstMinister@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterforGSCEB@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Lord Advocate <Redacted@gov.scot>; Solicitor General <Redacted@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; DG Economy <Redacted@gov.scot>; DG Corporate <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Michelle Quinn <Redacted@gov.scot>; Nick Ford <Redacted@gov.scot>; Andrew Bruce <Redacted@gov.scot>; Aidan Grisewood <Redacted@gov.scot>; David McPhee <Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; David Rogers <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; PLU SSI Programme Mailbox <Redacted@gov.scot>; <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; Callum McCaig <Redacted@gov.scot>; Ewan Crawford <Redacted@gov.scot>; Spads Admin <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: RE: DRS: Letter from First Minister to Prime Minister

Redacted,

Thank you for sending on the PM's letter.

Please find attached minor amendments to the proposed letter from the FM to take account of the PM's letter.

I attach clean and tracked versions for ease of identifying the change.

Thanks,

Redacted

Redacted | Circular Economy Division | Scottish Government | M: Redacted | Redacted@gov.scot |

From: <Redacted@gov.scot> **On Behalf Of** First Minister

Sent: 21 April 2023 17:40

To: <Redacted@gov.scot>; First Minister <FirstMinister@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterforGSCEB@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Lord Advocate <Redacted@gov.scot>; Solicitor General <Redacted@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; DG Economy <Redacted@gov.scot>; DG Corporate <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Michelle Quinn <Redacted@gov.scot>; Nick Ford <Redacted@gov.scot>; Andrew Bruce <Redacted@gov.scot>; Aidan Grisewood <Redacted@gov.scot>; David McPhee <Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; David Rogers <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; PLU SSI Programme Mailbox <Redacted@gov.scot>; <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; Callum McCaig <Redacted@gov.scot>; Ewan Crawford <Redacted@gov.scot>; Spads Admin <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: RE: DRS: Letter from First Minister to Prime Minister

Hi Redacted,

As discussed, please find attached latest correspondence received by the Prime Minister which includes reference to DRS.

I would be grateful if you could consider the letter and make any appropriate updates where necessary including reference to the latest correspondence received this evening.

In the meantime, I will hold of on FM clearing the letter until a revised version is sent up.

Many thanks,

Redacted
Deputy Private Secretary to the First Minister
Office of the First Minister

5th Floor | St Andrews House | Regent Road | Edinburgh | EH1 3DG | Redacted |
Redacted

From: <Redacted@gov.scot>

Sent: 21 April 2023 15:39

To: First Minister <FirstMinister@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterforGSCEB@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Lord Advocate <Redacted@gov.scot>; Solicitor General <Redacted@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; DG Economy <Redacted@gov.scot>; DG Corporate <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Michelle Quinn <Redacted@gov.scot>; Nick Ford <Redacted@gov.scot>; Andrew Bruce <Redacted@gov.scot>; Aidan Grisewood <Redacted@gov.scot>; David McPhee <Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; David Rogers <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; PLU SSI Programme Mailbox <Redacted@gov.scot>; <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; Callum McCaig <Redacted@gov.scot>; Ewan Crawford <Redacted@gov.scot>; Spads Admin <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: RE: DRS: Letter from First Minister to Prime Minister

PS/FM

As advised, with apologies, some minor amendments to the proposed letter from FM to PM. These are presentational rather than substantive.

I attach clean and tracked versions.

Redacted

Redacted | Circular Economy Division | Scottish Government | M: Redacted |
Redacted@gov.scot |

From: Redacted

Sent: 21 April 2023 13:37

To: First Minister <FirstMinister@gov.scot>; Cabinet Secretary for Net Zero & Just

Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Lord Advocate <Redacted@gov.scot>; Solicitor General <Redacted@gov.scot>
Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; DG Economy <Redacted@gov.scot>; DG Corporate <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Michelle Quinn <Redacted@gov.scot>; Nick Ford <Redacted@gov.scot>; Andrew Bruce <Redacted@gov.scot>; Aidan Grisewood <Redacted@gov.scot>; David McPhee <Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; David Rogers <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; PLU SSI Programme Mailbox <Redacted@gov.scot>; <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; Callum McCaig <Redacted@gov.scot>; Ewan Crawford <Redacted@gov.scot>; Spads Admin <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: DRS: Letter from First Minister to Prime Minister

PS/FM

Following yesterday's statement from Ms Slater to Parliament, and the First Minister and Ms Slater subsequently meeting with DRS businesses, please find attached a proposed letter from the First Minister to the Prime Minister on the actions we are seeking from UK Government on an exclusion from the Internal Market Act and work on trading standards.

