

Copies of email correspondence from Special Advisors and Scottish Government Officials relating to the Deposit Return Scheme between 01/11/2021 and 31/03/2022:

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 30 March 2022 18:41
To: [Redacted] <[Redacted]@gov.scot>
Cc: [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>
Subject: RE: SpAd views - reactive line - DRS milestones

Great, ta

From: [Redacted]@gov.scot
Sent: 30 March 2022 17:52
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: SpAd views - reactive line - DRS milestones

Hi Harry,

Apologies for delay in getting this up to you – was waiting for feedback from CSL.

Grateful for a SpAd view on the following draft reactive line.

Best,

[Redacted]

A Scottish Government spokesperson said:

"Circularity Scotland has identified preferred bidders to deliver IT, operations and logistics work and is intensive discussions with them to finalise the contracts.

"Significant progress on delivery has been made in a range of areas, including the hosting by Scottish Government of a workshop with retailers to support them as they develop a takeback service for online deliveries, and the publication of regulatory guidance by SEPA.

"We have also formed and held the first meetings of the system-wide assurance group, which includes all those involved in delivering the scheme so that we can collectively monitor delivery."

[Redacted] **Communications: News (Net Zero and Energy)**
Senior Media Manager
Scottish Government, St Andrew's House
e: [Redacted]@gov.scot

m: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 23 March 2022 14:49

To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: eNGO Meeting - rescheduling

We have to go ahead with a meeting next week I'm afraid

Thanks

Harry

From: [Redacted]@gov.scot>

Sent: 23 March 2022 14:17

To: Huyton H (Harry) <[Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: eNGO Meeting - rescheduling

Hi Harry,

Without wanting to put words into their mouths, CSL seemed to think that their attendance would only be needed at the first meeting and any further updates could be conveyed by Ms Slater to the eNGOs using her monthly catch up with CSL as a basis.

Without putting it indelicately, there is also the question of what is the best use of CSL's resources. I gather that CSL's focus at present is to engage with affected industry to ensure DRS implementation remains on track; meeting so frequently with eNGOs, especially where there does not appear to them to be a compelling reason to do so, may not be as productive as other activities.

Certainly we have engaged with CSL on this issue, but at present their position does seem to be somewhat intractable.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 23 March 2022 14:04

To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: eNGO Meeting - rescheduling

This is difficult as we and CSL made a commitment to these meetings and we are already late on one after postponing the last. Skipping this one will be perceived as attempting to avoid scrutiny.

I'm not clear why CSL have changed their mind on this?

From: [Redacted]@gov.scot>
Sent: 23 March 2022 11:50
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>
Subject: RE: eNGO Meeting - rescheduling

Hi [Redacted],

[Redacted]

I do feel that, unless there's a compelling need to meet with eNGOs this side of recess, it's best to skip this meeting as the next one's in May.

As always, I welcome your thoughts on this matter.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 23 March 2022 11:44
To: [Redacted] <[Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: eNGO Meeting - rescheduling

Wasn't the point of these meetings to give NGOs some insight into CS?

From: [Redacted]@gov.scot>
Sent: 23 March 2022 11:43
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>
Subject: RE: eNGO Meeting - rescheduling

Hi [Redacted],

Circularity Scotland will not be attending these meetings going forward so you can remove them from the list.

Otherwise, it looks good.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 23 March 2022 11:08
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: eNGO Meeting - rescheduling

Amended NGO invite list below

From: [Redacted]@gov.scot> **On Behalf Of** Minister for Green Skills, Circular Economy and Biodiversity
Sent: 23 March 2022 10:59
To: [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>
Subject: RE: eNGO Meeting - rescheduling
Importance: High

Hi [Redacted]

No problem, I know how stretched you and the team are but I'm conscious that we do need to offer eNGOs another meeting with Ms Slater given the previous one was postponed in February. We can do Monday 28th March at 14:00.

Please let me know if there are any issues offering this date and if all the recipients below are to be invited?:

Circularity Scotland (CSL)
[Redacted]@circularityscotland.com
[Redacted]@circularityscotland.com
[Redacted]@circularityscotland.com
copy to: [Redacted]@circularityscotland.com

eNGOs
[Redacted]@gmail.com and [Redacted]@aprs.scot (APRS)
[Redacted]@scotlink.org (SE Link)
[Redacted]@reloopplatform.org (ReLoop)
[Redacted]@foe.scot (Friends of Earth Scotland)
[Redacted]@mcsuk.org (Marine Conservation Soc)

Many thanks

[Redacted]

[Redacted] – Assistant Private Secretary to Lorna Slater MSP, Minister for Green Skills, Circular Economy and Biodiversity

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

From: [Redacted]@gov.scot>

Sent: 18 March 2022 17:23

To: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: eNGO Meeting - rescheduling

Hi [Redacted],

Please accept my sincere apologies for this late response, we've had quite a week in the unit so I'm still picking stuff up that came in during my leave over a week ago!

In terms of rearranging this meeting, I'm conscious that both recess and the Easter school holidays are fast-approaching which will both no doubt affect the availability of an unknown number of the invitees.

Given the next scheduled meeting between Ms Slater and the eNGOs is 24 May, I'd welcome your office's opinion on whether you feel it best to skip the postponed meeting entirely.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

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

Sent: 10 March 2022 14:27

To: [Redacted]@gov.scot>

Cc: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>

Subject: RE: eNGO Meeting - rescheduling

Hi [Redacted]

Is there any word on this meeting? As I mentioned there is another one in the diary for the 24th of May.

Let me know and I can identify another slot with the correct invite list.

Many thanks

[Redacted]

[Redacted] – Assistant Private Secretary to Lorna Slater MSP, Minister for Green Skills, Circular Economy and Biodiversity

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

From: [Redacted]
Sent: 09 March 2022 11:33
To: Huyton H (Harry) <[Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: DRS and Fergus Ewing

Hi both

For awareness, during this week we've received no fewer than 22 pretty hostile PQs from Fergus Ewing on DRS, in line with the talking points of the glass lobby, the convenience stores, and the wholesalers. No action required and we are handling them in the usual way, but thought you might want to be aware.

Best wishes

[Redacted]

[Redacted]
Circular Economy Unit
Environmental Quality and Circular Economy Division, Directorate for Environment and Forestry, Scottish Government
Mobile: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 22 March 2022 16:47
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: FW: DUE 23 March: PQ Reference: S6W-07145

Re. the attached question – we will get scrutiny on this next week. Will we in a position to make an announcement on this in time?

From: [Redacted]@gov.scot> **On Behalf Of** Minister for Green Skills, Circular Economy and Biodiversity
Sent: 22 March 2022 16:19
To: Slater L (Lorna) <[Redacted]@gov.scot>
Cc: Huyton H (Harry) <[Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Subject: DUE 23 March: PQ Reference: S6W-07145

Content?

This is the last of the written PQs being sent up today for tomorrow.

From: [Redacted]@gov.scot <[Redacted]@gov.scot>
Sent: 22 March 2022 16:03
To: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>
Subject: PQ Reference: S6W-07145

The PQ S6W-07145 has been sent to you by [Redacted]

Additional information:

You may access the private office section of the PQ tracking system by clicking on the following link:-

[Redacted]

or access the PQ directly by clicking below:-

[Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 18 March 2022 09:57
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan)
<[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: DRS Press reports

And can someone send me the reports? ta

From: Huyton H (Harry)
Sent: 18 March 2022 09:55
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan)
<[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: DRS Press reports

Can we catch up quickly at 10:30?

From: [Redacted]@gov.scot>
Sent: 18 March 2022 09:21
To: [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Cc: Huyton H (Harry) <[Redacted]@gov.scot>
Subject: RE: DRS Press reports

Thanks [Redacted].

Grateful if I can be cc'd on the lawyer stuff as I imagine I may have to chase them a bit today.

[Redacted]

[Redacted] **Communications: News (Net Zero and Energy)**

Senior Media Manager

Scottish Government, St Andrew's House

e: [Redacted]@gov.scot

m: [Redacted]

From: [Redacted]@gov.scot>

Sent: 18 March 2022 09:09

To: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>

Subject: DRS Press reports

Hi everyone

[Redacted]

Thanks all

[Redacted]

[Redacted] **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate| Scottish Government | Tel:** [Redacted]

From: [Redacted] <[Redacted]@Circularityscotland.com>

Sent: 17 March 2022 18:03

To: [Redacted] <[Redacted]@gov.scot>

Subject: Press reports

As just discussed

Independent retailers shocked at call for judicial review against DRS - The Fed (thefedonline.com)

Scottish Grocers' Federation legal challenge threatens delay to DRS rollout | News | The Grocer

Having now read the Grocer article that has increased our concern!

Best wishes

Donald

[Redacted]

Programme Director – DRS Implementation

[Redacted] [Redacted]@circularityscotland.com

Website: Home - Circularity Scotland

Follow us: LinkedIn & Twitter

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 02 March 2022 15:26
To: [Redacted]@gov.scot>
Cc: Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Subject: RE: FM note on Deposit Return Scheme

That's fine, happy with those changes. Thanks [Redacted]

From: [Redacted]@gov.scot>
Sent: 02 March 2022 13:42
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Subject: RE: FM note on Deposit Return Scheme

Hi Harry,

I'm conscious of your conversation with Aidan earlier today so here's a refreshed version of the note with a couple of recommended changes.

The first is fairly simple, the first answer we can replace 'The Minister for Green Skills etc' with 'I'.

[Redacted]

[Redacted]

Grateful for your thoughts.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 02 March 2022 11:19

To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: FM note on Deposit Return Scheme

Revised version attached – could someone in policy check before re-submitting?
Thanks

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 02 March 2022 10:06
To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: FM note on Deposit Return Scheme

Can you hold this – I would like to make an amendment, thanks

From: [Redacted]@gov.scot>
Sent: 01 March 2022 17:46
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>
Cc: Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: FM note on Deposit Return Scheme

PS Minister for Green Skills, Circular Economy, and Biodiversity,

Please find attached a draft note to the First Minister from Ms Slater that covers the responses to the questions raised by Maurice Golden MSP in the Scottish Parliament Chamber on 23 February 2022.

Kind Regards,

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

From: [Redacted]
Sent: 25 February 2022 17:01
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: SpAd view - Media Query - DRS - Retail Express

Harry

This is about the meeting with FM that we intended to have in early December re phased implementation with retailers, but pulled because, among other things, it was proving difficult to get senior retailer representation in the Christmas period.

SGF wrote to the Minister later in December asking among other things what had happened to that meeting; relevant extract from the response below. SGF haven't picked this up again with us as far as I'm aware. Nor as far as I'm aware (but [Redacted]and [Redacted] are closer to this) have we yet picked it up again with any retailers because the focus has been on Orkney.

Hope that helps?

[Redacted]

While I apologise for the cancellation of the meeting with the First Minister (which was due to lack of availability among retailers given the December pressures referred to above), we had had a positive conversation on this topic on 15 November and I took SGF to be interested in principle in pursuing this with us. If you still are, we will ensure you are included as we pick this issue up again with retailers.

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M:
[Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 25 February 2022 16:56
To: [Redacted]@gov.scot>
Cc: Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: SpAd view - Media Query - DRS - Retail Express

Thanks – quote is fine, would appreciate an details from policy colleagues on what this meeting is and which questions they are referring to

From: [Redacted]@gov.scot>
Sent: 25 February 2022 16:22
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <Aidan.Grisewood@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: SpAd view - Media Query - DRS - Retail Express

Hi Harry,

We've had a query from Retail Express, deadline midday Monday.

We've been asked to respond to comments from SGF – see below.

Policy and comms have agreed the following – grateful for a SpAd view.

Best,

[Redacted]

DRAFT REPLY

A Scottish Government spokesperson said:

"Roll-out of our ambitious Deposit Return Scheme is being led by Circularity Scotland Ltd, which is a private non-profit company that was set up last February by producers, retailers and wholesalers. The Scottish Grocers Foundation is a founder member.

"To support delivery of the scheme, we have established a system wide assurance group, made up of key industry representatives, including the Scottish Grocers Federation. The group met for the first time in January and will continue to meet regularly as delivery progresses."

QUERY

I hope you are well. I was told this week by the Scottish Grocers Federations' head of policy and public affairs, [Redacted] that a meeting due to be held last December to discuss the deposit return scheme trials to be rolled out into stores this Summer, was cancelled. At the time it was promised it would take place in January, however this hasn't happened.

He claims that Lorna Slater, Minister for Green Skills, Circular Economy and Biodiversity has failed to respond to questions about when this will take place. Can you confirm whether this is the case? If so, can you confirm when this meeting is due to happen?

My deadline for response is 12pm Monday (28th). We will be running a story on this in next week's issue of RN.

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 24 February 2022 16:43

To: [Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; McFarlane J (John)

(Special Adviser) <[Redacted]@gov.scot>
Subject: RE: SpAd view - Media query - DRS Delay - Express

That's fine thanks

From: [Redacted]@gov.scot>
Sent: 24 February 2022 16:42
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>
Subject: SpAd view - Media query - DRS Delay - Express

Hi Harry,

Express looking for a comment on the FoES release.

Grateful for a SpAd view on the following.

[Redacted]

A Scottish Government spokesperson said:

"Scotland's deposit return scheme will be the first scheme of its kind in the UK and one of the most environmentally ambitious and accessible in Europe.

"Implementing a scheme on this scale is a massive national undertaking involving thousands of producers and retailers. Given the challenges of the pandemic and Brexit, it is disappointing - but understandable - that an independent review concluded the original start date was no longer feasible.

"The Scottish Government will continue to work with industry to ensure the scheme is delivered successfully within our agreed timetable."

FRIENDS OF THE EARTH SCOTLAND

PRESS RELEASE

For immediate release: Thursday 24 February 2022

PARLIAMENT SUPPORTS DELAY TO DRS BUT QUESTIONS REMAIN OVER DELIVERY

The Scottish Parliament voted last night (Wednesday 23 February) to support the Government's proposed delay to Scotland's Deposit Return Scheme. The 16-month delay until August 2023 means many bottles will go unrecycled and littering of our beaches will continue for longer than expected, and concerns remain over whether this new date will be met.

Progress towards a national Deposit Return Scheme in Scotland has been hampered by delays since the powers to create it were first created in 2009. The industry-led scheme and past government overseers had made little progress when Lorna Slater, Minister for the Circular Economy, was given responsibility for the project in September 2021.

Despite assurances from the Minister that the scheme can be delivered to this new date, the Scottish Government's own assessment of the project suggests serious challenges still remain, leaving the successful delivery of the project in doubt.

A report written by civil servants in December 2021 cited several risks, including the need to resolve a battle with HMRC on VAT for the scheme and Circularity Scotland Limited securing resources to develop its corporate and operational systems.

Kim Pratt, circular economy campaigner at Friends of the Earth Scotland said: "Lorna Slater was given little choice but to delay the scheme, however, if she fails to hold industry to this new deadline, the political legitimacy of the Greens in government will be severely damaged.

"The Deposit Return Scheme is the biggest test of industry's commitment to a circular economy in Scotland so far. Failure to deliver, after they have been granted every request to delay, will prove that stronger persuasion is required to ensure industry embraces a more sustainable future."

