

Agenda – Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith

Lleoliad: I gael rhagor o wybodaeth cysylltwch a:
Ystafell Bwyllgora 4 Tŷ Hywel a **Marc Wyn Jones**
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Dyddiad: Dydd Iau, 13 Mehefin 2024 0300 200 6565
Amser: 09.30 SeneddHinsawdd@senedd.cymru

Hybrid

Rhag-gyfarfod preifat (09.15–09.30)

Cyfarfod cyhoeddus (09.30–14.30)

1 Cyflwyniadau, ymddiheuriadau, dirprwyon a datgan buddiannau
(09.30)

2 Ymchwiliad i wastraff – sesiwn dystiolaeth gydag arbenigwyr polisi
(09.30–10.30) (Tudalennau 1 – 46)

Jemma Bere, Rheolwr Polisi ac Ymchwil – Cadwch Gymru'n Daclus

Gwen Frost, Cyfarwyddwr – Resource Futures

Keith James, Pennaeth Polisi a Mewnwelediadau – WRAP Cymru

Clarissa Morawski, Prif Swyddog Gweithredol – Reloop y DU ac Iwerddon

Dogfennau atodol:

Papur briffio Ymchwil y Senedd – Gwastraff ac ailgylchu yng Nghymru

Papur – Cadwch Gymru'n Daclus (Saesneg yn unig)

Papur – Resource Futures (Saesneg yn unig)

Papur – Reloop y DU ac Iwerddon (Saesneg yn unig)

Papur – Benthyc Cymru (Saesneg yn unig)

Papur – Caffi Trwsio Cymru (Saesneg yn unig)



Egwyl (10.30–10.40)

**3 Ymchwiliad i wastraff – sesiwn dystiolaeth gyda chynrychiolwyr
llywodraeth leol**

(10.40–11.40)

(Tudalennau 47 – 55)

Craig Mitchell, Pennaeth Cymorth Gwastraff – Cymdeithas Llywodraeth Leol
Cymru

Paul Jones, Cyfarwyddwr Strategol – Cyngor Dinas Casnewydd

Ashley Collins, Uwch-reolwr Gwasanaethau Gwastraff ac Ailgylchu – Cyngor
Sir Powys

Dogfennau atodol:

Papur – Cymdeithas Llywodraeth Leol Cymru

Egwyl (11.40–11.50)

**4 Ymchwiliad i wastraff – sesiwn dystiolaeth gyda'r Sefydliad
Siartredig Rheoli Gwastraff**

(11.50–12.40)

(Tudalennau 56 – 60)

Ben Maizey, Cadeirydd – Sefydliad Siartredig Rheoli Gwastraff

Lee Marshall, Cyfarwyddwr Arloesedd a Gwasanaethau Technegol – Sefydliad
Siartredig Rheoli Gwastraff

Dogfennau atodol:

Papur – Sefydliad Siartredig Rheoli Gwastraff (Saesneg yn unig)

Amser cinio (12.40–13.20)

5 Ymchwiliad i wastraff – sesiwn dystiolaeth gyda'r Ffederasiwn Busnesau Bach

(13.20–14.10)

(Tudalennau 61 – 73)

Llyr ap Gareth, Pennaeth Polisi – Ffederasiwn Busnesau Bach Cymru

Dogfennau atodol:

Papur – Ffederasiwn Busnesau Bach Cymru (Saesneg yn unig)

6 Papurau i'w nodi (14.10)

6.1 Ymchwiliad i wastraff

(Tudalennau 74 – 82)

Dogfennau atodol:

Llythyr gan y Cadeirydd at Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig mewn perthynas â Gwastraff – Strategaeth economi gylchol, Mwy Nag Ailgylchu (Mawrth 2021)

Ymateb Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig i'r Cadeirydd mewn perthynas â Gwastraff – Strategaeth economi gylchol, Mwy Nag Ailgylchu (Mawrth 2021)

6.2 Cydsyniad Deddfwriaethol: Y Bil Diogelu Data a Gwybodaeth Ddigidol

(Tudalennau 83 – 85)

Dogfennau atodol:

Llythyr gan Julia Lopez AS, y Gweinidog Gwladol dros Ddata a Seilwaith Digidol yn yr Adran dros Wyddoniaeth, Arloesi a Thechnoleg at Gadeirydd y Pwyllgor Diwylliant, Cyfathrebu, y Gymraeg, Chwaraeon a Chysylltiadau Rhyngwladol ynghylch Cofrestr Asedau Tanddaearol Cenedlaethol (Saesneg yn unig)