SpAds have reviewed.

Subject to the First Minister's views, we would recommend that the letter issue today if possible.

Thanks,

Redacted

Redacted | Circular Economy Division | Scottish Government | M: Redacted | Redacted@gov.scot |

From: Director of Environment & Forestry <director.enfor@gov.scot>

Sent: Mon 03/04/2023 14:37

To: First Minister <firstminister@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>; Lord Advocate <Redacted@gov.scot>; Solicitor General <Redacted@gov.scot>; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Cabinet Secretary for Constitution, External Affairs & Culture 2023 <CabSecforCEAC@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Cabinet Secretary for Rural Affairs, Land Reform and Islands <CabSecRALRI@gov.scot>; Cabinet Secretary for Wellbeing Economy, Fair Work & Energy <CabSecWEFWE@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; DG Strategy and External Affairs <Redacted@gov.scot>; DG Economy <Redacted@gov.scot>; DG Corporate <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>; Ford N (Nick) (DirectorSPPD) <Redacted@gov.scot>; Bruce A (Andrew) <Redacted@gov.scot>; Grisewood A (Aidan) <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Solicitor to the Scottish Government <Redacted@gov.scot>; Coull AJ (Alison) <Redacted@gov.scot>; <Redacted@gov.scot>; SGLD DRS Team <Redacted@gov.scot>; Legal Secretariat to the Lord Advocate <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Communications Net Zero & Rural Affairs <Redacted@gov.scot>; McCaig C (Callum) <Redacted@gov.scot>; PLU SSI Programme Mailbox <Redacted@gov.scot>; Rogers D (David) (Constitution and Cabinet Director) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; Crawford E (Ewan) <Redacted@gov.scot>; <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>

Subject: OFFICIAL SENSITIVE - COMMERCIAL - Update for FM on DRS

OFFICIAL SENSITIVE - COMMERCIAL

PS/FM

Please see attached an update on the Deposit Reposit Return Scheme. This has been discussed with and reviewed by portfolio ministers Ms McAllan and Ms Slater.

1.5 Priority and Purpose

IMMEDIATE

3. The purpose of this advice is to:

- Provide you with background and a status report on the Deposit Return Scheme (DRS) including current issues and risks; and
- Provide you with a plan to provide further assurance following the Gateway review

- Highlight work ongoing to provide options to descope and de-risk the scheme.

1.6 Recommendation

4. Recommend that you note the:

- Background to the Deposit Return Scheme
- Latest Gateway Review “Amber/Red” status of assurance of delivery of DRS by 16 August 2023 and our plans to work intensively over the next 1 - 2 weeks with Circularity Scotland Limited to further test their readiness for an August launch
- Work already being taken forward on options to descope and de-risk and around timing considerations. Further advice on this will follow as soon as possible.

Kevin

Kevin Quinlan - Director of Environment & Forestry, Scottish Government (tel: Redacted)

From: <Redacted@gov.scot>; on behalf of; First Minister <FirstMinister@gov.scot>

Sent: Tue 09/05/2023 09:29

To: <Redacted@gov.scot>; First Minister <FirstMinister@gov.scot>

Cc: Director of Environment & Forestry <director.enfor@gov.scot>; <Redacted@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; DG Net Zero <Redacted@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>; <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>; McCaig C (Callum) <Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>; <Redacted@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterforGSCEB@gov.scot>; DG Net Zero <Redacted@gov.scot>

Subject: RE: Note of meeting - DRS - FM, CabSec NZJT, Minister GSCEB - 13 April 2023

Redacted

The First Minister has made a minor amendment to paragraph 23 in the attached. Other than that, he is content.

Many thanks

Redacted

Redacted

Unit Head, Ministerial Private Office

The Scottish Government

St Andrew's House | Regent Road | Edinburgh | EH1 3DG

T: Redacted | **M:** Redacted | **Email:** Redacted@gov.scot

From: <Redacted@gov.scot>
Sent: 25 April 2023 15:47
To: First Minister <FirstMinister@gov.scot>
Cc: Director of Environment & Forestry <director.enfor@gov.scot>; <Redacted@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; DG Net Zero <Redacted@gov.scot>; Michelle Quinn <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; David McPhee <Redacted@gov.scot>; Elisabeth Campbell <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>; Callum McCaig <Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; <Redacted@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterforGSCEB@gov.scot>; DG Net Zero <Redacted@gov.scot>
Subject: FW: Note of meeting - DRS - FM, CabSec NZJT, Minister GSCEB - 13 April 2023

FM PO.