ENDS

Contact details:

[Redacted], FoES Press Office
T: [Redacted] (24hr media line)
E: [Redacted]@foe.scot

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 24 February 2022 09:18
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: questions to answer

[Redacted]

Harry Huyton
Special Adviser to the First Minister

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 22 February 2022 17:44
To: [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: Deposit Return Scheme (Scotland) Amendment Regulations 2021

Good thanks. Minor amend to the last para –

By passing these Regulations, members will allow Circularity Scotland and wider industry to get on with the business of implementing this scheme that is essential for the protection of our environment

From: [Redacted]@gov.scot>
Sent: 22 February 2022 16:57
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: Deposit Return Scheme (Scotland) Amendment Regulations 2021

Hi Harry,

As requested, here's an edited one minute speech for clearance.

Quick question, are you still anticipating giving time for the Minister to respond to the opposition speech? If so, we can put that back in.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 22 February 2022 14:17
To: [Redacted]@gov.scot>
Subject: FW: Deposit Return Scheme (Scotland) Amendment Regulations 2021

Can you edit the speech down to around 1 min?

From: [Redacted]@gov.scot> **On Behalf Of** Minister for Parliamentary Business
Sent: 22 February 2022 12:58
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: [Redacted]@gov.scot>; PLU SSI Programme Mailbox <[Redacted]@gov.scot>; [Redacted]@gov.scot>; Minister for Parliamentary Business <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>
Subject: Deposit Return Scheme (Scotland) Amendment Regulations 2021

Hi all,

The Conservatives have indicated today at Bureau that the conservatives will speak against the Deposit Return Scheme (Scotland) Amendment Regulations 2021 at decision time tomorrow. Will the Minister be available to respond? It's normally just a 1-minute response required.

Thanks,
[Redacted]

[Redacted]Deputy Private Secretary to Minister for Parliamentary Business

M: [Redacted]E: [Redacted]@gov.scot
The Scottish Government | St Andrew's House, Regent Road, EDINBURGH EH1
3DG

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 21 February 2022 15:38
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]v
<[Redacted]@gov.scot>
Subject: RE: DRS regs briefing

Thanks [Redacted]

From: [Redacted]@gov.scot>
Sent: 21 February 2022 15:34
To: Huyton H (Harry) <[Redacted]@gov.scot>; [Redacted]@gov.scot>;
[Redacted]@gov.scot>
Subject: RE: DRS regs briefing

Hi Harry,

Here's the version that I sent [Redacted] to send onto you, I'm unsure if he made any additional changes however.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy
Division | Environment and Forestry Directorate | Scottish Government | Tel:
[Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 21 February 2022 15:28
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: DRS regs briefing

When the regs were at Committee one of you provided me with a 1 page briefing on the regs? Could one of you resend to me?

Thanks

Harry Huyton
Special Adviser to the First Minister

From: [Redacted]@gov.scot>
Sent: 21 February 2022 17:01
To: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>
Subject: RE: eNGO Meeting - rescheduling

Hi [Redacted],

Thanks, I really appreciate that.

So far as I'm aware, that's the correct list. I'm currently waiting on a conversation to be had at high level between SG and CSL to see if they're to resume representation in this meeting so I'll let you know ASAP who to invite for the rescheduled meeting.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

From: [Redacted]@gov.scot> **On Behalf Of** Minister for Green Skills, Circular Economy and Biodiversity
Sent: 21 February 2022 16:58
To: [Redacted]@gov.scot>
Cc: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Subject: RE: eNGO Meeting - rescheduling

Hi [Redacted]

No problem, I can go back to the list of participants and say we are rescheduling as timings didn't work for everyone?

Can I just double check this is who we had invited for tomorrow it was just the eNGOs :

[Redacted]@gmail.com; (APRS)
[Redacted]@scotlink.org; (SE Link)
[Redacted]@reloopplatform.org; (ReLoop)
[Redacted]@foe.scot; (Friends of Earth Scotland)
[Redacted]@mcsuk.org (Marine Conservation Soc)

The rescheduled meeting needs to go to the following:

Circularity Scotland (CSL)
[Redacted]@circularityscotland.com
[Redacted]@Circularityscotland.com
[Redacted]@Circularityscotland.com
copy to: [Redacted]@Circularityscotland.com

eNGOs
[Redacted]@gmail.com and [Redacted]@aprs.scot (APRS)
[Redacted]@scotlink.org (SE Link)
[Redacted]@reloopplatform.org (ReLoop)
[Redacted]@foe.scot (Friends of Earth Scotland)

[Redacted]@mcsuk.org (Marine Conservation Soc)

Thanks

[Redacted]

[Redacted] – Assistant Private Secretary to Lorna Slater MSP, Minister for Green Skills, Circular Economy and Biodiversity

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

From: [Redacted]@gov.scot>

Sent: 21 February 2022 16:46

To: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>

Subject: RE: eNGO Meeting - rescheduling

Hi [Redacted],

Apologies for the crossed wires. As your office had issued the invitations to the meeting, I was under the impression that you would be cancelling it.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:

[Redacted]

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

Sent: 21 February 2022 16:23

To: [Redacted]@gov.scot>

Cc: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>

Subject: RE: eNGO Meeting - rescheduling

Hi [Redacted]

I was under the impression you had spoken to the eNGO's to cancel tomorrow morning's meeting?

I have just received an email from [Redacted] at ARPS asking about an agenda for tomorrow. I had only ever send the scheduler on to participants so wanted to check with you how to handle.

Many thanks

[Redacted]

[Redacted] – Assistant Private Secretary to Lorna Slater MSP, Minister for Green Skills, Circular Economy and Biodiversity

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

From: [Redacted]@gov.scot>

Sent: 17 February 2022 11:38

To: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>

Subject: RE: eNGO Meeting - rescheduling

Hi [Redacted],

Ideally sooner rather than later but we're happy to have it whenever you're able to arrange it. I know how busy Ms Slater is!

Cheers,

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy
Division | Environment and Forestry Directorate | Scottish Government | Tel:
[Redacted]

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

Sent: 17 February 2022 11:29

To: [Redacted]@gov.scot>

Cc: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>

Subject: RE: eNGO Meeting - rescheduling

Hi [Redacted]

No problem, I will cancel the meeting for this Tuesday.

Do you have an indication of when it should be rescheduled for?

Many thanks

[Redacted]

[Redacted] – Assistant Private Secretary to Lorna Slater MSP, Minister for Green Skills, Circular Economy and Biodiversity

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

From: [Redacted]@gov.scot>

Sent: 16 February 2022 15:51

To: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>

Subject: eNGO Meeting - rescheduling

Importance: High

Good afternoon,

I had a chat with Harry earlier this afternoon and he recommended that next week's meeting between Ms Slater and the eNGOs on Tuesday 22 Feb be rescheduled as CSL are unable to attend. If he has not already contacted you, he'll email you soon.

He's asked me to ensure that you add another representative from APRS to the meeting invitation. This means that the following people and organisations need to be invited to the rescheduled meeting:

Circularity Scotland (CSL)

[Redacted]@circularityscotland.com

[Redacted]@Circularityscotland.com

[Redacted]@Circularityscotland.com

copy to: [Redacted]@Circularityscotland.com

eNGOs

[Redacted]@gmail.com and [Redacted]@aprs.scot (APRS)

[Redacted]@scotlink.org (SE Link)

[Redacted]@reloopplatform.org (ReLoop)

[Redacted]@foe.scot (Friends of Earth Scotland)

[Redacted]@mcsuk.org (Marine Conservation Soc)

Please let me know if you need any further information.

Cheers,

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy
Division | Environment and Forestry Directorate | Scottish Government | Tel:

[Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 15 February 2022 11:05

To: [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: Digital DRS

For info –

[Redacted]

h

Harry Huyton

Special Adviser to the First Minister

From: [Redacted]@gov.scot>
Date: Sunday, 13 Feb 2022, 2:07 pm
To: Higgins K (Kate) <[Redacted]@gov.scot>
Cc: Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>, [Redacted]@gov.scot>, [Redacted]@gov.scot>, [Redacted]@gov.scot>, [Redacted]@gov.scot>, Grisewood A (Aidan) <[Redacted]@gov.scot>, [Redacted]@gov.scot>, [Redacted]@gov.scot>, [Redacted]@gov.scot>, [Redacted]@gov.scot>, McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>, Huyton H (Harry) <[Redacted]@gov.scot>, [Redacted]@gov.scot>, [Redacted]@gov.scot>, [Redacted]@gov.scot>, News Desk <Newsdesk@gov.scot>
Subject: Media query - Deposit returns - Mail

Good afternoon Kate.

We have received a follow up query following today's Herald article on the deposit return scheme and fears bottles will be sent to England for processing rather than supporting Scottish jobs.

The journalist has found this written committee evidence from recycling company Viridor.

“Scotland currently lacks any post-consumer plastic reprocessing facilities. There is the potential for a facility to be constructed, sized to the Scottish market, but this requires substantial investment and therefore a long-term contract would be required with the Scheme Administrator. Until this is in place, all plastic collected by the scheme would be exported and lost to the Scottish economy.”

I would suggest reissuing this line from Friday – it answers the journalist's question as enterprise agencies are working with interested businesses - if you are content?

Best wishes,

[Redacted]

Draft response

A Scottish Government spokesperson said:

"Scotland's deposit return scheme will be the first scheme of its kind in the UK and one of the most environmentally ambitious and accessible in Europe.

“There is interest from industry in investing in plastics reprocessing infrastructure in Scotland to realise this significant economic opportunity. Our enterprise agencies are working with interested businesses to make the case for a reprocessing facility to come to Scotland.”

Media query

[Redacted],

Slight tweak below to reflect that it's all of the enterprise agencies, not just Scottish Enterprise.

Best,

[Redacted]

[Redacted] **Communications: News (Net Zero and Energy)**

Senior Media Manager

Scottish Government, St Andrew's House

e: [Redacted]@gov.scot

m: [Redacted]

From: [Redacted]

Sent: 11 February 2022 16:02

To: Huyton H (Harry) <[Redacted]@gov.scot>

Cc: Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; Fraser AR (Allan)

<[Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan)

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

[Redacted]@gov.scot>; [Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>

Subject: SpAd view - Media query - Deposit return scheme - Herald

Harry,

We've received a query from The Herald on DRS reprocessing and the expectation of materials being exported rather than reprocessed in Scotland.

Deadline close today.

Comms and policy have agreed the following, which has also been shared with SE for awareness.

Grateful for a SpAd view.

Best,

[Redacted]

DRAFT REPLY

A Scottish Government spokesperson said:

"Scotland's deposit return scheme will be the first scheme of its kind in the UK and one of the most environmentally ambitious and accessible in Europe. One of the key benefits of the scheme will be increasing the quantity and quality of plastic recycle, creating a high-quality feedstock for reprocessing.

“There is interest from industry in investing in plastics reprocessing infrastructure in Scotland to realise this significant economic opportunity. Our enterprise agencies are working with interested businesses to make the case for a reprocessing facility to come to Scotland.”

QUERY

As I mention, I’m writing a story on concerns that the plastic bottles returned in the Scottish Government’s deposit return scheme are likely to be exported outside of Scotland for processing because there’s no dedicated large-scale facility in Scotland.

Viridor brought up the issue with Lorna Slater in a meeting in December as mentioned in this lobbying record.

<https://www.lobbying.scot/SPS/InformationReturn/SearchInformationReturnDetail/28375>

To discuss the investment challenges to future polymer reprocessing in Scotland, including the likelihood that Deposit Return Scheme (DRS) materials will be exported for reprocessing in North of England under the current contract, and as such there is no incentive for investment in a Scottish reprocessing facility which is not required under current DRS legislation.

To ask the Minister to review these plans to ensure the circular economy ambition of the Scottish Government can be realised.

I’m looking for a Scottish Government response to this.

I will need something by the close of play today to be included.

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 09 February 2022 12:03
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>
Subject: FMQs

Heads up I’ve flagged the DRS issue with the FMQ team so expect a request for a briefing

Harry Huyton
Special Adviser to the First Minister

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 07 February 2022 11:45
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Meeting follow up

Thanks [Redacted]. I think we should go ahead. I'll respond positively and ask them to sort something with PO.

From: [Redacted]@gov.scot>
Sent: 07 February 2022 10:40
To: Huyton H (Harry) <[Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Meeting follow up

Hi Harry

Sorry I didn't respond on this last week. Generally the whisky sector has a good story to tell on sustainability and often features positively in SEPA's sectoral reports. I think Ms Slater would find it interesting to hear more about what the sector is doing – on the premise that it's in that wider context [Redacted]

It's the Food & Drink Division in ARE that leads on the relationship with SWA. I can get further advice from them on a meeting if you like?

[Redacted]
[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 31 January 2022 15:42
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: FW: Meeting follow up

What do you think?

From: [Redacted]@swa.org.uk>
Sent: 31 January 2022 09:54
To: [Redacted]@swa.org.uk>; Huyton H (Harry) <[Redacted]@gov.scot>; [Redacted]@swa.org.uk>; [Redacted]@swa.org.uk>
Subject: RE: Meeting follow up

Harry,

Thank you that is most helpful and good to see the legacy stock point so clearly reiterated by the Minister in the committee session last week.

I was keen to follow-up on our ask of a Ministerial roundtable with members to enable a broadening of the conversation in the context of our Sustainability Strategy. We can of course look at different options, but one suggestion would be to host at the Scotch Whisky Research Institute at the Heriot Watt University – Riccarton Campus and keen to hear your thoughts.

Best wishes,

[Redacted]

[Redacted]
Head of Engagement
T: [Redacted]; M: [Redacted]



From: [Redacted]@gov.scot <[Redacted]@gov.scot>
Sent: 25 January 2022 15:13
To: [Redacted]@swa.org.uk>; [Redacted]@swa.org.uk>; [Redacted]@swa.org.uk>; [Redacted]@swa.org.uk>
Subject: Meeting follow up

Dear all,

Thanks for your time last week.

I've discussed your concerns with officials and the Minister, and provided further details below.

Clarity and communication with CSL – Officials are raising this with CSL, and in particular your request for a clear timetable that detail when you and other stakeholders will have the information you need, noting that labelling requirements were a particular concern.

Remelt – Our aim is for DRS to significantly increase the quantity and quality of glass recyclate, including clear gas. CSL have confirmed that there is no intention to crush glass, and it will instead be collected whole or naturally broken, allowing high-quality recycling. It's also important to note that Section 34 of the Environmental Protection Act 1990 requires those handling waste to ensure that it is handled in a fashion that promotes high-value recycling. The accompanying guidance makes it clear that use of glass in re-melt is high-quality recycling and to be prioritised. This code will apply to return points, producers, and CSL when handling the returned glass.