6.3 Rheoliadau Deddf Ynni (Cymru) 2023 (Diwygiadau Canlyniadol) 2024

(Tudalen 86)

Dogfennau atodol:

Llythyr gan Ysgrifennydd y Cabinet dros yr Economi, Ynni a'r Gymraeg at y Cadeirydd mewn perthynas â Rheoliadau Deddf Ynni 2023 (Diwygiadau Canlyniadol) 2024

6.4 Adfer safleoedd glo brig

(Tudalennau 87 – 93)

Dogfennau atodol:

Tystiolaeth ychwanegol gan Sue Jordan, cyn aelod o'r Cross-Valleys Group – Abertawe (Saesneg yn unig)

Tystiolaeth ychwanegol gan Ymddiriedolaeth Treftadaeth Merthyr Tudful (Saesneg yn unig)

6.5 Craffu blynyddol ar Gomisiwn Seilwaith Cenedlaethol Cymru (NICW)

(Tudalennau 94 – 98)

Dogfennau atodol:

Llythyr gan Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio at y Cadeirydd mewn perthynas ag adroddiad y Pwyllgor: Gwaith craffu blynyddol ar Gomisiwn Seilwaith Cenedlaethol Cymru: 2023

6.6 Cynllun Masnachu Allyriadau y DU

(Tudalennau 99 – 100)

Dogfennau atodol:

Llythyr gan Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig at y Cadeirydd mewn perthynas â Chynllun Masnachu Allyriadau y DU

6.7 Sefydlu pwyllgorau a'u cylchoedd gorchwyl

(Tudalen 101)

Dogfennau atodol:

Llythyr at y Cadeirydd gan Gadeirydd y Pwyllgor Busnes mewn perthynas â Chylchoedd Gorchwyl y Pwyllgorau yn dilyn ad-drefnu Cabinet Llywodraeth Cymru yn ddiweddar

6.8 Deddf Cyfraith yr UE a Ddargedwir (Dirymu a Diwygio) 2023

(Tudalennau 102 – 105)

Dogfennau atodol:

Ymateb gan Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig i'r Cadeirydd mewn perthynas â Chyfraith yr UE a Ddargedwir

7 Cynnig o dan Reol Sefydlog 17.42(vi) a (ix) i benderfynu gwahardd y cyhoedd o weddill y cyfarfod

(14.10)

Cyfarfod preifat (14.10–14.30)

8 Trafod y dystiolaeth a ddaeth i law o dan eitem 2 ac eitem 3

9 Adfer safleoedd glo brig

(Tudalennau 106 – 127)

Dogfennau atodol:

Gohebiaeth gan drigolion ynglŷn â gwarant y cwmni (Saesneg yn unig)

Gohebiaeth gan drigolion ynglŷn â'r drwydded lo a'r rhwymedigaethau (Saesneg yn unig)

Gohebiaeth gan drigolion ynglŷn â chyfathrebu â chyrrff rheoleiddio (Saesneg yn unig)

Mae cyfyngiadau ar y ddogfen hon

Welsh Government CCERA Committee – Inquiry on Waste

May 2024

seneddclimate@senedd.wales



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Keep Wales Tidy, written evidence to the Welsh Government Climate Change and Infrastructure Committee regarding progress towards delivery of the Welsh Government's circular economy strategy, Beyond recycling (March 2021).

Keep Wales Tidy (KWT) is an independent environmental charity working across Wales to improve our environment for the benefits of people and wildlife alike. We have decades of experience in working with communities on Local Environment Quality (LEQ) issues and work in partnership with local authorities, businesses, schools, eNGO's and other stakeholders to achieve our vision of a beautiful Wales that is cared for and that can be enjoyed by everyone.

This evidence response is informed by our work with local partnerships and communities across Wales, many years of collected data and our expertise in the field of environmental behaviour change and campaigns.

Keep Wales Tidy are grateful for the opportunity to give evidence to the Committee regarding the progress of the Beyond Recycling strategy and hope that the following information will provide a useful platform for the evidence session on the 13th June 2024.