In the interest of ensuring we have a complete record, I would be grateful if the First Minister could confirm he is content with the options set out in DRS submission and subsequent meeting note. These have been agreed by both the Minister for Green Skills, Circular Economy and Biodiversity and Cabinet Secretary for Net Zero and Just Transition. The Cabinet Secretary has asked for fortnightly readiness updates and a monthly update that she can take to Cabinet.

Attached:

DRS Submission (email)

Not of meeting to discuss submission on 13 April (word doc)

Confirmation from Minister she is content with recommendations in submission and meeting note (email)

Confirmation from Cabinet Secretary she is content with recommendations in submission and meeting note (email chain below)

Regards

Redacted

Redacted - Redacted
Deposit Return Scheme Assurance
Circular Economy Division
Directorate for Environment and Forestry

From: <Redacted@gov.scot> **On Behalf Of** Cabinet Secretary for Net Zero & Just Transition

Sent: 18 April 2023 16:13

To: Director of Environment & Forestry <director.enfor@gov.scot>; <Redacted@gov.scot>; First Minister 2021 to 2023 <firstminister@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>; <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>; Campbell E

(Elisabeth) <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>;
McCaig C (Callum) <Redacted@gov.scot>; McAllister C (Colin)
<Redacted@gov.scot>

Subject: RE: Note of meeting - DRS - FM, CabSec NZJT, Minister GSCEB - 13 April 2023

This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team in line with SG records management policy.

Hi Kevin,

Ms McAllan is content with the recommendations in the submission however has asked for (i) fortnightly updates on DRS readiness and (ii) monthly update that she can take to Cabinet.

Thanks,
Redacted

Redacted
Deputy Private Secretary
Cabinet Secretary for Net Zero and Just Transition
CabSecNZJT@gov.scot
Redacted

From: Director of Environment & Forestry <director.enfor@gov.scot>

Sent: 17 April 2023 19:03

To: <Redacted@gov.scot>; First Minister 2021 to 2023 <firstminister@gov.scot>;
Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Minister
for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero

<Redacted@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>;

<Redacted@gov.scot>; <Redacted@gov.scot>; McPhee D (David)

<Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; Huyton H

(Harry) <Redacted@gov.scot>; McCaig C (Callum) <Redacted@gov.scot>;

McAllister C (Colin) <Redacted@gov.scot>

Subject: RE: Note of meeting - DRS - FM, CabSec NZJT, Minister GSCEB - 13 April 2023

POs – grateful for your urgent confirmation of approval the recommendations made in the submission attached and that you are content with the note below of the related FM meeting.

Kevin

Kevin Quinlan - Director of Environment & Forestry, Scottish Government (tel:
Redacted)

From: <Redacted@gov.scot>

Sent: 17 April 2023 10:15

To: First Minister 2021 to 2023 <firstminister@gov.scot>; Cabinet Secretary for Net

Zero & Just Transition <CabSecNZJT@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>; McCaig C (Callum) <Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>

Subject: Note of meeting - DRS - FM, CabSec NZJT, Minister GSCEB - 13 April 2023

FM, Cabinet Secretary NZJT, Minister GSCEB

Please find attached a note of last week's meeting on DRS. Erdm link also available for private offices.

Many thanks,
Redacted

Redacted | Head of Deposit Return Scheme Unit, Circular Economy Division, Environment & Forestry | Scottish Government

M: Redacted | **A:** 3GS Victoria Quay Edinburgh EH6 6QQ

From: <Redacted@gov.scot>

Sent: 19 April 2023 18:08

To: Minister for Green Skills, Circular Economy and Biodiversity

<MinisterforGSCEB@gov.scot>; First Minister <FirstMinister@gov.scot>

Cc: Director of Environment & Forestry <director.enfor@gov.scot>; Campbell E

(Elisabeth) <Redacted@gov.scot>; <Redacted@gov.scot>; SGLD DRS Team

<Redacted@gov.scot>; <Redacted@gov.scot>; McCaig C (Callum)

<Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>;

<Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>; Huyton H (Harry)

<Redacted@gov.scot>; <Redacted@gov.scot>; <Redacted@gov.scot>

Subject: Immediate: Stakeholder meeting : Deposit Return Scheme 20 April 2023

PO

Please find details for FM and Minister for Green Skill, Circular Economy and Biodiversity for their meeting tomorrow with stakeholders regarding the deposit return scheme.