Legacy stock - the position is that stock placed on the market before 16 August 2023 (and therefore not deposit-bearing) continues to be legal for sale after that date with no end date set in the Regulations. Note that this is different from a number of other schemes, which do set an end date, and we had the whisky industry very much in mind when making this decision. There are obligations to, for example, declare to the purchaser that it is not a scheme article and cannot be returned for a deposit. CSL and SEPA are thinking about some of the practicalities around flow-through of old stock. Given this is a particularly critical issue for your members, can I encourage you to engage with them on this issue if you're not already doing so?

If you have any further concerns just let me know

Harry

Harry Huyton
Special Adviser to the First Minister

From: [Redacted]
Sent: 01 February 2022 14:36
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; First Minister FMQs <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: For review - DRS known FMQ

Great thanks Harry.

FMQ team—I will just add in waste crime lines then put up shortly. Sorry for missing the 1400 deadline.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M:
[Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 01 February 2022 14:35
To: [Redacted]@gov.scot>
Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; First Minister FMQs <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: For review - DRS known FMQ

Happy with your draft response, thanks [Redacted]

From: [Redacted]@gov.scot>
Sent: 01 February 2022 14:33
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; First Minister FMQs <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: For review - DRS known FMQ

Hi Harry

Sorry to chase but just wondering if you have had a chance to consider?

Also to note at FMQ team's request we will cover the below in the top-box and the general lines at the end of the document just in case.

Maurice Golden on Twitter: "Many will be surprised at the scale of illegal waste dumping and how organised the criminal gangs behind it are. More resources are needed, but money alone won't work. Isn't it time we look to better support local authorities to investigate and prosecute?<https://t.co/QLtPoz4fow>" / Twitter

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M:
[Redacted]

From: [Redacted]
Sent: 01 February 2022 13:23
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: For review - DRS known FMQ

Harry

For review as discussed ahead of the 1400 deadline for submission.

All in one doc for ease of commenting but will separate out before putting up. The answer is at the max 125 words so if there is anything you want added in we will have to take something out! The BG note is written on the basis of getting questions on CSL transparency, 'digital' DRS, timetable, and cost to taxpayer in about that order of priority/probability. Given the space constraint do those seem like the right four questions to you? Based them on media coverage and Tory focus at Committee.

<< File: S6F-00776 - answer and BG note - 3 February 2022.docx >>
Many thanks

[Redacted]

[Redacted]
Circular Economy Unit
Environmental Quality and Circular Economy Division, Directorate for
Environment and Forestry, Scottish Government
Mobile: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 28 January 2022 16:50
To: [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Maurice Golden and CSL

Very useful, thanks [Redacted].

From: [Redacted]@gov.scot>
Sent: 28 January 2022 16:48
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: Maurice Golden and CSL

Hi Harry

While looking for something entirely different I stumbled on a reference to an open letter Maurice Golden wrote to the then Cabinet Secretary in January 2019 setting out the Scottish Conservatives' position on various aspects of DRS. With a bit of digging I found it. Maurice Golden writes:

'With regard to the system operator, we support a not-for-profit operator owned by industry, with operational independence under targets set by Government. This encourages an efficient system, as any unnecessary costs will have to be borne by the companies who sit on the operator's board. Again, this approach works well in Scandinavia and the Baltic countries.'

I thought this was worth sharing as it is rather more explicit than the Official Report quote we have been using till now about industry ownership of the scheme administrator and should make a pretty effective retort the next time the Conservatives press the Minister on why we have a private-sector SA.

Have a good weekend!

[Redacted]

<< File: Maurice Golden - letter supporting private SA - 29 January 2019.pdf >>
Scottish Tories call for deposit return scheme to include glass (holyrood.com)

[Redacted]

Circular Economy Unit
Environmental Quality and Circular Economy Division, Directorate for
Environment and Forestry, Scottish Government
Mobile: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 28 January 2022 10:23
To: [Redacted]@gov.scot>
Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: DRS - CSL letter - note to FM

That's fine, ta

From: [Redacted]@gov.scot>
Sent: 28 January 2022 10:22
To: Huyton H (Harry) <[Redacted]@gov.scot>

Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: DRS - CSL letter - note to FM

Hi Harry

Picking this up as it's [Redacted] non-working day.

I take your point about referring to NZET approval but suggest the wording around the plenary is too strong. Can we say 'have been approved by the relevant parliamentary committee, and we are confident will be confirmed by the full Parliament in a vote in early February, after which they will become law'? Happy to speak.

You had started another sentence after that so just to check if there was some more text you wanted to add that had got lost?

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M:
[Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 28 January 2022 09:37
To: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: DRS - CSL letter - note to FM

Thanks – lets get this up then. Minor suggested amend in the attached to reduce perception of uncertainty

From: Grisewood A (Aidan) <[Redacted]@gov.scot>
Sent: 28 January 2022 07:37
To: Huyton H (Harry) <[Redacted]@gov.scot>; [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: DRS - CSL letter - note to FM

I checked. They still need it apparently.....not just about SNIB but other lenders/BIFFA etc. too

Aidan

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 27 January 2022 17:41
To: [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>
Subject: RE: DRS - CSL letter - note to FM

Thanks all

From: [Redacted]@gov.scot>
Sent: 27 January 2022 17:38
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>
Subject: RE: DRS - CSL letter - note to FM

Harry

Update: Aidan will check in with CSL and let you know before your 9.30 mtg tomorrow if letter is still required.

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: [Redacted]
Sent: 27 January 2022 17:15
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: DRS - CSL letter - note to FM

Hi Harry

Good to have your views on attached before I send to PO. It's an action from the meeting with CSL on 13th.

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: [Redacted]
Sent: 25 January 2022 11:59
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: Correspondence from Marine Conservation Society on the DRS Regulations

Thanks Harry. I think that is maybe what Monica Lennon was getting at with her ask that the Regs be 'brought back': *'we recommend that members vote down these regulations and request Scottish Government table new ones that include strict fiduciary measures to ensure proposed milestones and implementation date are met and no more taxpayers' money is wasted'*.

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M:**
[Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 24 January 2022 20:00
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: FW: Correspondence from Marine Conservation Society on the DRS Regulations

For info – nothing new here

From: [Redacted]
Sent: 24 January 2022 12:21
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: DRS regs brief - urgent

No prob, we'll get that to you ASAP.

[Redacted]

We will also amend the response on date of decision—I think we are awaiting lines to come from you/the Minister on that point?

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M:
[Redacted]
From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 24 January 2022 11:49
To: [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: DRS regs brief - urgent

That sounds good, with a para of explanation alongside each of the Regs too

From: [Redacted]@gov.scot>
Sent: 24 January 2022 11:48
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: DRS regs brief - urgent

Harry

We can do no problem—any particular focus or just cut and paste the DRS lines out of the FMQ? We could add in factual BG on what these Regs will do if useful?

[Redacted] can you pick up in first instance and clear through me.

Thanks

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 24 January 2022 11:36
To: [Redacted]@gov.scot>
Subject: DRS regs brief - urgent
Importance: High

Other Spads have requested a one-pager briefing in advance of tomorrow? Have you got anything?

Harry Huyton
Special Adviser to the First Minister

From: [Redacted]
Sent: 25 January 2022 14:46
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: SWA

Yes that's accurate, and yes happy to do so.

[Redacted]
[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 24 January 2022 10:46
To: [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: SWA

Is this accurate – “CSL have confirmed that there is no intention to crush glass, and it will instead be collected whole or naturally broken, allowing high-quality recycling.”

And I think we do need to pass the feedback on to CSL that the SWA are looking for this timetable. Are you ok to do that?

Harry

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 24 January 2022 10:28
To: [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: SWA

Thanks [Redacted]

I'll use this in a response from myself to the SWA, but would like to put concerns about re-melt to bed and do some proactive comms on this. Could you identify an opportunity for the minister and CSL to do some joint comms on this sometime? A demonstration of a glass RVM? A visit?

Harry

From: [Redacted]@gov.scot>
Sent: 24 January 2022 09:59
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: SWA

Thanks Harry.

Re the three asks from SWA:

- **Greater clarity from CSL on timetable especially labelling.** We can point to the publicly committed milestones (below) albeit these do not include labelling, and also I expect pressing CSL for greater clarity on timetable will be one use of the new governance structures we are putting in place, on which producers are of course represented.
- **Reassurance on re-melt.** DRS will significantly increase the quantity and quality of glass recyclate, including the clear glass which is in high demand for the whisky industry. Two key points to make here:
 - There has been nervousness from some in industry about CSL potentially crushing the glass—our understanding is this is not the case and glass will be collected whole or naturally broken, which is consistent with high-quality recycling.
 - Section 34 of the Environmental Protection Act 1990 requires those handling waste to ensure that it is handled in a fashion that promotes high-value recycling. The accompanying guidance makes it clear that use of glass in re-melt is high-quality recycling and to be prioritised. Best practice is not to crush glass. This code will apply to return points, producers, and CSL when handling the returned glass.
- **Clarity on legacy stock.** To be clear, the position is that stock placed on the market before 16 August 2023 (and therefore not deposit-bearing) continues to be legal for sale after that date with no end date set in the Regulations. (This is different from a number of other schemes, which do set an end date, and we had the whisky industry very much in mind when making this decision.) There are obligations to e.g. declare to the purchaser that it is not a scheme article and cannot be returned for a deposit. I know both CSL and SEPA are thinking about some of the practicalities around flow-through of old stock and would encourage SWA to engage with them.

Hope this helps but let me know if you need anything else.

Cheers

[Redacted]

Milestones

- By **March 2022**, Circularity Scotland will have signed contracts with partners to deliver its logistics, operations and IT systems;
- By **August 2022**, the public awareness campaign will be launched;
- In the **same month**, counting and sorting centres will start to be built;
- As I've mentioned already, retailers will start rolling out the return infrastructure in earnest from next summer and we are working with them to start using that infrastructure on a voluntary basis from **November 2022**.
- In **January 2023**, Circularity Scotland and SEPA will begin the process to register producers;
- And in **July 2023**, there will be end-to-end testing of a DRS container through the system.

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M:
[Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 19 January 2022 13:40
To: [Redacted]@gov.scot>
Subject: SWA

Welcome the new timeline. We are pragmatic about the fact that glass is going to be part of the scheme, [Redacted]

The timeline is still challenging

[Redacted]

CS are going to do a members seminary, which is welcome.

Simple ask – a timeline for when CSL will communicate each aspect

[Redacted]

Harry Huyton
Special Adviser to the First Minister

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 21 January 2022 17:22
To: [Redacted]@gov.scot>
Subject: RE: For clearance - Media query - DRS - Daily Mail

No worries – this is useful for the committee session, thanks for digging out

From: [Redacted]@gov.scot>
Sent: 21 January 2022 17:04
To: Huyton H (Harry) <[Redacted]@gov.scot>
Subject: RE: For clearance - Media query - DRS - Daily Mail

Harry

I see that this went up but I have found a quote from Claudia Beamish (late of Scottish Labour) saying 'It is right that...there will be producer responsibility through a not for profit operating model'. This was in May 2019 in response to Ms Cunningham's announcement of the scheme design including a privately operated non-profit established by industry to run the scheme. I'll add to the briefing.

No idea about the Lib Dems I'm afraid but then there are none on this Committee!

[Redacted]
Green groups and businesses clash over Scottish bottle deposit return scheme | The Scotsman

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M:
[Redacted]

From: [Redacted]@gov.scot> **On Behalf Of** Minister for Green Skills, Circular Economy and Biodiversity
Sent: 21 January 2022 16:45
To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; Grisewood A (Aidan) <Aidan.Grisewood@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: For clearance - Media query - DRS - Daily Mail

Hi [Redacted],

Thank you for the lines. Ms Slater is content to issue.

Kind regards,

[Redacted]

Deputy Private Secretary to Lorna Slater MSP - Minister for Green Skills, Circular Economy and Biodiversity
Scottish Government | St Andrew's House, Regent Road, Edinburgh EH1 3DG |
Mob: [Redacted] | Email: MinisterGSCEB@gov.scot

From: [Redacted]@gov.scot>
Sent: 21 January 2022 16:39

To: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>

Cc: Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: For clearance - Media query - DRS - Daily Mail

PO Minister for Green Skills, Circular Economy and Biodiversity,

We've been asked to respond to the following comments by Maurice Golden MSP. Deadline close today.

Policy, comms and SpAds have agreed the following.

Grateful if you can confirm the Minister is content to issue.

[Redacted]

DRAFT REPLY

A Scottish Government spokesperson said:

"Roll-out of our ambitious Deposit Return Scheme is being led by Circularity Scotland Ltd, which is a private non-profit company that was set up last February by producers, retailers and wholesalers. This is entirely appropriate for a scheme that has industry responsibility at its heart."

Background

In December 2021 Circularity Scotland Ltd offered briefing to all MSPs on their activities.

QUERY

Maurice Golden MSP is raising concerns about secrecy around key details on the deposit return scheme because he isn't getting any answers to PQs or FOI due to it being managed by a separate company set up by ministers. Quotes below:

"The deposit return scheme is a major initiative which has the potential to clean up the environment.

"But increasingly, it appears in the SNP-Green government's hands, it will be botched.

"That's why it's more important than ever to have full transparency around how this will run, costs, start dates and the impact on businesses.

"Instead we're met with this utterly unconvincing excuse that bodies like Circularity Scotland can't comply with the spirit of transparency because it's a private company.

"Business who are already worried about how this scheme will affect them will demand better than this.

“Unfortunately, the SNP is so entrenched in a secret Scotland agenda that it thinks no-one will notice if they keep these details under wraps.”

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 21 January 2022 16:20
To: [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: For comment - high priority Q&A

Hi [Redacted] – think this is spot on, thanks

Think you are right that digital DRS likely to come up too. Did you see this the other day? <https://packagingscotland.com/2022/01/scotland-urged-to-consider-digital-drs-alternative/>

From: [Redacted]@gov.scot>
Sent: 21 January 2022 10:03
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted] <[Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: For comment - high priority Q&A

Hi Harry

As discussed yesterday afternoon, [Redacted]

- [Redacted]

[Redacted]

Any more general feedback on the briefing before we put up a second draft at close would be welcome.

Cheers

[Redacted]

[Redacted]

Circular Economy Unit
Environmental Quality and Circular Economy Division, Directorate for
Environment and Forestry, Scottish Government
Mobile: [Redacted]

From: [Redacted]
Sent: 20 January 2022 16:36
To: Huyton H (Harry) <[Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Deposit and Return Scheme for Scotland Amendment Regulations 2022

Thanks Harry. From a quick skim one or two things to add: a few more international comparisons and the point about ongoing environmental impact of delay. Maybe also something about why 16 August and not any other date. Will pick this up fully tomorrow.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M:
[Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 20 January 2022 16:32
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: FW: Deposit and Return Scheme for Scotland Amendment Regulations 2022

Good indicator of question direction here

From: John Mayhew <[Redacted]@aprs.scot>
Sent: 20 January 2022 16:20
To: Lockhart D (Dean), MSP <Dean.Lockhart.msp@parliament.scot>; Hyslop F (Fiona), MSP <Fiona.Hyslop.msp@parliament.scot>; Don N (Natalie), MSP <Natalie.Don.MSP@Parliament.scot>; Dunbar J (Jackie), MSP <Jackie.Dunbar.MSP@Parliament.scot>; Kerr L (Liam), MSP <LIAM.KERR.msp@parliament.scot>; Lennon M (Monica), MSP <Monica.Lennon.msp@parliament.scot>; Ruskell M (Mark), MSP <Mark.Ruskell.msp@parliament.scot>
Cc: Net Zero, Energy & Transport <netzero.committee@Parliament.Scot>
Subject: Deposit and Return Scheme for Scotland Amendment Regulations 2022

Dear Members of the Net Zero, Energy and Transport Committee

On Tuesday you will consider the Deposit and Return Scheme for Scotland Amendment Regulations 2022, which would, if approved, see this scheme delayed by more than a year to 16 August 2023. This would follow the 15 month delay previously granted to producers, which moved the launch date from 1 April 2021 to 1 July 2022.