Key points in this paper:

- **Keep Wales Tidy believes that the ambition to move beyond recycling is not yet reflected in practice. To truly take a preventative approach we need to consider reviewing and expanding current recycling targets accordingly.¹**
- **There are currently no statutory targets to reduce waste outside of the household waste stream (eg; litter prevention) and are therefore increasingly neglected due to budget cuts. There may be an opportunity to introduce this through the Litter & Fly-tipping Prevention Plan expected this year.**

¹ Consideration could be given to a Waste prevention plan with reduction targets such as that implemented by the Scottish Government in their Waste Prevention Plan, 2013.

<https://www.gov.scot/policies/managing-waste/>

- **A medium-long-term plan for phasing in consistency for recycling *and related services* across Wales would be beneficial to public participation and understanding and expansion of services.**
- **Adopting the overall aspiration to make recycling as convenient as possible for people in Wales and enabling them to ‘do the right thing’. This could, for example, include a standardisation of HWRC rules and removing the charge for bulky item collection.**
- **We would like to see a sector-by-sector approach to incentivising new infrastructure and increasing circular economy activity which also considers the challenges of specific materials, building on the Single Use Plastics Act.**
- **Keep Wales Tidy are fully supportive of the current Extended Producer Responsibility (EPR) proposals and are encouraged that Welsh Government (along with the Scottish Government) did not roll back on the commitment to extend Producer Responsibility to items commonly littered despite the additional complexity that this has brought.**
- **Similarly, Keep Wales Tidy are pleased that a Deposit return Scheme (DRS) will finally be introduced and whilst disappointed at further delays, it is positive that Wales has remained committed to keeping glass in the scheme after significant opposition and a renegeing by the UK Government from the original proposal.**
- **The UKIMA has had a chilling effect on environmental policy and the environmental sector across the UK are keen for a review which gives more power to the devolved governments to act on environmental policy in particular, respecting current constitutional agreements and providing clarity for policy makers.**

Firstly, it is important to state that the ambition of the Welsh Government’s Circular economy plans has been truly positive and has placed Wales far ahead of other UK nations in this area. It is also important to recognise the excellent progress that has been made in regard to household recycling which has led to Wales being world-leading.

Whilst we expect some continued challenges in regard to implementation, we are also very pleased to see that Wales has implemented the recycling regulations for non-domestic premises. After an expected period of transition and challenge, this will undoubtedly lead to an exceptional rate of waste being diverted from landfill in the long-term. In the short -term however, local councils are preparing for a period of increased fly-tipping and misuse of public bins.

These policies, and continued efforts by Welsh Government and Local Councils have undoubtedly led to our current success. However, we believe that the primary focus of Local Authority activity, driven by Welsh Government targets, is still very much focused on recycling material and we have yet to move ‘beyond’ recycling as the key driver. That is not to say that there has not been significant effort and interest by Welsh Government to support and advance the narrative and activity around the circular economy but that the main drivers ‘on the ground’, both within councils and much of the public, remain focused on recycling and not prevention. In addition, recycling is not a commonplace activity outside the home and therefore current efforts are less aimed at addressing litter and fly-tipping which of course, are part of the same problem.

Whilst local councils have a statutory duty to clear litter and fly-tipping on public land, there are currently no statutory indicators or targets to address waste that is dealt with outside of household waste collection, this includes any measures to measure / increase repair or reuse or to ensure clean(er) public spaces. It is also important to note that, much like litter picking, a lot of the circular economy activity in Wales is being delivered by the voluntary sector. There is a significant risk that if

funding is discontinued, much of the activity will also come to an end and will be a challenge to restart.

Related policies in Wales such as the Single Use Plastic ban (again, the most ambitious in the UK) and pending restrictions on the sale of single use vapes,² will contribute significantly toward prevention and can potentially go further to address many other unnecessary or difficult to recycle items. Our ambition currently matches the very comprehensive Circular Economy roadmap at an EU level but we should be aware of divergence and the risk of falling behind many of our neighbouring countries as they implement the large scale actions from the legislation in the coming years. Unless we fully embrace DRS and other initiatives, we will fall behind in our current world-leading status very quickly.

The recently announced Deposit Return Scheme will have a significant impact on both recycling rates and litter but will also crucially lead to an investment in domestic infrastructure for secondary materials.