Enclosed:

1. Cover sheet with logistical info (Attendee list to follow once acceptance of invitation is confirmed)
2. FM Speaking Note
3. Minister speaking Note
4. Briefing pack for Ministerial Statement which is also to be used for this meeting.
5. FMQ

Should any of this change as a result of pre-meet with the Minister updates will be provided.

Regards
Redacted

Redacted - Redacted
Deposit Return Scheme Assurance
Circular Economy Division
Directorate for Environment and Forestry

From: Director of Environment & Forestry

Sent: 06 April 2023 11:48

To: First Minister <firstminister@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Net Zero <Redacted@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>; McCaig C (Callum) <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>; Campbell E (Elisabeth) <Redacted@gov.scot>; McPhee D (David) <Redacted@gov.scot>

Subject: RE: DRS Meeting

Redacted

From the DRS team side grateful if you can add:

Elisabeth Campbell – DD DRS
Redacted – Head of DRS Policy
Alison Coull – DD SGLD

Kevin

Kevin Quinlan - Director of Environment & Forestry, Scottish Government (tel: Redacted)

From: <Redacted@gov.scot> **On Behalf Of** First Minister

Sent: 06 April 2023 09:18

To: Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; DG Net Zero <Redacted@gov.scot>; Quinn M (Michelle) <Redacted@gov.scot>; McAllister C (Colin) <Redacted@gov.scot>; McCaig C (Callum) <Redacted@gov.scot>; Huyton H (Harry) <Redacted@gov.scot>

Subject: Re: DRS Meeting

All

We'll have a look at this today, with a view to moving to a more conducive slot next week. A few key attendees have requested a change so I'll see what works and report back.

Redacted

From: <Redacted@gov.scot> on behalf of Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>
Sent: Thursday, April 6, 2023 9:15:16 AM
To: First Minister <firstminister@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>
Cc: Permanent Secretary <PermanentSecretary@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; DG Net Zero <Redacted@gov.scot>; Michelle Quinn <Redacted@gov.scot>; Colin McAllister <Redacted@gov.scot>; Callum McCaig <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>
Subject: RE: DRS Meeting

Hi Redacted,

Ms McAllan would like to join however, has a day full of constituency surgeries in person next week. If 15:30 was possible, Ms McAllan would be able to dial in following her final surgery. Could that be explored? I understand Ms Slater's Private Office were also seeking a potential afternoon virtual slot.

Thanks,
Redacted

Redacted
Deputy Private Secretary
Cabinet Secretary for Net Zero and Just Transition
CabSecNZJT@gov.scot
Redacted

From: <Redacted@gov.scot> **On Behalf Of** First Minister
Sent: 05 April 2023 15:19
To: Minister for Green Skills, Circular Economy and Biodiversity2023 <MinisterforGSCEB@gov.scot>; Cabinet Secretary for Net Zero & Just Transition <CabSecNZJT@gov.scot>
Cc: Permanent Secretary <PermanentSecretary@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; DG Net Zero <Redacted@gov.scot>; Michelle Quinn <Redacted@gov.scot>; First Minister <firstminister@gov.scot>; Colin McAllister <Redacted@gov.scot>; Callum McCaig <Redacted@gov.scot>; Harry Huyton <Redacted@gov.scot>
Subject: DRS Meeting

PS/ Ms Slater (and relevant others)

FM would like to convene a meeting over the course of next week to discuss DRS. In particular, FM would like to focus the discussion on the various options relating to DRS and the proposed way forward. I should note that FM is especially interested in the exploration of - should a delay to the scheme be agreed upon - whether a milestone point could still be marked around August time nonetheless.

As a starter, I propose timings of 1430 on Tuesday 11th April. If possible, the meeting would take place here at Bute House, however, appreciative of the fact that we are in recess and leave plans may impact that, so a virtual meeting could be facilitated as a contingency.

Grateful for confirmation that this is possible and a suggested cast list provided in advance.

Kind regards,

Redacted

Redacted

Diary Secretary

Office of the First Minister

5th Floor | St Andrews House | Regent Road | Edinburgh | EH1 3DG | Redacted