In our considered view, these proposals are unfit for purpose, and we urge the Committee to reject them. An inadequate evidence base has led Ministers to accede to industry lobbying for a timescale much slower than any recent international comparator. Given the experience over the four years since the First Minister committed to this project, we would only have confidence that any delayed date would actually be met if drinks producers (including retailers with their own brands) were required to meet the costs of that delay, and Ministers have chosen not to adopt that kind of assurance policy.

Our wider fear is that this proposal would undermine not just the prospect of a

successful launch of deposit return itself but also other Scottish Government efforts to reduce waste and emissions across this session. Those elements of industry which want to do the right thing must have confidence that when they prepare for changes of this sort, that effort isn't wasted. The message these revised regulations sends is that all deadlines are movable with sufficiently coordinated lobbying, and that in the end Ministers are content for the public sector to continue to pick up the costs of environmentally damaging business practices.

Our briefing issued prior to the Ministerial Statement on the subject can be read here. This briefing should be read alongside the supplementary information below, which draws on developments since that point. Those developments include the publication of these regulations and the two associated Scottish Government documents (the June 2021 "Gateway Review" and the September 2021 "Assurance of Action Plan").

We also urge the Committee to encourage the Minister to abandon two proposals announced in her 14 December Ministerial Statement: the proposed "soft launch" of reverse vending machines and the Orkney pilot, both proposed for 2022. Scotland completed deposit return pilots eight years ago, for one thing. More importantly, successful deposit return schemes work with a "big bang" national launch date, which allows a coherent public information strategy centred on that date. Soft and partial launches and the use of partial systems in some parts of the country add unnecessary cost for businesses and unnecessary confusion for the public. The Gateway Review's promotion of these ill-advised ideas illustrates its failure to look at deposit return best practice.

Overall, our hope would be that this regulation would be rejected and for the Committee to advise Ministers to insist on cost recovery and only then bring forward a properly ambitious timescale.

Yours sincerely

John Mayhew
Director

The Association for the Protection of Rural Scotland
Scottish Charity No SC016139

Supplementary information

1. Continued absence of producer responsibility. Despite our representations to the Scottish Government, there remains no mechanism to ensure producers pay the full costs of recovery for their packaging during any such delay. In our view, without such a mechanism, the producers will simply use this delay to make the case for a third delay, just as they used the first delay to make the case for the second. This mechanism would not have required a statutory basis: it would simply have required Ministers to make a second delay conditional on industry meeting the costs to local government and the climate associated with the status quo. Those costs are detailed below.

2. Confusion about the role of industry. Some producers and retailers do wish to see this system adopted: it will help to reduce the reputational damage associated with their role in Scotland's ongoing litter crisis. However, this remains a producer responsibility scheme, and there are many producers who wish to postpone or eliminate the prospect of meeting those costs. Circularity Scotland Limited (CSL) is in the end acting on behalf of industry, not Ministers, and working in the context where there is repeatedly insufficient political will to stick to agreed launch dates in regulation.

At the very point CSL were telling the Scottish Government that July 2022 could not be delivered (summer last year), they told APRS that they expected to launch in July 2022 if a Green Minister was appointed. Without the direct pressure of a cost recovery mechanism as described above we do not have confidence CSL will ever voluntarily do the work required to launch this scheme. The various milestones cited by the Minister are instead likely to be used as trigger points for the deployment of excuses to justify yet more delay. It's not that it cannot be done: it's that a sufficiently large subset of large retailers and producers do not wish it to be done.

3. Weakness of the Gateway Review and Assurance Plan. This document has many shortcomings, but one of the most obvious is the skewed choice of organisations interviewed. Fully 40% of those spoken to were either Scottish Government or under their direct oversight (i.e. SEPA/Zero Waste Scotland), and another 40% were producers or retailers. No organisations interviewed were operators of deposit return schemes, or those who have previously established deposit return schemes. Nor were any of the domestic or international experts on the administration of deposit schemes spoken to. The equivalent would be trying to work out whether a vehicle could be fixed without speaking to a single mechanic.

Despite the claim in the Gateway Review that it is an "evidence-based snapshot" of the programme's status, almost no evidence is actually included, and that which is included is essentially industry talking points and hearsay. The skew across the organisations interviewed and the – at best – partial evidential base is then used to make the following extravagant claims in the Assurance Plan (my emphasis): "Whilst this legislation remains extant, this Review found that the July 22 target was **now dismissed by all parties**, and though a revised date had not yet been agreed, there was a **universal coalescence and consensus** in and around a September 2023 date for go-live."

These claims would have been unsupportable had any deposit return expert been consulted. CSL was appointed in March last year, and no modern European deposit scheme has taken more than 18 months from that point to launch since the German system launched in 2003 (delays to the German process being a result of legal action). Most systems have taken around 13 months to establish from appointment of a scheme administrator, considered in more detail below. When appointed, CSL had 28 months to prepare themselves: they have now been given an additional 12 months. We have been contacted by European campaigners, for whom Scotland has already become a case study in how not to deliver this simple and widely-deployed intervention.

4. Ongoing litter, carbon and other costs. Each month Scotland's deposit scheme

is delayed sees more than 4.25m extra cans and bottles littered in Scotland, leads to more than 13,000 tonnes of unnecessary carbon emissions, and costs local authorities across Scotland more than £600,000 (see paragraph 77). All of these costs would be avoidable if the political will was present to keep to existing timescales. Approving this delay would see more than 1,000 unnecessarily littered items across Scotland per MSP per day.

The costs to producers, including own-brand producer/retailers (i.e. some of the supermarket chains) of participation can be estimated from the Norwegian producer fee figures. Their population is almost identical (5.4m rather than 5.5m), and although their system does not include glass, their producers disproportionately use PET and aluminium rather than glass. In 2020 the aggregate total EPR fee charged to producers in Norway was NOK 11,012,000, just less than £1m. That is the primary sum which industry lobbying in Scotland seeks to avoid, in a context where late last year Tesco alone reported that they had doubled their half-year UK profits to £1.1bn.

A delay to 16 August 2023 would therefore mean the following unnecessary costs: almost 50m cans and bottles littered, more than 186,000 tonnes of carbon emitted, and almost £8.4m in costs to Scottish councils. These are costs which producers would already have been covering for nine months on the original schedule, but if this regulation passes, they will continue to pass these costs onto councils, the climate and our countryside for the next eighteen months - in the midst of a litter crisis alongside a climate crisis. By the end of last year, the Scottish household recycling rates were the worst in the UK. This is no time for inaction.

5. Specifics of the regulations. The most obvious flaw beyond the scale of the delay is that the regulations propose a 16 August launch date, halfway through the expected period of the Edinburgh Fringe and Festival. Prior to the pandemic, the Fringe and Festival was the world's third largest audience draw, after the Olympics and the World Cup, and the population of Edinburgh typically doubles. Introducing deposits during that period would mean having to explain to a much more transient and multilingual population that the bottle or can they bought in week two of the Fringe cannot be returned for a deposit, but the one in week three should be. In policy terms, this is the equivalent of starting the smoking ban in public places on the bells of Hogmanay.

The other changes are inconsequential. First, a soft limit on takeback numbers via online (better thought of as delivery) as proposed in section 10 (takeback services) is a reasonable extension of the logic present in 20(4)(f) in the 2020 regulations, which covered physical retail.

Second, the existing regulations set a 70% target for the first full calendar year of operation (i.e. months 7-18 of the scheme's operation), which all international evidence indicates was desperately unambitious. Lithuania's monthly return rate was over 80% by month six, and we argued for an 80% return target from year one, starting at the actual point of launch. The revised proposals before you still give the system operator more than four months of target-free operation: the previous Minister was unable to explain this unusual loophole.

6. International comparators. Since the details of the proposed Scottish scheme

were announced in May 2019, many other European countries have moved much more quickly to deliver similar systems during the same pandemic which is cited as a reason for delaying Scotland's system. In some cases, they have taken markedly more ambitious approaches than the Scottish Government's proposals.

The Latvian system, for example, includes a provision for refillable as well as one-way containers, using standardised refillable bottles. Deposits will launch across Latvia a week after your meeting, less than fourteen months after their system operator was appointed. Similarly, Slovakia approved deposit return legislation in May 2019, appointed a system operator in January 2021, and fully launched their system at the start of this month.

Many more are coming online shortly: the Irish Government approved legislation in November 2021 and have committed to starting the system in the third quarter of this year, while a Romanian system that was legislated for in December 2021 will begin in October this year. Malta will launch shortly, with Poland and Turkey expected to launch next year.

The Dutch deposit return system, which initially included only large plastic bottles and a small range of glass (mainly beer) bottles, was expanded to include small bottles in July 2021. This system expansion has been on the table for over two decades but has been repeatedly resisted following industry lobbying. However, following the successful addition of smaller bottles, the system is now obliged to incorporate beverage cans from December this year.

From: [Redacted]

Sent: 18 January 2022 09:17

To: Huyton H (Harry) <[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>

Subject: RE: 9:45-10:15 Net Zero, Energy and Transport Committee: Deposit and Return Scheme for Scotland Amendment Regulations 2022

Hi Harry

I take it that you will wish to clear both briefing and speaking note. As we have a pre-meet with the Minister on Thursday afternoon after which there will be time to revise the briefing if required, are you happy for us to send straight to the Minister and incorporate any feedback from you after the meeting? Or if not do you have some time to clear on Thursday morning as I am going to struggle to get this through [Redacted] and [Redacted] before last thing tomorrow?

Cheers

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 14 January 2022 10:41
To: [Redacted]@swa.org.uk>; Higgins K (Kate) <[Redacted]@gov.scot>
Cc: [Redacted]@swa.org.uk>; Fraser Grieve <[Redacted]@swa.org.uk>; Spads Admin <[Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Scotch Whisky Industry meeting with Minister for Green Skills, the Circular Economy and Biodiversity re Deposit Return Scheme

Hi [Redacted]

Apologies for the delay, its been a busy start to the year.

Keen to get this meeting in soon, but those dates didn't work for us and I'd also like to invite [Redacted], copied, to join us. [Redacted]is one of the officials leading on DRS.

I've copied in the Spad PO to arrange a 45 minute slot, ideally sometime in the next fortnight.

Thanks
Harry

From: [Redacted]
Sent: 10 January 2022 11:44
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: Response requested 12/1 - EIR

PO/Harry

We have had an EIR request come in for 'all the meetings relating to the deposit return scheme attended by the circular economy minister, Lorna Slater, since she was appointed in August 2021, saying when they took place and who they were with.'

My team is searching calendars but I am conscious that policy officials were not present for all the meetings within the scope of the request. I am aware of the following:

- 16 November: Ms Slater met Mr Matheson—I am not sure who else present.
- 23 November: Ms Slater met the FM—I am not sure who else present.

I'd be grateful if you could let me know **by close on Wednesday** the information I am missing from above and confirm that what I have above is correct. Please can you also let me know if there were any other meetings which **policy officials did not attend**, and date and attendees for these meetings.

Many thanks

[Redacted]

[Redacted]

Circular Economy Unit

**Environmental Quality and Circular Economy Division, Directorate for
Environment and Forestry, Scottish Government**

Mobile: [Redacted]

From: [Redacted]

Sent: 10 January 2022 10:14

To: Huyton H (Harry) <[Redacted]@gov.scot>

Subject: RE: Scotch Whisky Industry meeting with Minister for Green Skills, the
Circular Economy and Biodiversity re Deposit Return Scheme

Happy to join.

For what it's worth, when their CEO met Mr Matheson on 24 November she didn't raise any of this—except the point about interoperability to which he gave a full answer (i.e. we're open to it provided it doesn't cost us any of our scheme's ambition). She did explicitly say that while SWA had opposed inclusion of glass they had now accepted it is in scope and would work to make a success.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy
Division | Environment and Forestry Directorate | Scottish Government | M:
[Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 07 January 2022 11:42

To: [Redacted]@gov.scot>

Subject: FW: Scotch Whisky Industry meeting with Minister for Green Skills, the
Circular Economy and Biodiversity re Deposit Return Scheme

Another one – would you be able to join?

From: [Redacted]@swa.org.uk>

Sent: 07 January 2022 09:20

To: Huyton H (Harry) <[Redacted]@gov.scot>; Higgins K (Kate)
<[Redacted]@gov.scot>

Cc: [Redacted]@swa.org.uk>; [Redacted]@swa.org.uk>

Subject: RE: Scotch Whisky Industry meeting with Minister for Green Skills, the
Circular Economy and Biodiversity re Deposit Return Scheme

Hi Harry, all

Happy new year to you too.

That sounds like a good plan. Looking at diaries our end it looks like next week late Monday afternoon or Wednesday afternoon look freest – would either of those initial timings work?

Best wishes,

[Redacted]

[Redacted]

Head of Engagement

T: [Redacted]; M: [Redacted]



From: [Redacted]@gov.scot>

Sent: 06 January 2022 15:59

To: [Redacted]@swa.org.uk>; [Redacted]@gov.scot

Cc: [Redacted]@swa.org.uk>; [Redacted]@swa.org.uk>

Subject: RE: Scotch Whisky Industry meeting with Minister for Green Skills, the Circular Economy and Biodiversity re Deposit Return Scheme

Hi [Redacted], all

Happy new year.

Can I suggest we have a meeting sometime in the next couple of weeks as a first step? It would be good to meet and to understand any concerns or queries you might have

Thanks

Harry

Harry Huyton

Special Adviser to the First Minister

From: [Redacted]@swa.org.uk>

Sent: 23 December 2021 10:56

To: Higgins K (Kate) <[Redacted]@gov.scot>

Cc: Graeme Littlejohn <[Redacted]@swa.org.uk>; Fraser Grieve <[Redacted]@swa.org.uk>; Huyton H (Harry) <[Redacted]@gov.scot>

Subject: RE: Scotch Whisky Industry meeting with Minister for Green Skills, the Circular Economy and Biodiversity re Deposit Return Scheme

Hi Kate,

Thank you and indeed we followed Ms Slater's statement with interest – welcome update regarding the timeline, although I appreciate still challenging.

We have now had a chance to consider the announcement, and the accompanying documents, in further detail and a meeting with Ms Slater in the new year would be very helpful. Keen to pick up as you say after the break.