In our original consultation response to the Beyond Recycling consultation, we suggested the following additions:

- **Review the prioritisation given to recycling versus the need for overall reduction** as the key driver for the strategy including amendments to (or addition of) Local Council targets.
- Highlighting the significant **cross-sector opportunities** within the proposal and strengthening these through the inclusion of overarching, ambitious cross-sector targets that would, for example, make the ambition of **'Zero Waste Wales' our destination offer** to the world. We suggested a **sector-by-sector** approach across Welsh Government, similar to the Decarbonisation Strategy as a useful way to approach this.
- Consideration of any **unintended consequences** and the impact of 'greenwashing'. In regard to recycling and waste minimisation, we would welcome the inclusion of **an underlying principle of 'creating an enabling environment for people to do the right thing'** which would also extend to minimising any negative economic impacts of participation.

In the original consultation, we also strongly supported a national, consistent approach across waste. **Keep Wales Tidy has done significant research with stakeholders across Wales and have found that the inconsistency in approaches to waste (including litter and enforcement as well as recycling) is so considerably variable that it hinders effective communication and makes regional and national collaboration almost impossible.** Increasing consistency will also help to support businesses operating across local authority borders and would help efforts significantly towards recycling 'on the go' which is currently extremely challenging and prone to much confusion, resulting in high levels of contamination. The 3-year RDP funded programme 'Caru Cymru' (2019/20-2022/23), a partnership between Keep Wales Tidy and all local authorities was arguably the only programme that Wales has seen which has demonstrated the scale of ambition required to deliver this effectively.

Our Fly-tipping research considered for the first time the behavioural drivers around fly-tipping in Wales and found a lack of information by councils in regard to repair, reuse and waste disposal as well as a number of unnecessary restrictions around waste sites which are contributing to public confusion and incorrect waste disposal. The disparity of approaches within councils across all aspects

² In 2023/24 litter surveys Keep Wales Tidy found disposable vapes present on over 10% of streets, this equates to around 6733 disposable vapes present on our streets alone (ie; not including parks and beaches) at any given time.

of the waste system is significant, whether it is the approach to litter, enforcement, recycling or bulky item disposal.

It is essential to recognise that without binding targets for waste reduction, litter prevention and related circular economy measures, all efforts within local councils are going to be affected by budgetary decisions. At a local level currently decisions around infrastructure, litter messaging and even bins are inevitably leading to unintended consequences of increasing these issues whilst trying to make budgets meet. Through our litter surveys, we have already seen a general increase in litter and fly-tipping in previously well-performing areas since the new financial year. We also know that many local authorities are removing bins due to maintenance costs. The recycling rates in Wales have been driven by binding targets and we would suggest that new measures are needed in order to truly move beyond recycling and towards a more circular economy.

EPR and DRS

We are disappointed about the delay to the Deposit Return Scheme after it was first committed to by the UK Government 8 years ago. However, we are very pleased that Welsh Government has remained committed to the inclusion of glass and have been encouraged by their approach which considered the carbon impact and potential consequences of an exemption through a preventative lens.

Table 4: All Wales percentage presence and value of DRS categories for 2023-24. These figures represent streets only at any given time (taken from Keep Wales Tidy’s EPR Report).

DRS Item	Percentage of streets (%)	Number of items	Extrapolated to 100% of streets	Total value at 10p per item
Plastic Bottles	13.6	591	19,700	£1,970
Cans	18.1	927	30,900	£3,090
Glass Bottles	5.2	216	7,200	£720
Total	28.2	1,734	57,800	£5,780

We are also pleased that Wales (and Scotland) remain committed to extending EPR to litter and KWT have been working with the other Tidy Group members in the UK to support this policy and help to develop the thinking as to how the payments can be maximised. It is important to us and the many thousands of volunteers in Wales who work to tackle litter every day that there are no more delays to these proposals and that the cost of dealing with waste is transferred to producers.

The biggest challenge for us in regard to the EPR litter payments is to try to ensure that volunteer efforts are recognised in the scheme for the valuable, if not critical contribution they make to cleansing in Wales and preventing the harm caused by litter and other waste which has been disposed of improperly.

Additionally, if we truly want to see an impact from EPR and subsequent litter payments we are very keen to see that any payments are an addition to local authority budgets, not an ‘instead of’. Noting that many authorities have already moved to reactive cleansing, creating a greater disparity between

affluent areas (which are more likely to complain to their council if standards are not met) and more deprived areas.

Table 3: All Wales percentage presence and value of pEPR categories for 2023-24. These figures represent streets only at any given time (from Keep Wales Tidy's EPR Report).