Best wishes for a Merry Christmas and a Happy New Year,

[Redacted]

[Redacted]

Head of Engagement

T: [Redacted]; M: [Redacted]



From: [Redacted]@gov.scot

Sent: 14 December 2021 17:02

To: [Redacted]@swa.org.uk>

Cc: [Redacted]@swa.org.uk>; [Redacted]@swa.org.uk>; [Redacted]@gov.scot

Subject: RE: Scotch Whisky Industry meeting with Minister for Green Skills, the Circular Economy and Biodiversity re Deposit Return Scheme

Hi [Redacted]

I was on leave last week but hopefully you have seen Ms Slater's statement today which hopefully provides some reassurance in this regard?

Adding Harry Huyton too – maybe once you have considered the approach set out, come back and let us know if you still feel a meeting would be useful in the New Year?

Kate

Kate Higgins

Special Advisor to the First Minister

Rural Affairs, Islands and Transport

[Redacted]

From: [Redacted]@swa.org.uk>

Sent: 08 December 2021 16:01

To: Higgins K (Kate) <[Redacted]@gov.scot>

Cc: [Redacted]@swa.org.uk>; [Redacted]@swa.org.uk>

Subject: Scotch Whisky Industry meeting with Minister for Green Skills, the Circular Economy and Biodiversity re Deposit Return Scheme

Hi Kate,

I hope this email finds you well.

I am getting in touch to ask your assistance as we have been seeking a meeting with the Minister for Green Skills, the Circular Economy and Biodiversity, Lorna Slater MSP, with regards to the Deposit Return Scheme for Scotland. We understand that an announcement regarding timescales and key milestones is imminent and that she is working hard with the industry to agree these – answer to PQ S6W-04533 refers.

At our meeting with Michael Matheson 24th November, he referenced he had tasked Ms Slater to look at how to de-risk key areas proving a challenge for the industry. We are therefore keen to meet with Ms Slater to go through our concerns as the feedback from our members demonstrate that there are a number of challenges that still need addressed and clarified.

Members have raised with us concerns around lack of clarity re requirements, timescales, interoperability with rUK schemes and EPR as well as associated costs. From colleagues in the glass industry, as well as from our membership, we understand there is real concern around the inclusion of glass and the lack of a re-melt target, which could impact on the availability of high-quality glass cullet for our industry. It is imperative that these are worked through and resolved to ensure an effective scheme and effective implementation that doesn't hinder economic recovery.

We are keen to understand if there is any way that this meeting with Ms Slater can be organised as a priority ahead of any announcements and are hoping you might be able to help unlock.

Best wishes,

[Redacted]

The Scotch Whisky Association

Quartermile Two | 2 Lister Square | Edinburgh | EH3 9GL | [Redacted]
www.scotch-whisky.org.uk | Twitter | Instagram | @ScotchWhiskySWA

From: [Redacted]

Sent: 10 January 2022 10:20

To: Huyton H (Harry) <[Redacted]@gov.scot>

Subject: RE: Meeting opportunity

Now spotted they have written to the Minister asking for a meeting. We'll be recommending a decline.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M: [Redacted]

From: [Redacted]
Sent: 10 January 2022 10:09
To: Huyton H (Harry) <[Redacted]@gov.scot>
Subject: RE: Meeting opportunity

Hi Harry

Happy new year!

We're familiar with these people and met some of the folk who are pitching digital DRS schemes back in 2019 when we were finalising the scheme design, [Redacted]

I'd wholeheartedly endorse the comments from CSL at the MSP briefing that this technology is far from ripe and that the right approach is the light-touch futureproofing that CSL are doing rather than investigating system-wide rollout of this technology.

From the below I gather you've agreed to meet them which is fine, but I'd advise strongly against the Minister meeting them. Happy to discuss.

Best wishes

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M:
[Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 07 January 2022 11:41
To: [Redacted]@gov.scot>
Subject: FW: Meeting opportunity

Hi [Redacted] - happy new year. Have you met with these folk?

From: [Redacted]
Sent: 06 January 2022 19:46
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]
Subject: Meeting opportunity

Dear Harry

Great to hear from you – thanks for replying to my LinkedIn message.

We would be delighted to have the opportunity to talk you through Polytag technology, and how it can deliver a kerbside digital DRS solution.

Totally able to flex to suit your diary, but to get the ball rolling here is availability for next week:

Between 12 – 2 on Wednesday 12th
Between 10 – 2 on Thursday 13th
Between 12 – 5 on Friday 14th

Looking forward to the discussion.

A

Alice Rackley CEO



| Email: [Redacted]@polytag.co.uk

| Mob: [Redacted]

Office Address: Unit 13A Deeside Industrial Estate (Zone 1 Central), Drome Road, Deeside, CH5 2LR.

Regulated by Natural Resource Wales NO: NRW-WME046499

Part of Econpro WDS Limited

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 15 December 2021 17:04

To: [Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: SpAd view - DRS BID - BBC Orkney

Just to confirm, the Minister will need the lines from Policy on this. Thanks

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 15 December 2021 16:21

To: [Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: SpAd view - DRS BID - BBC Orkney

Agree, thanks

From: [Redacted]@gov.scot>

Sent: 15 December 2021 16:19

To: Huyton H (Harry) <[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: SpAd view - DRS BID - BBC Orkney

Hi Harry,

BBC Orkney radio would like to interview the Minister on DRS and the roll out in Orkney.

Would either be a pre-record between now and 7pm or live interview tomorrow morning at 7.45am.

Policy could provide lines on the reason for trialling there, the community benefits and the work done with the council and local community to develop proposition.

Policy and comms suggest accepting, if Minister is available.

Grateful for a SpAd view.

Best,

[Redacted]

[Redacted] **Communications: News (Net Zero and Energy)**

Senior Media Manager

Scottish Government, St Andrew's House

e: [Redacted]@gov.scot

m: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 14 December 2021 14:00

To: [Redacted]@gov.scot>

Cc: Minister for Green Skills, Circular Economy and Biodiversity

<MinisterGSCEB@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: DRS - Known Q&A for clearance

Many thanks all

2 minor additions in the attached

From: [Redacted]@gov.scot>

Sent: 14 December 2021 13:45

To: Huyton H (Harry) <[Redacted]@gov.scot>

Cc: Minister for Green Skills, Circular Economy and Biodiversity

<MinisterGSCEB@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: DRS - Known Q&A for clearance

Importance: High

Harry

Attached Q&A for clearance before sending to Ms Slater. We haven't received the 5th Question from SPADs.

Thanks

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]**

From: [Redacted]
Sent: 14 December 2021 11:48
To: Huyton H (Harry) <[Redacted]@gov.scot>; [Redacted]@gov.scot>
Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>
Subject: RE: questions today

We'll pick that up Harry.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 14 December 2021 11:38
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>
Subject: questions today

Could I get an answer to the following added to the minister's brief?

It is hugely important to engage with young people as their voices have been driving positive action for the planet. So, what measures will the Scottish Government take to raise awareness of the scheme amongst young people?

Harry Huyton
Special Adviser to the First Minister

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 13 December 2021 16:42
To: [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: FW: Questions for Ministerial Statement: Scotland's Deposit Return Scheme

From: McAllister C (Colin) <[Redacted]@gov.scot>
Sent: 13 December 2021 16:38
To: Huyton H (Harry) <[Redacted]@gov.scot>
Subject: FW: Questions for Ministerial Statement: Scotland's Deposit Return Scheme

Regards

Colin McAllister
[Redacted]



Scottish Ministers, Special advisers and the Permanent Secretary to the Scottish Government are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot.

From: [Redacted]@parliament.scot>

Sent: 13 December 2021 15:56

To: McAllister C (Colin) <[Redacted]@gov.scot>; McCaig C (Callum) <[Redacted]@gov.scot>

Subject: Questions for Ministerial Statement: Scotland's Deposit Return Scheme

Hi

Questions for the Deposit Return Scheme statement below - will send update when hear back from Fergus Ewing and final speaker confirmed.

Spare questions also drafted below, please let me know if any issues.

Thanks,
[Redacted]

4.50-5.20 pm: Ministerial Statement: Scotland's Deposit Return Scheme – 5 x questions

- 1. Stuart McMillan:** Can the SG provide an update on discussions it has had with Scottish based engineering businesses who can play their part in supplying the equipment that will be needed for the implementation of the DRS scheme?
- 2. Fergus Ewing:** tbc
- 3. Kenneth Gibson:** Minister, a major wine distributor with more than 50 employees – it would have been 70 without Brexit - has expressed a number of concerns about this scheme with, for example, labelling. Different labels will have to be applied to each of the four UK home nations with thousands of lines meaning a hugely bureaucratic and expensive task, estimated to cost a quarter to a half of company profits in a sector that operates on 3% margins. How will this be overcome? Are discussions ongoing to ensure a four nations approach?
- 4. Fiona Hyslop:** Understandably the Pandemic has added some delays to the launch of an official nation-wide deposit return scheme in Scotland. However, the

Aldi in Bathgate in my constituency has already begun a deposit return scheme trial, asking for bottles and cans in exchange for vouchers for the store. They plan to use the feedback from customers using the service to inform plans as they prepare for the deposit return scheme roll out in Scotland. So, can the Minister confirm what support the Scottish Government can offer businesses who want to trial the scheme prior to the Governments official launch date in July 2022, so that as well as boosting the local economy earlier, the schemes can start up faster and go further when the time comes.

OR With Scotland Taking the lead in the UK with a bottle deposit return scheme and with West Lothian being the first region where a store – Aldi in Bathgate - has trialled the deposit scheme, has the Minister given any consideration to basing the nationwide bottle deposit return facilities centre in West Lothian?

5. TBC

Spare questions

- The Deposit Return Scheme is just one part of a range of actions the SG needs to take to build a circular economy. Can the Minister outline what other actions the SG has recently taken to tackle emissions and reduce waste, such as tackling the use of environmentally damaging single-use plastics?
- Can the Minister further expand on what impact the pandemic and Brexit has had on the industry responsible for delivering the deposit return scheme?
- The Scottish Government commissioned an independent review of the impact of covid-19 and the go-live date for DRS – can the Minister comment on some of the findings of the review and how this, alongside feedback from stakeholders, has informed decisions?
- How will SG ensure the public is educated and informed about how the DR scheme will work for them, and how it benefits Scotland's economy and the environment?
- How will SG ensure the scheme is accessible - for example for those without a car, or on low incomes - when it is launched?
- What lessons can be learned from other countries that have introduced deposit return schemes?
- Can the Minister outline what role Circularity Scotland is playing to ensure we're ready to deliver the Deposit Return Scheme?

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 13 December 2021 14:53

To: [Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>

Subject: RE: For awareness - Media Query - Deposit Return Scheme - PA

Thanks, these answers look good

From: [Redacted]@gov.scot>

Sent: 13 December 2021 14:34

To: Huyton H (Harry) <[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>

Subject: RE: For awareness - Media Query - Deposit Return Scheme - PA

Hi Harry

Draft Q&A offered below on the Coca-cola point; we've also added one on the announcement coming after COP26, given the reference in the Assurance of Action Plan document to 26 Oct as a possible laying date for the Regulations.

If you're content, we'll get these added to the briefing pack.

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel** [Redacted]

Why, when Coca-Cola have advised that it would take only a year to implement DRS once the scheme administrator is appointed, are you delaying the scheme to over 2 years after CS were established?

The reported comments from Coca-Cola were made in 2019, before the impacts of the Covid pandemic and Brexit were known. It may be the case that some of the big players have sufficient resources to implement their part of the system in a shorter period of time but we also need to think about the small producers, convenience stores and hospitality businesses who have suffered so much in the last 18 months. It is essential that the whole scheme is a success, not just in the short-term, but for decades to come.

Is it true that the announcement of the delay was deliberately timed to avoid embarrassment during COP26? [in response to AAP reference that we had identified 26 October as possible laying date for Regulations]

As I said in my statement on 17 November, I have been working hard with Circularity Scotland and industry to agree a final timescale and clear milestones for delivery. This needed to be a robust process and it was not possible to reach a conclusion earlier.

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 12 December 2021 20:07
To: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: FW: For awareness - Media Query - Deposit Return Scheme - PA

Can you add a question to the Minister's briefing –

Why, when Coca-Cola have advised that it would take only a year to implement DRS once the scheme administrator is appointed, are you delaying the scheme to over 2 years after CS were established?

From: [Redacted]@gov.scot>
Sent: 12 December 2021 15:48
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; News Desk <Newsdesk@gov.scot>
Subject: For awareness - Media Query - Deposit Return Scheme - PA

PO Minister for Green Skills, Circular Economy and Biodiversity,

For awareness, we received a query from PA on DRS. This comes on the back of a release from environmental NGOs.

I have re-issued our previously cleared lines.

Query and lines copied below for information.

Best,

[Redacted]

LINES

A Scottish Government spokesperson said:

"We remain fully committed to implementing Scotland's deposit return scheme, which will be a UK first. It will increase recycling and cut littering, and help to meet Scotland's world leading climate targets.

"Scotland's scheme will be among the most environmentally ambitious and accessible in Europe, including tens of thousands of return points for plastic, metal and glass containers, as well as pick-ups for online deliveries.

"Industry has made progress, including the establishment of a scheme administrator, Circularity Scotland. This has been done in trying circumstances, with those sectors responsible for delivering the scheme facing unprecedented disruption as a result of the pandemic and Brexit. That is why we commissioned an independent review of progress and readiness for the go-live date.

"We are committed to the scheme being operational as soon as is practicably possible. We are working hard with Circularity Scotland and industry to agree a final timescale and clear milestones for delivery, and will announce that schedule to Parliament in due course."

QUERY

Request for comment on the following.

INDUSTRY SLAMMED FOR ATTEMPT TO "PUSH MINISTERS OFF COURSE"

APRS MEDIA RELEASE

Under embargo for 13 December 2021

Environmental campaigners have today hit out at efforts by business groups to delay Scotland's troubled deposit return system. Both drinks producers and retailers are now using claims which don't match up to their own previous commitments to Parliament.

The scheme was originally intended to launch more than nine months ago, but at the start of the pandemic Ministers granted a 15 month delay to July next year. A decision on a further delay is expected this week.

In March this year the Scottish Government approved the appointment of Circularity Scotland as the scheme administrator [1]. In a November 2019 appearance before a Holyrood committee, Jim Fox, a senior executive for Coca Cola but appearing on behalf of the Food and Drink Federation Scotland, explained that industry needed a 12 month implementation period from the point when an administrator was appointed [2].

Yet now the Food and Drink Federation Scotland are lobbying Scottish Ministers for a delay to September 2023 [3], which would be two years and six months from the date of Circularity Scotland's appointment, two and a half times the length of the implementation period he said the sector could work to.

Similarly, the Scottish Retail Consortium are now lobbying for a 2023 start date [4], even though their spokesperson Ewan MacDonald-Russell told Parliament at the same meeting in 2019 that they only needed until the middle of 2022 for their shops to be ready.

Deposit return is a producer responsibility measure, a policy which not only reduces litter, waste, carbon emissions and local authority costs, but transfers costs from the taxpayer to the companies which produce packaging in the first place. Retailers will

be required to host return points, so presumably many hope to delay taking on this responsibility, or avoid it altogether, despite the convenience for their consumers and the fact they will be paid by the system to take returns.

Every single month's delay to Scotland's deposit system would see more than 4.25m extra cans and bottles littered in Scotland [5], lead to more than 13,000 tonnes of unnecessary carbon emissions [6], and cost local authorities across Scotland more than £600,000 [7].

A delay to September 2023, as sought by the producers, would therefore mean the following unnecessary costs: almost 50m cans and bottles littered, more than 186,000 tonnes of carbon emitted, and almost £8.4m in costs to Scottish councils.

John Mayhew, Director of APRS, which is running the Have You Got The Bottle? campaign, said:

"Industry promised Parliament deposit return could be up and running in a year once an administrator was appointed, but now they're claiming they need almost two and half times as long. Their lobbying for yet another delay shows that they want us to keep paying the price for their packaging, in terms of extra litter, waste, cost to councils, and climate emissions.

"A year is roughly the length of time it's taking other countries to bring in deposit return during a pandemic, so there's no reason not to move just as quickly here. Businesses in Scotland aren't any different to anywhere else, they're just trying to delay an effective system.

"Some parts of industry are even trying to use Brexit as an excuse nearly two years on. Others complain about the costs of labelling, how tricky it is to set up an IT system, or how VAT will be calculated. There is nothing new or difficult here, and we are disappointed that such weak arguments are being used to try to push Ministers off course."

Catherine Gemmell, Scotland Conservation Officer at the Marine Conservation Society, said:

"For decades, Scotland's seas have been paying the price of pollution with disastrous consequences. Endangering and trapping marine wildlife and piling plastic onto what should be pristine beaches. At the Marine Conservation Society, our volunteers have also been paying the price – spending thousands of hours removing bottles and cans from their local coastline.

"It's time for the polluter to pay the price and bring in the long-promised deposit return scheme for plastic, metal and glass bottles and cans. Our ocean, and our dedicated volunteers, shouldn't have to suffer and spend their time clearing up after big polluters; enough is enough."

Hugo Tagholm, CEO of Surfers Against Sewage, said:

"Our 2021 Brand Audit found that Coca-Cola are responsible for a sixth of all

branded packaging found at beaches, rivers, streets and in the countryside. An 'all in' deposit return system would capture over 80% of their polluting packaging with a well-designed system. That's essential if Coca-Cola are to get material back to meet their own recycling commitments and obligations, as they themselves have acknowledged. Their lobbying for yet more delays in Scotland shows that they are simply looking to dodge the costs of packaging pollution and are unwilling to change their polluting ways.

"It's unacceptable to be using the Covid19 crisis as an excuse to kick the can down on the road on the plastic pollution crisis. Industry have had years to prepare for deposits in Scotland and have proven how quickly they can adapt to its introduction in other countries. It's time for Ministers to stand up to corporate interests and get on with implementing a deposit return system, which is a proven way of reducing packaging pollution and meeting climate commitments."

Nina Schrank, Senior Campaigner from Greenpeace, said:

"UK supermarkets talk a lot about their sustainability credentials but if they want to retain any credibility in this space, they need to stick to the commitments they have made. All the top grocery retailers have failed to get ready for a basic deposit return system for containers. That was not a lot to ask for, especially when costs to retailers will be covered.

"While our supermarkets had four years to prepare, other countries in Europe introduced similar systems in just one year. It's time for Ministers to listen to the evidence about what can be done, not unsubstantiated arguments from industry about why it can't be done."

Contact:

[Redacted]@gmail.com / [Redacted]

Notes

1. See:

<https://www.zerowastescotland.org.uk/content/circularity-scotland-appointed-deposit-return-scheme-administrator-scotland>

2. Jim Fox said (emphasis ours):

"We cannot do much preparation on this. It will take two months to get the system administrator people together, to borrow money, to set up heads of agreement, or whatever the contracts are, and so on, and it will then be another month or so before the Scottish ministers approve the scheme administrator. That takes us well into the summer of 2020—let us say July. **If we add on a year for implementation—it needs to be a minimum of a year, given that we are talking about an extremely complex implementation—that takes us to July 2021.** If we assume that there will be a bit of slippage, that will take us into September or October 2021. In the retail trade, if you go past October, you hit the Christmas period. It is not possible to implement such a scheme in that period."

See:

<https://archive2021.parliament.scot/parliamentarybusiness/report.aspx?r=12363&i=11776&c=2216158#ScotParlOR>

3. For Mr Fox's more recent comments:

<https://www.independent.co.uk/news/uk/nicola-sturgeon-msps-energy-england-europe-b1971282.html>

4. See:

<https://brc.org.uk/news/2021/src-deposit-return-delay-date-required-swiftly/>

6. See ZWS's calculations here:

<https://www.zerowastescotland.org.uk/press-release/20p-drinks-recycling-scheme-will-cut-160000-tonnes-scotland%E2%80%99s-carbon-footprint>

7. The financial cost is based on the Net Present Value calculation in par 77 of the Scottish Government's BRIA, which shows a £168m benefit to local government over 25 years.

<https://www.gov.scot/publications/deposit-return-scheme-scotland-full-business-regulatory-impact-assessment/documents/>

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 12 December 2021 20:04

To: Grisewood A (Aidan) <[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: SCANCE - Deposit Return Scheme - Revised implementation date - December

Thanks Aidan, just a few edits in the attached

From: Grisewood A (Aidan) <[Redacted]@gov.scot>

Sent: 12 December 2021 19:43

To: Huyton H (Harry) <[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: SCANCE - Deposit Return Scheme - Revised implementation date - December

Importance: High

Harry, I attach a draft SCANCE note for Tuesday cabinet in advance of the statement that afternoon. Hopefully straightforward, but if you have any early comments could you let me know early Monday morning so we can get this cleared by Cab Sec and Minister POs by 1pm.

Aidan

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 08 December 2021 18:14

To: Minister for Green Skills, Circular Economy and Biodiversity

<MinisterGSCEB@gov.scot>; [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan)
<[Redacted]@gov.scot>
Subject: RE: Immediate: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Do we have a draft reply to Mr Ewing yet?

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 06 December 2021 14:27
To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>
Subject: RE: Immediate: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Go ahead as planned. There's no perfect time for these things and most important was not clashing with the committee

From: [Redacted]@gov.scot>
Sent: 06 December 2021 14:20
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>
Subject: RE: Immediate: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Thanks [Redacted]. I think you mentioned that there was a Green Group meeting then too. I'm assuming that we are going ahead as planned but please let me know if there is any indication that Ministers would like to reconsider the timing.
[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: [Redacted]@gov.scot> **On Behalf Of** Minister for Green Skills, Circular Economy and Biodiversity
Sent: 06 December 2021 14:10
To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>
Subject: RE: Immediate: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Thanks [Redacted]– please ensure the response to Mr Ewing is with us by 16:00 on Wednesday 8 December.

Fine if it doesn't go out before the meeting but we need a deadline for this. Can we insist it is with you after Spad Clearance by COP Wednesday

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

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

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

Sent: 06 December 2021 13:53

To: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>

Subject: RE: Immediate: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Sharing Mr Ewing's email attached with you all.

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

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

From: [Redacted]@gov.scot>

Sent: 06 December 2021 12:50

To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>

Subject: RE: Immediate: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

[Redacted]

CSL ([Redacted] and [Redacted]) are both available at 1pm tomorrow so please go ahead and send the update round to MSPs. Can you also send the meeting link to [Redacted] and [Redacted].

Thanks

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: [Redacted]@gov.scot>

Sent: 06 December 2021 12:32

To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>

Subject: RE: Immediate: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Hi [Redacted],

Can you hold off on sending out the invitations until we can confirm with CSL? [Redacted] calling them right now so we'll know very soon.

Regarding Mr Ewing's MiCase, this will not be ready this side of the meeting. It was decided that the best use of our resources at this time is to prepare for the Statement and laying of the Regs. I do understand that it's very important to respond to his various pieces of correspondence, and we'll get it done as soon as we can.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

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

Sent: 06 December 2021 12:09

To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; [Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>

Subject: RE: Immediate: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Hi [Redacted]

Ms Slater is fine with the updated timings – I'll get the update sent round to MSPs shortly. Can I check progress on the response to Mr Ewing please – it would be helpful to have it up today (cleared by Spads) to issue before tomorrow's meeting.

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

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

From: [Redacted] **On Behalf Of** Minister for Green Skills, Circular Economy and Biodiversity

Sent: 06 December 2021 11:24

To: [Redacted]@gov.scot>

Cc: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Subject: RE: Immediate: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Hi [Redacted] – I'll come back to you asap – Ms Slater is in the Cairngorms today and this time change will clash with a Green Group meeting, so I need her to confirm she's content.

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

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

From: [Redacted]@gov.scot>

Sent: 06 December 2021 10:26

To: Net Zero, Energy & Transport <netzero.committee@Parliament.Scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>

Subject: RE: Immediate: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Hi [Redacted],

Many thanks for the quick clarification, I really appreciate it.

[Redacted],

Is there any way we can move the meeting to 13:00 – 13:45 tomorrow?

Cheers,

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

From: Net Zero, Energy & Transport <netzero.committee@Parliament.Scot>

Sent: 06 December 2021 10:20

To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>

Subject: RE: Immediate: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Hi [Redacted],

The NZET committee meeting will end at around 12.45pm. Our last item, from 12pm, is informal and in private and therefore does not appear in the Business Bulletin. We have guests for this part of the meeting and would not be able to change the timings.

Thank you

[Redacted]

[Redacted]

Assistant Clerk
Net Zero, Energy and Transport Committee

From: [Redacted]@gov.scot <[Redacted]@gov.scot>

Sent: 06 December 2021 09:43

To: MinisterGSCEB@gov.scot; Net Zero, Energy & Transport
<netzero.committee@Parliament.Scot>

Cc: Cabinet Secretary for Net Zero, Energy and Transport
<CabSecNetZET@gov.scot>; [Redacted]@gov.scot; [Redacted]@gov.scot;
[Redacted]@gov.scot; [Redacted]@gov.scot; [Redacted]@gov.scot

Subject: RE: Immediate: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Importance: High

Hi [Redacted] and [Redacted]

That's less than great, my impression was that the Committee finishes at 12:00. I note that in the business bulletin the Committee's due to commence at 10:10 am, would either of you know when it's likely to finish? It might be possible to move our briefing back by a short time to accommodate?

Otherwise, we'll have to secure a new date prior to the Statement.

Cheers,

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy
Division | Environment and Forestry Directorate | Scottish Government | Tel:
[Redacted]

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

Sent: 03 December 2021 17:32

To: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>; [Redacted] <[Redacted]@gov.scot>

Cc: Cabinet Secretary for Net Zero, Energy and Transport
<CabSecNetZET@gov.scot>; Communications Net Zero & Rural Affairs
<[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>;
[Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan)

<[Redacted]@gov.scot>

Subject: Immediate: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

[Redacted]

Sharing the attached email from the Clerk to the Net Zero, Energy and Transport Committee on behalf of the Convener requesting that we change the date of the meeting with MSPs as it clashes with their Committee meeting.

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

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

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

Sent: 03 December 2021 13:51

To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Thank you [Redacted]– the signed letters that issued are attached for records.

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

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

From: [Redacted]@gov.scot>

Sent: 03 December 2021 11:17

To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Hi [Redacted],

Here are the amended letters. Please let me know if you need anything further.

Cheers,

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

From: [Redacted]@gov.scot> **On Behalf Of** Minister for Green Skills, Circular Economy and Biodiversity
Sent: 03 December 2021 10:04
To: [Redacted]@gov.scot>
Cc: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Subject: RE: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Morning [Redacted]

Thanks [Redacted] – could you re-send and include Harry in the copy list please and Cab Sec's box and Comms.

For the letter to all MSPs can you put that in the addressee please (small typo in the salutation) and the Minister signs off her letters Kind regards and her name should be in bold, block capitals, left flush. For the letter to the Convener, can you populate the full address please and remove the comma from the salutation and change to Kind regards and put the Minister's name at the bottom. Can I check that you've seen the attached email, please?

Can I check progress on the MiCase response to Mr Ewing?

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

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

From: [Redacted]@gov.scot>
Sent: 03 December 2021 09:44
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: 12:15-13:00 Meeting with Circularity Scotland and MSPs - invitation letters

Hi [Redacted],

I've attached two invitation letters for your office to send out in respect of next week's meeting. Please let me know if you'd like any changes to be made.

Cheers,

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 06 December 2021 16:49
To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Ms Slater's Ministerial Statement: Deposit Return Scheme 141221

Thanks [Redacted], happy with that title

From: [Redacted]@gov.scot>
Sent: 06 December 2021 14:10
To: Huyton H (Harry) <[Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Ms Slater's Ministerial Statement: Deposit Return Scheme 141221

Harry – yes, we'll do letter too. For title, are you happy with 'Scotland's Deposit Return Scheme'? As I understand, this statement is focusing solely on DRS.

[Redacted] – as previously planned, we'll be releasing a couple of Gateway Review documents. We'll liaise with Mr Adam's office about that.

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 06 December 2021 13:59
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; [Redacted]@gov.scot>
Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Ms Slater's Ministerial Statement: Deposit Return Scheme 141221

Can we also get a letter to go to the NZET committee on day of the statement?

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

Sent: 06 December 2021 13:46

To: [Redacted]@gov.scot>

Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: Ms Slater's Ministerial Statement: Deposit Return Scheme 141221

[Redacted]

Please see confirmation of Ms Slater's Ministerial statement below.

Grateful for confirmation of the title asap today please. Helpful to have the draft opening statement (which should be cleared by Spads) and briefing by 16:00 on Wednesday 8 December.

If there is to be an accompanying document helpful if your team can liaise with Mr Adam's office on that.

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

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

From: [Redacted]@gov.scot> **On Behalf Of** Minister for Parliamentary Business

Sent: 06 December 2021 12:54

To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights <MinisterZCBATTR@gov.scot>; Minister for Environment and Land Reform <MinisterELR@gov.scot>; Minister for Transport <MinisterFT@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; Corbett GN (Gavin) <[Redacted]@gov.scot>; McAllister C (Colin) <[Redacted]@gov.scot>; Spads Admin <[Redacted]@gov.scot>; Minister for Parliamentary Business <[Redacted]@gov.scot>

Subject: Ministerial Statement: Deposit Return Scheme 141221

Hi [Redacted],

Please see below details of a ministerial statement scheduled for **Tuesday 14 December**

1650-1720 Ministerial Statement: Deposit Return Scheme

- **Grateful for a confirmed title ASAP**
- Speaking times – the time allocation is 10 minutes for the statement (without interventions) followed by 20 minutes for questions.
- If your Minister intends to make reference in the statement to any Scottish Government documents that will not be in the public domain before the statement is made, electronic copies must be made available to Members and SPICe – please confirm this to us **by COP Friday 10 December**
- If there is to be an accompanying document you **should liaise with us to ensure the documents are provided on time**, allowing us to make them available for members in time for the Minister standing up.
- Digital links to embargoed documents must be live **by the time your Minister stands up** to deliver their statement.