EPR Category	Percentage of streets (%)	Number of items	Extrapolated to 100% of streets
Takeaway	21.6	1,131	37,700
Sandwich or Wrap	2.0	74	2,467
Sweets or Chocolate	37.9	2,818	93,933
Single Portion	5.9	222	7,400
Crisps	5.3	201	6,700
Total	47.7	4,446	148,200

During the 2023/24 LEAMS surveys in Wales, food pEPR items were found on 47.7% of streets across Wales, and DRS items (cans, plastic bottles and glass bottles) were found on 28.2% of streets. Collectively, they were found on 55.4% of streets which shows that there is often an overlap where this packaging is found.

Many of these items represent a significant amount of 'lost resources' as once they are littered they often become quickly contaminated or degraded which means they can no longer be recycled. The longer the delays to a DRS are, the more resources that could be recovered are being lost or sent to landfill.

UKIMA

The introduction of the UKIMA has had a 'chilling' effect on environmental policy across the UK and many of our environmental ambitions have been delayed or not taken forward as a result. Minimally, it has created confusion and has proved difficult for the sector to engage on some issues due to lack of clarity of relevance and responsibility. Most notably this has applied to the introduction of a Deposit Return Scheme, with Scotland being a key case in point, but we are also aware of a number of policy interventions and / or proposals where the UKIMA still continues to create diversion, delay or confusion. For example, it is our understanding that our ambitions to ban single use plastic items which go further than the rest of the UK and is already set in legislation still requires the granting of exemption through the UKIMA.

Keep Wales Tidy, along with many other eNGO's across the UK have called for a review of the UKIMA to protect and clarify constitutional agreements in devolved areas where the Act applies, allowing for environmental ambition to be achieved in all areas of the UK without the need to seek exemptions. Sector agreements could effectively replace the intention of the IMA but if that were not possible, the IMA needs to minimally, respect current constitutional agreements. It could also be developed to include social and environmental considerations, not just business interests, and to bring all UK nations to the highest ambition and not, as is currently the case, the lowest denominator.

For Keep Wales Tidy specifically, this has had an operational impact on our work as it means that policy development has taken a great deal longer than expected and / or cannot be clarified at all. This is a challenge for communications with our community groups and volunteers due to the added

layers of complexity. It has also meant that we have needed to engage more with DEFRA to try to find answers and this has been a challenge.

FAO: Climate Change, Environment, and Infrastructure Committee | Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith

One-day inquiry on waste and delivery of the Beyond Recycling strategy: Evidence submission by Resource Futures

29 May 2024

Summary

Wales' progress on household recycling is commendable, as is the recent introduction of mandatory separated recycling collections for business premises. It has also gone further than the rest of the UK to improve its waste data, recently commissioning the UK's most comprehensive waste composition study to understand how to improve further.

Our key message is that at this stage, rather than focusing on increasingly marginal gains in household recycling, the greatest environmental and societal benefits are to be gained by:

a) Looking further up the waste hierarchy, providing greater support for circular businesses, repair and reuse; and

b) Looking beyond municipal waste and individual behaviours, to tackle the sectors, materials and institutions with the greatest potential for environmental benefits, considering Wales' *overall* resource use and waste generation.

By moving the focus more firmly beyond recycling to building a circular economy, individuals and businesses can be empowered to make more sustainable, resource-efficient choices for how to meet their needs, and Wales can reap economic, social and environmental benefits, including increased resilience against volatile global supply chains. With circular economy policy progressing faster in the EU than in the UK since Brexit, Wales also has an opportunity to demonstrate what is possible within the UK and therefore have an impact beyond its own borders.

Detail

1. Progress on municipal recycling rates is commendable but in top-performing local authorities, gains from here on will become increasingly marginal with more limited returns on investment.

Wales demonstrates best practice for recycling and its efforts to improve waste data, such as through Resource Futures' most comprehensive municipal waste composition study to date in 2022,¹ are commendable. Our study found that [there is more to be done in incentivising households to make use of food waste collections](#); based on our decades of experience supporting waste management, the most important measure in this respect is to limit the frequency of residual waste collections.

However, our study showed that the gains to be achieved in municipal recycling rates will become increasingly marginal. With more niche waste streams requiring specialist recycling facilities, it may become harder to achieve good returns on investment in infrastructure, given reduced economies of scale.