Your office is responsible for ensuring the finalised text of the statement:

- The First Minister must clear the text of statement before it is made. This can be done by providing a draft of the statement a day ahead, please contact the First Minister's office to discuss timings for clearance.
- The statement should also be circulated to all Cabinet secretaries, 90 minutes prior to the statement being made;
- Is marked up **check against delivery – embargoed until 1650** in the header and has all references to draft and version numbers removed. The final version that is e-mailed to the Minister for Parliamentary Business' office is the version that will be distributed to opposition Business Managers;
- Emailing the finalised text of the statement to our office 90 minutes before your Minister stands up.

The deadline for e-mailing the final text to Minister for Parliamentary Business mailbox will therefore be 1520 on Tuesday 14 December.

- The Parliamentary convention is that hard/electronic copies of the finalised text of the Ministerial statements are passed to Business Managers and the Presiding Officer 1 hour before the Minister stands up in the Chamber to make the statement. Our office is responsible for ensuring that this happens. We will ensure copies are made available to Document Supply and the Official Report prior to the statement being made.

Thanks,

[Redacted] Deputy Private Secretary to Minister for Parliamentary Business|T4.21,
Scottish Parliament|[Redacted]: [Redacted]@gov.scot

From: [Redacted]@gov.scot>
Sent: 06 December 2021 12:32
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 01 December 2021 13:52
To: [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Meeting with the First Minister and Retailers - DRS - 7 December 2021

Great, all good

From: [Redacted]@gov.scot>
Sent: 01 December 2021 13:51
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Meeting with the First Minister and Retailers - DRS - 7 December 2021

Thanks.

Yes – the Scottish Grocers Federation (SGF) will represent smaller retailers.

[Redacted] | Circular Economy Unit | Scottish Government | Area 3H South | Victoria Quay | Edinburgh | EH6 6QQ |

' [Redacted] | : [Redacted]@gov.scot |

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 01 December 2021 13:48
To: [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: Meeting with the First Minister and Retailers - DRS - 7 December 2021

Thanks – is anyone representing smaller retailers and independents?

From: [Redacted]@gov.scot>
Sent: 01 December 2021 13:41
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: FW: Meeting with the First Minister and Retailers - DRS - 7 December 2021
Importance: High

Harry

Grateful if you could confirm you are content with the list of invitees below. To note that SRC and CSL should also be on the list below.

Thanks

[Redacted]

[Redacted] | Circular Economy Unit | Scottish Government | Area 3H South | Victoria Quay | Edinburgh | EH6 6QQ|

' [Redacted] | : [Redacted]@gov.scot |

From: [Redacted]

Sent: 29 November 2021 17:47

To: Huyton H (Harry) <[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>

Subject: Meeting with the First Minister and Retailers - DRS - 7 December 2021

Importance: High

Harry

Please see list below of CEOs who will be invited to the meeting with the FM next week.

I e-mailed FMs office today to ask what support they need from me with regards the official invite being sent. I have also this afternoon e-mailed contacts within the retailers below that Aidan, [Redacted] and myself have met with recently to confirm the timing of the meeting and that a formal invite will be sent shortly.

My e-mail to retailers also highlights that we are aware that the CEO may wish to delegate the meeting to a senior colleague who leads on DRS and if this is the case the meeting attendee must be able to make a decision on behalf of the retailer on participation of a phased approach at the meeting.

Retailers

[Redacted]– Chief Executive - M&S

[Redacted]– CEO and President – Asda

[Redacted]– CEO - Sainsburys

[Redacted]– CEO - Lidl

[Redacted] –CEO – Morrisons

[Redacted] - Chairman – John Lewis

[Redacted]– CEO - Aldi

[Redacted]- CEO – Tesco

[Redacted]– CEO – Coop

[Redacted]– CEO - Scotmid

[Redacted]– CEO - SGF

Thanks

[Redacted]

[Redacted] | Circular Economy Unit | Scottish Government | Area 3H South | Victoria Quay | Edinburgh | EH6 6QQ|

' [Redacted] | : [Redacted]@gov.scot |

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 01 December 2021 10:01
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; Holmes C (Charles) <Charles.Holmes@gov.scot>
Cc: [Redacted]@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>
Subject: RE: Immediate: Ministerial Statement on the Deposit Return Scheme - Ms Slater

Hi all

[Redacted]

Is that possible?

Thanks

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 01 December 2021 09:52
To: [Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: Immediate: Ministerial Statement on the Deposit Return Scheme - Ms Slater

Ok, so w/c 13th dec?

From: [Redacted]@gov.scot>
Sent: 01 December 2021 08:52
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: Immediate: Ministerial Statement on the Deposit Return Scheme - Ms Slater

[Redacted]

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: [Redacted]@gov.scot> **On Behalf Of** Minister for Green Skills, Circular Economy and Biodiversity
Sent: 01 December 2021 08:40
To: [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Subject: RE: Immediate: Ministerial Statement on the Deposit Return Scheme - Ms Slater

Morning [Redacted]

Helpful if you can come back to me asap this morning on this so I can respond to Mr Adam's office – thanks.

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

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

From: [Redacted]**On Behalf Of** Minister for Green Skills, Circular Economy and Biodiversity
Sent: 30 November 2021 17:27
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>
Subject: RE: Ministerial Statement on the Deposit Return Scheme - Ms Slater

[Redacted]

Grateful if you can confirm if 21 December date is suitable please (and Harry)?

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

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

From: [Redacted]@gov.scot> **On Behalf Of** Minister for Parliamentary Business
Sent: 30 November 2021 17:12
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Minister for Parliamentary Business <[Redacted]@gov.scot>
Subject: RE: Ministerial Statement on the Deposit Return Scheme - Ms Slater

Thanks [Redacted] That's helpful.

We'll really struggle for that week as we already have two statements ahead of the Tuesday debate – and the Wednesday and Thursday debates are not ours (they're conservatives and a committee debate) so we can't really cut into them at all.

Would it be possible to do a statement the following Tuesday 21st? Provisional timing would be 1520-1550.

[Redacted]

[Redacted] (she/her)

Private Secretary to Minister for Parliamentary Business

T: [Redacted] M: [Redacted] E: [Redacted]@gov.scot

The Scottish Government | St Andrew's House, Regent Road, EDINBURGH EH1 3DG

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

Sent: 29 November 2021 20:27

To: Minister for Parliamentary Business <MinisterPB@gov.scot>

Cc: [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>;

[Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>

Subject: FW: Ministerial Statement on the Deposit Return Scheme - Ms Slater

Hi [Redacted]

To see the formal request below as requested:

Statement Title

Scotland's Deposit Return Scheme – Implementation Timetable

Desired Statement Date

We can potentially work with dates from 10-15 December inclusive so are keen to understand what availability is like on these dates.

Background

On 17 November, Ms Slater made a statement in Parliament on a number of Circular Economy issues.

Part of this statement was an update on the progress of implementing Scotland's Deposit Return Scheme (DRS). It was broadly expected in advance of this statement that Ms Slater would be confirming the implementation date for DRS, however at the FM's request this was delayed to a statement to follow shortly.

There is significant interest and pressure from industry and Environmental NGOs, not to mention from the various political parties, for the implementation date to be confirmed as soon as possible. Any delay will add unnecessary confusion among stakeholders that are key to the successful operation of the UK's first deposit return scheme, and will risk further holding back implementation as industry need early confirmation to be able to plan and raise capital.

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

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

From: [Redacted]@gov.scot > **On Behalf Of** Minister for Parliamentary Business

Sent: 29 November 2021 15:33

To: [Redacted]@gov.scot >

Cc: Minister for Parliamentary Business <[Redacted]@gov.scot>

Subject: RE: Ministerial Statement on the Deposit Return Scheme

Hi [Redacted],

There's significant demand for statements in December so it will be a challenge to find time – we'll need to consider this alongside other requests. Can you please get your Private Office to put in a formal request to us with a title, summary of the statement and ideal date so we can triage it?

Thanks!

[Redacted]

[Redacted] (she/her)

Private Secretary to Minister for Parliamentary Business

T: [Redacted] M: [Redacted] E: [Redacted]@gov.scot

The Scottish Government | St Andrew's House, Regent Road, EDINBURGH EH1 3DG

From: [Redacted]@gov.scot >

Sent: 29 November 2021 15:22

To: Minister for Parliamentary Business <[Redacted]@gov.scot>

Subject: Ministerial Statement on the Deposit Return Scheme

Importance: High

Good afternoon,

Apologies for the extremely short notice but, would you be able to advise on any available dates in early December for Ms Slater to make a further statement to Parliament on Scotland's Deposit Return Scheme (DRS)?

We have provisionally allocated Wednesday 8 December as the date to lay the revised Regs, but that would need to be after the statement. Accordingly, I am

investigating the possibility of getting this moved to the week commencing 13 December should there not be a suitable date before then.

I'm very sorry to be a pest, but a response by Wednesday this week would be absolutely ideal as Ms Slater's office is keen to start arranging some meetings with MSPs and other stakeholders to trail the announcement, and they can't get this done until we have a date for the statement.

Cheers,

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

From: [Redacted]
Sent: 25 November 2021 12:07
To: [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>
Cc: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Subject: RE: DRS meeting with MSPs

Hi

I think the invitation is to all MSPs with particular invitation to NZET members to attend but Harry can you confirm please?

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M: [Redacted]

From: [Redacted]@gov.scot>
Sent: 25 November 2021 12:05
To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: [Redacted]@gov.scot>
Subject: RE: DRS meeting with MSPs

Hi [Redacted],

Thanks for the information, it's really helpful.

In terms of how many MSPs, that I do not know. I had presumed that it would be a select number rather than the whole cohort.

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel: [Redacted]

From: [Redacted]@gov.scot> **On Behalf Of** Minister for Green Skills, Circular Economy and Biodiversity
Sent: 25 November 2021 12:03
To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: Holmes C (Charles) <[Redacted]@gov.scot>
Subject: RE: DRS meeting with MSPs

Hi [Redacted]

I just heard mention of that during the meeting this morning – is it a meeting with all MSPs or some? Generally Ms Slater should write to them inviting them to meet with her on xx at xx. Once cleared we would send the letter to Mr Adam's office who would issue to their distribution list of going to all MSPs. I think the Minister mentioned Mark Ruskell would chair but I didn't catch what she said and assume it was an 'event' rather than meeting. Ms Slater should chair.

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 24 November 2021 16:53
To: Grisewood A (Aidan) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Slides to Retail Working Group tomorrow

Can we also get dates for an FM meeting and the MSP briefing session as soon as possible? thanks

From: Huyton H (Harry)
Sent: 24 November 2021 16:51
To: Grisewood A (Aidan) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Slides to Retail Working Group tomorrow

That looks right thanks, look forward to hearing how it goes

From: Grisewood A (Aidan) <[Redacted]@gov.scot>
Sent: 24 November 2021 16:00
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: Slides to Retail Working Group tomorrow
Importance: High

Harry, to see slides that ZWS Scotland will present to retail working group tomorrow building on our earlier work with retailers. Included some suggested tweaks from me to align with "phased implementation" language. I can't make tomorrow, so

[Redacted] will be representing SG, and I said I would share with you what he might say to generate momentum/imperative in advance of ZWS proposition:

- Statement on DRS timeline will be made very shortly
- As Minister stated this is being worked through with CSL, so will be evidently a timeline that is ambitious, but also deliverable.
- You will know from your membership of CSL and their proposed timeline that this means there will be a delay to full implementation
- However, important in confirming a full legal go-live date that there are clear public milestones for delivery and also phased implementation from end 2022.
- Expect leading retailers to be leading on this. Senior ministerial engagement expected imminently with your CEOs to collectively commit to this happening
- Appreciate that different retailers will be better positioned to implement DRS-type schemes early
- Evident benefits both in terms of footfall, getting customers ready, but also CSR. Important to make use of massive infrastructure roll out.
- However, also recognise that support might be needed too. ZWS presentation sets out some fundamentals around that but also options where your views/input would be welcome
- Organisations will be expected to set out the max we can expect as part of ministerial meeting.

Do shout if this pitch is not right

Aidan

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 19 November 2021 09:03

To: Grisewood A (Aidan) <[Redacted]@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: Note to FM - Deposit Return Scheme - Go-Live Date - 18 November 2021

Comments and edits in attached.

Can we refer to what we are proposing as:

Soft launch from late 22 (date?) – retailers and major events given support to trial DRS on voluntary basis, Orkney goes live. Hard launch in august 23

Also the milestones we have agreed with CSL are a key part of the story. Can you include in the cover note?

Thanks

From: Grisewood A (Aidan) <[Redacted]@gov.scot>

Sent: 19 November 2021 08:37

To: Director of Environment & Forestry <director.enfor@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Note to FM - Deposit Return Scheme - Go-Live Date - 18 November 2021

Thanks Kevin, very helpful steers. We can definitely weave that in. I'll also put in a line about checking against international comparators (could even include the table – [Redacted] to advise) and [Redacted], on descoping options we also had a comprehensive table on that too. Could you advise/dig that out too. [Redacted], can I also have a line (no more) on regulations/timelines.

Aidan

From: Director of Environment & Forestry <director.enfor@gov.scot>
Sent: 18 November 2021 19:27
To: Grisewood A (Aidan) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Note to FM - Deposit Return Scheme - Go-Live Date - 18 November 2021

Aidan & co / Harry

I spoke to Colin Mcallister on other business earlier and I asked him briefly about DRS. He mentioned

- 1) Definitely give FM plenty of info and she will plough through it so I think a good set of Annexes if is helpful.
- 2) Copy in DFM but seperately follow up with DFM along the lines of “You may welcome a separate discussion especially if you are unable to join the discussion with the FM”.

Letter and pack look good. [Redacted]

k

From: Grisewood A (Aidan) <[Redacted]@gov.scot>
Sent: 18 November 2021 17:39
To: Huyton H (Harry) <[Redacted]@gov.scot>
Cc: Director of Environment & Forestry <director.enfor@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: Note to FM - Deposit Return Scheme - Go-Live Date - 18 November 2021

Harry,

Here is our first go at this. We opted for a slightly longer letter but one I would hope is more convincing as a consequence. The annexes are optional. On reflection, I

Grisewood A (Aidan) <[Redacted]@gov.scot>

Cc: Director of Environment & Forestry <director.enfor@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>; McFarlane J (John) (Special
Adviser) <[Redacted]@gov.scot>

Subject: RE: Immediate: CE statement - briefing pack

Thank you – grateful if someone can check and tidy this up and let me have a clean version for Ms Slater by 13:45 please.

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

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

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 17 November 2021 13:31

To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and
Biodiversity <MinisterGSCEB@gov.scot>; Grisewood A (Aidan)
<[Redacted]@gov.scot>

Cc: Director of Environment & Forestry <director.enfor@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>; McFarlane J (John) (Special
Adviser) <[Redacted]@gov.scot>

Subject: RE: Immediate: CE statement - briefing pack

Thanks some edits in the attached

Please an the named questions be at the top

Can you add some lines

From: [Redacted]@gov.scot>

Sent: 17 November 2021 13:06

To: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>

Cc: Director of Environment & Forestry <director.enfor@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>; Huyton H (Harry)
<[Redacted]@gov.scot>; McFarlane J (John) (Special Adviser)
<[Redacted]@gov.scot>

Subject: RE: Immediate: CE statement - briefing pack

[Redacted]

Additional Q&A attached, divided by subject as previously.

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

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

Sent: 17 November 2021 10:39

To: Gardner G (Ginny) <[Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>

Cc: Director of Environment & Forestry <director.enfor@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>

Subject: Immediate: CE statement - briefing pack

Importance: High

Thanks [Redacted]– [Redacted]

[Redacted]

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

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

From: [Redacted]@gov.scot>

Sent: 17 November 2021 10:24

To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>

Cc: Director of Environment & Forestry <director.enfor@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>

Subject: RE: CE statement - briefing pack

[Redacted]

And here's the revised Q&A.

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: [Redacted]

Sent: 17 November 2021 10:15

To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>

Cc: Director of Environment & Forestry <director.enfor@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>; Huyton H (Harry) <[Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>

Subject: CE statement - briefing pack

[Redacted]

Here's the briefing for the statement. We are updating Q&A following feedback from SPADs and will send up shortly.

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 17 November 2021 14:05

To: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: Fergus Ewing

Need this with the minister now

From: Grisewood A (Aidan) <[Redacted]@gov.scot>

Sent: 17 November 2021 14:04

To: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>

Subject: RE: Fergus Ewing

I think we can include economic as it's covering benefits not "net benefits"

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 17 November 2021 14:04

To: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>

Subject: RE: Fergus Ewing

Ok fine

From: [Redacted]@gov.scot>

Sent: 17 November 2021 14:03

To: [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>

Subject: RE: Fergus Ewing

Importance: High

A, H

Can you confirm you're happy with this and whether 'economic' is being included?
This is the last thing for the Q&A.

Thanks

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: [Redacted]@gov.scot>

Sent: 17 November 2021 13:57

To: Grisewood A (Aidan) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>

Subject: Fergus Ewing

Hi both

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Circular Economy Unit

Environmental Quality and Circular Economy Division, Directorate for Environment and Forestry, Scottish Government

Mobile: [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 17 November 2021 09:32

To: [Redacted]@gov.scot>

Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>

Subject: RE: CE statement - Q&A

Thanks.

Obviously haven't been able to review in detail but some Qs and edits in attached. For the questions relating to specific grants please can you add a bit more detail about the grant, how much it is and what it will deliver

H

From: [Redacted]@gov.scot>

Sent: 17 November 2021 09:10

To: Huyton H (Harry) <[Redacted]@gov.scot>

Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>

Subject: CE statement - Q&A
Importance: High

Hi Harry

Latest version of Q&A, with friendly questions highlighted in green.

Note that there is an outstanding query on notification direction that we are following up with planning colleagues.

Private Office has a deadline of 10am for sending up.

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: [Redacted]

Sent: 17 November 2021 16:44

To: [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>

Subject: RE: SRC: Deposit Return Delay Date Required Swiftly

[Redacted] has aired his thoughts.

C

James Mackenzie on Twitter: "So now all we know is that they're planning a delay to deposit return, but we don't know how long for?" / Twitter

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M:** [Redacted]

From: [Redacted]@gov.scot>

Sent: 17 November 2021 16:09

To: Huyton H (Harry) <[Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: FW: SRC: Deposit Return Delay Date Required Swiftly

FYI 1st stakeholder statement I've seen.

Note offer in email to support next steps.

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 16 November 2021 16:22
To: Grisewood A (Aidan) <[Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>
Cc: Director of Environment & Forestry <director.enfor@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: Revised Draft Statement

Thanks edits in the attached, please send up to the Minister asap

Also need Q&A – can we discuss quickly

From: Grisewood A (Aidan) <[Redacted]@gov.scot>
Sent: 16 November 2021 16:03
To: Huyton H (Harry) <[Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>
Cc: Director of Environment & Forestry <director.enfor@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: Revised Draft Statement

Harry/John,

I attach a revised draft statement with most of DRS stripped out but a few paras still there flagging COVID, EU-Exit as well as VAT decision sent today. New stuff in red. It trails a delay and further statement. Thanks to colleagues for extra material on RIF, Review of Incineration and Single Use Plastics. All included. Also there's an option, if you want to include it for more on the route map and process (just ask and we will provide), but the attached without that extra route map material is now at well over 1500 words (albeit slightly shorter than earlier version) so is at least 10 mins worth.

Aidan

Aidan Grisewood
Deputy Director,
Environmental Quality and Circular Economy
Scottish Government
[Redacted]

From: [Redacted]
Sent: 16 November 2021 16:18
To: Grisewood A (Aidan) <[Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; 'lorna.slater.msp@parliament.scot' <lorna.slater.msp@parliament.scot>; Huyton H

(Harry) <[Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: 17:30-18:00 Meeting with officials and CSL

I've seen the exchange with PO, Donald has confirmed for both.

[Redacted]
[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy
Division | Environment and Forestry Directorate | Scottish Government | M:
[Redacted]

From: Grisewood A (Aidan) <[Redacted]@gov.scot>
Sent: 16 November 2021 16:17
To: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>; 'lorna.slater.msp@parliament.scot'
<lorna.slater.msp@parliament.scot>; Huyton H (Harry) <[Redacted]@gov.scot>;
[Redacted]@gov.scot>; [Redacted]@gov.scot>
Subject: RE: 17:30-18:00 Meeting with officials and CSL

I've texted [Redacted] to prompt him to confirm. Not said anything about reason.

-----Original Appointment-----

From: [Redacted]@gov.scot> **On Behalf Of** Minister for Green Skills, Circular
Economy and Biodiversity
Sent: 16 November 2021 16:15
To: 'lorna.slater.msp@parliament.scot'; Huyton H (Harry); Grisewood A (Aidan);
[Redacted]
Subject: 17:30-18:00 Meeting with officials and CSL
When: 16 November 2021 17:30-18:00 (UTC+00:00) Dublin, Edinburgh, Lisbon,
London.
Where: Teams

Hi all

Apologies for short notice but setting up this meeting tentatively for tonight. Will
confirm when I hear back from CSL.

From: Huyton H (Harry) <[Redacted]@gov.scot>
Sent: 15 November 2021 19:09
To: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; Minister
for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Director of Environment &
Forestry <director.enfor@gov.scot>
Subject: RE: 11:00-11:45 Meeting: eNGOs & CSL

Some comments in the attached

From: Grisewood A (Aidan) <[Redacted]@gov.scot>
Sent: 15 November 2021 18:23
To: [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and

Biodiversity <MinisterGSCEB@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>

Subject: RE: 11:00-11:45 Meeting: eNGOs & CSL

Marissa, again with apologies for lateness here is a Q and A too, although CSL will themselves be best placed to answer some of the questions.

We will continue to build up this Q and A tomorrow in advance of the statement itself, and subsequently as issues get raised, although we will of course try to anticipate these as best we can!

Aidan

From: [Redacted]@gov.scot>

Sent: 15 November 2021 17:37

To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>

Subject: RE: 11:00-11:45 Meeting: eNGOs & CSL

[Redacted]

Here is the briefing for tomorrow's eNGO meeting, with apologies for the delay in sending. Aidan, [Redacted] and I will be on the call.

[Redacted]

[Redacted] | **Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | Tel:** [Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 15 November 2021 13:38

To: [Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: Briefing ahead of Wednesday's Ministerial Statement

Many thanks [Redacted]

From: [Redacted]@gov.scot>

Sent: 15 November 2021 13:05

To: Huyton H (Harry) <[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

Subject: RE: Briefing ahead of Wednesday's Ministerial Statement

Hi Harry

[Redacted] mentioned you were looking for some points of rebuttal to the HYGTB note. I've suggested some below—happy to discuss.

Best wishes

[Redacted]

1. Cost of delay

Discrimination against responsible businesses. The note misrepresents Lidl's investment decision as the article seems to refer to a significant renovation that would have happened anyway but which Lidl was future-proofing by including RVMs. The reality on the ground is that businesses can't put in orders for RVMs until CSL confirms the rate that the return-point handling fee will be paid at, which they are proposing for January. I therefore doubt that, exceptional cases aside, any retailer has made a meaningful capital investment in preparation for DRS yet—**Aidan/[Redacted] please correct me if I'm wrong.**

2. Pressure to delay

'Digital deposit return'. Actually the Welsh Government's motivation is to bring their excellent kerbside recycling system into play within DRS. While we share HYGTB's reservations about the technology we don't doubt WG's commitment to delivering DRS.

3. International comparators

Lithuania. A country with a population of 2.8m, they have only 3,000 return points compared to the 17,000+ we expect in Scotland because they have exemptions based on store footprint. If we cut ours down to 6,000 or so pro rata that would have a significant impact on accessibility of the scheme in rural and island areas. Their scheme excludes wine and spirits. They don't offer online takeback which is a significant growth area for our market especially post-COVID.

Latvia. Population 1.9m and looking at the same exemptions policy as Lithuania so likely to have significantly fewer return points than Scotland pro rata. Like Lithuania they exclude wine and spirits. Their target for Aluminium ramps up over 7 years to only 60% (80% for wider metals); Scotland's, 2 years to 90%. Their plastic and glass targets ramp up to 90% slower than ours and we will reach 90% well before them (Latvia 2030, Scotland 2025).

Queensland. No retailer obligation to participate in the scheme and so unsurprisingly they only managed 58% return rate in 2019-20. Wine and spirits excluded.

Ireland. Only just announced so we will see how that 18-month timetable plays out but their DRS is to exclude glass. CO₂eq saving of including glass in our DRS is over 1.2 megatonnes so more than seven times the 160kt loss that HYGTB are quoting for one year's delay.

Ms Slater was grateful for this speaking note – please see her revisions attached – she commented that she has grouped all the waste management together and then moved circular to the end, Grateful if you can liaise with Spads and provide a clean version of the speaking note asap tomorrow morning, please.

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

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

From: [Redacted]@gov.scot>

Sent: 12 November 2021 12:29

To: Minister for Green Skills, Circular Economy and Biodiversity
<MinisterGSCEB@gov.scot>

Cc: Cabinet Secretary for Net Zero, Energy and Transport
<CabSecNetZET@gov.scot>; Director of Environment & Forestry
<director.enfor@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>;
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;
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[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;
[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; McFarlane J
(John) (Special Adviser) <[Redacted]@gov.scot>; [Redacted]@gov.scot>;
Communications Net Zero & Rural Affairs <[Redacted]@gov.scot>

Subject: Circular Economy Ministerial Statement - draft speaking note

PO/Minister for Green Skills, Circular Economy and Biodiversity

Please find attached a draft speaking note for the Ministerial Statement to parliament 'Towards a Circular Economy' on 17 November.

The Minister has around 10 minutes to speak and the current draft comes in at about 10-11 mins.

There are a couple of placeholders where we're awaiting final information which should arrive later today but I didn't want to hold back sharing the draft in the meantime.

thanks

[Redacted]

Circular Economy Team

[Redacted]

From: Huyton H (Harry) <[Redacted]@gov.scot>

Sent: 12 November 2021 10:52

To: [Redacted]@gov.scot>

Cc: Director of Environment & Forestry <director.enfor@gov.scot>; Grisewood A
(Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

Harry, John

My apologies if this has already come to you by another route but I wanted to make you aware of this letter from Fergus Ewing MSP regarding DRS.

The letter makes a number of arguments against DRS, some of which are well-worn and some of which are new: in particular, suggesting that new industry figures on container numbers and other parameters invalidate the case for DRS. The letter bears clear signs of industry input (SGF, British Glass, and SIBA at least, I'd guess) and makes threats of legal action if we do not review the economic case for DRS.

We do not necessarily accept industry's new figures but I am confident that even assuming them to be correct there is still a healthy economic case for DRS. We have analysts working on that right now and will ensure we have a strong rebuttal on this (and all the other arguments in the letter) ready for Ms Slater's use on Wednesday. We'll publish a revised BRIA alongside the new Regulations setting out the economic case. And, of course, we'll draft a full response to Fergus Ewing's letter for response by the deadline.

Does either of you have any insight into what might be behind Fergus Ewing's intervention at this stage?

Best wishes

[Redacted]

[Redacted] | Circular Economy Unit | Environmental Quality and Circular Economy Division | Environment and Forestry Directorate | Scottish Government | M:

[Redacted]

From: [Redacted]

Sent: 12 November 2021 13:20

To: Huyton H (Harry) <[Redacted]@gov.scot>

Cc: Grisewood A (Aidan) <[Redacted]@gov.scot>

Subject: DRS - international comparisons

Importance: High

Hi Harry

Aidan mentioned that you were keen to have some information on comparisons with other schemes internationally, before your meeting with the eNGOs today.

I've attached what is a work in progress at this stage and still needs key data added including delivery timetables for other schemes. Hopefully it is still useful in this form and we will ensure it is completed ready for the Minister to use when she meets the eNGOs on Tuesday.

It is focussed on European schemes as the closest comparators to ours and covers all extant or planned European schemes that we're aware of.

Best wishes

[Redacted]

[Redacted]**Circular Economy Unit**

Environmental Quality and Circular Economy Division, Directorate for Environment and Forestry, Scottish Government

Mobile: [Redacted]

From: McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>

Sent: 15 November 2021 11:50

To: Grisewood A (Aidan) <[Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Subject: RE: Deposit Return Scheme - SCANCE note

Why no mention of the Chair?

From: Grisewood A (Aidan) <[Redacted]@gov.scot>

Sent: 15 November 2021 11:30

To: Huyton H (Harry) <[Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>

Subject: RE: Deposit Return Scheme - SCANCE note

Harry/John, draft SCANCE note for you to approve in advance of minister sign off. We can then send to Cab Sec for final clearance.

From: [Redacted]@gov.scot> **On Behalf Of** Cabinet Secretary for Net Zero, Energy and Transport

Sent: 15 November 2021 11:19

To: [Redacted]@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; Cabinet Secretariat inbox <[Redacted]@gov.scot>

Cc: [Redacted]@gov.scot>; Grisewood A (Aidan) <[Redacted]@gov.scot>; [Redacted]@gov.scot>; Huyton H (Harry) <[Redacted]@gov.scot>; McFarlane J (John) (Special Adviser) <[Redacted]@gov.scot>

Subject: Deposit Return Scheme - SCANCE note

Hi [Redacted],

Grateful for SCANCE note to be cleared by SpAds and Ms Slater prior to Cab Sec approving this.

Cabinet Secretariat Team – please note further SCANCE note that PO will send on once approved.

Many thanks

[Redacted]

[Redacted] Private Secretary to Cabinet Secretary for Net Zero, Energy and Transport – Michael Matheson

Scottish Government | St Andrews's House, Regent Road, Edinburgh, EH1 3DG |

Tel: [Redacted] Mob: [Redacted] Email: CabSecNetZET@gov.scot