As Wales is so advanced at recycling packaging materials such as glass, metals, paper, cardboard and plastics, [there is a relatively high proportion of non-packaging materials such as nappies and sanitary products and textiles](#) in municipal residual waste. One conclusion is that the country should support investment in facilities capable of recycling these materials. This has already started happening, with the Ammanford-based NappiCycle receiving Welsh Government funding from the SMART innovation programme.² This is part of the solution, and may become more economically viable to scale up in future, for example if extended producer responsibility (EPR) schemes are introduced for the materials in question to help fund recycling services. This is being called for by the Textiles Recycling Association, which recently reported that the UK's used textiles processing facilities are already at capacity.³

However, there are currently significant challenges to scaling up recycling of these materials. Products are not designed with recycling in mind, and can be made of complex mixes of materials. This increases the likelihood that they are 'downcycled' into single-use items such as bin bags, which are not subsequently recycled. Secondary materials being sold for downcycling are also typically low value, which limits the economic benefits of such activities.

[To maximise the environmental, economic and social benefits to Wales, we recommend focusing further up the waste hierarchy, with a national conversation about the impact of our consumption and more support for circular businesses, repair and reuse.](#)

[We also recommend looking beyond municipal waste and recycling, to tackle the sectors, materials and institutions with the greatest potential for environmental benefits, and more systemic opportunities for impact.](#)

¹ Resource Futures and WRAP Cymru (2023) [National local authority waste composition in Wales](#)

² Welsh Government (2024) [Wales paves road to zero waste with recycled nappies in A487 resurface](#)

³ Resource (2024) [Textile recycling sector faces unprecedented financial crisis amid global market pressure](#)

2. Reuse and repair should be further incentivised to scale up, and data captured on their impact.

When products are reused for a similar purpose to their original function, they are kept at their highest value. This prevents the upstream environmental impacts of new products being made (raw material extraction, manufacturing, transportation, etc) and the downstream environmental impacts of waste management (as even the best forms of recycling involve use of energy and materials for transportation and reprocessing).

Resource Futures has carried out multiple projects looking at the carbon and other environmental impacts of different models of reuse and recycling. [While using materials/products with recycled content is preferable to using virgin materials, substantially greater carbon savings can be achieved through reuse.](#)

[Reuse and repair can also bring local economic and social benefits.](#) For instance, the Fixy van, which we supported Somerset Council to set up and run, supplied reusable electronic items to Donate IT, who delivered items to people who needed them in the local community.⁴ This helps to address digital exclusion. Other initiatives help to tackle furniture poverty.⁵ Reuse and repair hubs such as those we support in Southwest England also create jobs and skilled volunteering opportunities; provide affordable access to repair services; and provide affordable access to expensive tools through 'libraries of things'. Well-located reuse and repair hubs can help to regenerate town centres.

[There is strong support among the Welsh public for reuse, repair and rental,](#) according to research published by WRAP Cymru in late 2023:⁶

- 60% are open to purchasing pre-loved items.
- 58% are open to short-term leasing.
- 73% are open to repairing items and 44% would consider using a repair café.

[Reuse and repair can be implemented and supported:](#)

- [At an individual level](#), e.g. with reusable cups, bags, period products, nappies, etc; and choosing to repair, buy second hand and lease items.
- [By local reuse and repair organisations](#), e.g. charities, social businesses, community groups, which in the Welsh context are often supported in networks through umbrella community interest companies.⁷
- [By circular businesses](#), e.g. offering rental/leasing/subscription models for clothing, vehicles, appliances, etc (both in Business2Business and Business2Customer contexts).
- [By local authorities \(LAs\) and waste management companies](#), e.g. capturing reusable products separately at kerbside collections (e.g. furniture, household appliances) and household waste and recycling centres (HWRCs), and diverting them to local reuse and repair organisations.
- [By public bodies responsible for planning and procurement](#), e.g. requiring a minimum proportion of reused items or submission of circularity statements, incentivising lifetime extension of assets and supporting leasing models.
- [Through national-level policies.](#)

⁴ Resource Futures (2023) [Fixy Impact Report 2022-23](#)

⁵ End Furniture Poverty (n.d.) [Get help with furniture](#)

⁶ WRAP Cymru (2023) [Citizen insights: Re-use, repair and rental in Wales – Spring 2023](#)

⁷ Bryson Recycling (2023) Bryson Reuse Park: Outline of business case, prepared by Resource Futures.

Resource Futures works with governments to develop and assess policy incentives, with companies to develop and scale up circular business models, with LA waste services, and with local reuse and repair organisations. In our experience, there is a strong appetite on the part of all of these actors to do more to support reuse and repair, but they need the right incentives and support at UK, Welsh and local level.

Some areas of support need to happen at UK level, and the Welsh Government can advocate for these, for example:

- [The right to repair and 'ecodesign' policies](#). This policy area is moving faster at EU level and particularly in certain countries such as France. For instance, the EU is introducing ecodesign rules to make smartphones and tablets more durable and easier to repair and upgrade from June 2025; building on France's pioneering repairability index, these products will also have to display a repairability score.⁸
- [The use of EPR schemes to incentivise and financially support reuse and repair](#), notably in the forthcoming EPR regulations for waste electrical and electronic equipment (WEEE). Other countries such as France already use EPR to incentivise design for repairability and to fund reuse initiatives. It would be a serious missed opportunity if the UK's updated WEEE EPR scheme did not explicitly and proactively address reuse and repair, for instance with separate targets for reuse and recycling, eco-modulation of producer fees, and use of the fees to fund reuse and repair schemes.
- [Fiscal policy levers to support a circular economy, such as reducing VAT on repair and second-hand goods](#).⁹

Note: In addition to the rules of devolution, the [UK Internal Market Act](#) places some limitations on the actions Wales can take, particularly with regard to products placed on the market. For example, this could make it difficult to introduce further restrictions on single-use products, or ecodesign requirements, without UK-wide policy coordination.

Until UK legislation makes it economically advantageous for businesses and individuals to choose repair and reuse over non-circular consumption behaviours, initiatives and start-ups will need support to operate on an equal footing with the linear businesses not paying for the environmental impacts of their products. [Wales therefore should, and can, also take action independently of the rest of the UK](#), for example:

- [Long-term support for local reuse and repair initiatives](#): From our work with community reuse and repair groups, we see a need for more sustainable, long-term funding and support in kind (such as subsidised premises and transportation, and support for networking, training and advice) to help such initiatives to scale up and support local behaviour change. The research we conducted to inform the Fixy van project found that barriers to scaling up reuse and repair included limited networking among initiatives; skills shortages; and a lack of transportation and space, with many operating at maximum capacity.¹⁰

⁸ European Commission (n.d.) [Smartphones and tablets](#)

⁹ Resource Futures (2024) Assessment of resource and waste policy in England, for the Office for Environmental Protection (unpublished)

¹⁰ Resource Futures (2023) [Fixy Impact Report 2022-23](#)

- **Improving accessibility of reuse and repair:** We have observed the benefits of making initiatives as accessible to the public as possible. Our Fixy van which travels around rural locations has been successful in raising awareness of how to access repairs and encouraging people to buy reused items.¹¹ These initiatives should be accompanied by networks of donation points and re-use hubs at HWRCs.¹² Town centres can also benefit from centrally located “destination” hubs where people go to buy locally-sourced food, drink coffee in community-run cafes, learn new skills in repairs, purchase, or rent refurbished items from formalwear to household appliances.¹³
- **Incentives for repair, such as voucher schemes,** examples of which exist at national and subnational level.¹⁴ A bicycle repair voucher scheme (issued via repair service providers) was temporarily run by the Department for Transport in England during the Covid lockdowns.¹⁵ The evaluation of this scheme found that the majority of repairs conducted through the voucher scheme were over and above what would have been done without it, suggesting it had a significant impact.¹⁶
- **Looking beyond consumer goods:** Support for reuse initiatives should go beyond consumer products to support material-intensive industries, notably construction (see point 3). For example, Scotland is proposing to develop regional hubs and networks for the reuse of construction materials and assets.¹⁷
- **Reuse data and targets:** The waste sector and LAs should be required to record reuse data separately from recycling data, and LAs should be assigned ambitious reuse targets in addition to recycling targets. At present, recycling targets cover both recycling and reuse. A target could apply across all municipal waste or target specific items, e.g. furniture.¹⁸
- **Scaling up circular business support:** Business support for circular models needs to be scaled up to empower them to innovate and make data-driven decisions. For example, at Resource Futures, we support many businesses through carbon footprint metrics and modelling to improve circularity. For Newlife, a charity that provides equipment to disabled and terminally ill children, we found that their reuse initiative has led to substantial carbon savings – the equivalent of more than 21 million miles driven by cars. From analysing different product categories (e.g. textiles, hardware, and footwear), we also helped Newlife focus reuse actions on materials with the biggest potential impact. Many smaller organisations struggle to access support for circular business decisions and could benefit from both general and tailored advice; with LAs indirectly benefiting from the reduction in waste generated.
- **Digital tools and skills:** Research has indicated a public preference for online shopping, so reuse initiatives need to compete with linear retail models in the online marketplace.¹⁹ This will require technology that connects businesses and consumers and promotes efficient services delivered

¹¹ Resource Futures (2023) [Fixy Impact Report 2022-23](#)

¹² WRAP Cymru (2018) [Preparing for re-use: a roadmap for a paradigm shift in Wales](#), prepared by Resource Futures

¹³ Sparks Bristol (n.d.) [About](#)

¹⁴ Meyer, K and Molnár, M (2024) [A comprehensive overview of the current repair incentive systems: repair funds and vouchers](#)

¹⁵ Department for Transport (2020) [Fix Your Bike Voucher Scheme: register as a bike repairer](#)

¹⁶ Cairns S, Cohen T, Hiblin B & Fevyer D (2023) [Fix Your Bike Voucher Scheme evaluation report for the Department for Transport](#)

¹⁷ Scottish Government (2024) [Scotland’s Circular Economy and Waste Route Map to 2030: Consultation](#)

¹⁸ WRAP Cymru (2018) [Preparing for re-use: a roadmap for a paradigm shift in Wales](#), prepared by Resource Futures

¹⁹ Bryson Recycling (2023) Bryson Reuse Park: Outline of business case, prepared by Resource Futures.

locally. For example, online shopping websites, stock-sharing and transportations platforms, helplines, hubs to share best practice, campaigns promoting reuse, and digital skills training for reuse organisations.²⁰

By moving ahead of the rest of the UK on support for reuse, repair and the circular economy, Wales can help to develop the evidence base and influence stronger policy development right across the UK. [It is critical that data is captured on the extent of reuse and its environmental, economic and social benefits.](#) Reuse data needs to be analysed alongside recycling and other waste data, in order to build a comprehensive picture of how Wales is managing its resources and to support continued policy improvements as well as private-sector investment.

3. Wales should focus on the sectors, materials and institutions where the greatest impacts on cutting resource use can be achieved.

Our work as circular economy and waste consultants often focuses on packaging materials. It is important to remember that this is just one of many material and waste streams which need to be tackled, in order to achieve 'one planet' resource use and net zero.

For example, research by Green Alliance and the Centre for Industrial Energy, Materials and Products (CIE-MAP) in 2018, comparing five sectors, found that [the greatest carbon savings from circular economy and resource efficiency measures were to be made in the construction sector](#), for example through increased reuse of construction materials.²¹ However, policy measures in support of circular construction are very limited.

[Sub-national policy measures can have an important impact on changing sector practices. Wales has devolved powers to make policy on planning and building regulations, which are key to developing a circular economy.](#) In London, large developments under the London Plan must submit circular economy statements and whole life carbon assessments. For re-developments and demolitions, audits must be carried out in advance to identify materials that can be reused and recycled.²² Building on the commitment in Beyond Recycling to ask public bodies to follow a sustainable materials hierarchy and report recycled content in buildings procured, Wales could introduce additional incentives for circular construction in decision-making processes for planning and public procurement. It could also gradually ramp up circularity requirements for construction through its building regulations—this would ideally be accompanied by support for relevant skills development.

As well as industry-specific measures, [Wales can make use of the fact that the public sector makes up a larger share of its economy](#) than is the case for the rest of the UK. It was responsible for over 10% of employment in 2023.²³ [Public procurement](#) is an important lever for circularity that is under-utilised. It involves changes in how value for money and return on investment is assessed, for example to support product-as-a-service

²⁰ WRAP Cymru (2018) [Preparing for re-use: a roadmap for a paradigm shift in Wales](#), prepared by Resource Futures

²¹ Green Alliance and the Centre for Industrial Energy, Materials and Products (2018) [Less in, more out: using resource efficiency to cut carbon and benefit the economy](#)

²² Greater London Authority (2022) [London Plan guidance: Circular economy statements](#)

²³ Statistics for Wales (2023) [Labour market overview, June 2023](#)

models. In addition, measures in support of circularity could be introduced in large institutions, such as the NHS and universities.

4. Infrastructure is needed for a circular economy, not just waste management.

We welcome the recognition in Beyond Recycling that infrastructure for a circular economy needs to go beyond recycling facilities. Adequate recycling infrastructure is essential but [greater investment in reuse and repair facilities, both for communities and for key industries such as construction, will help to limit demand for all types of waste management facilities.](#)

As discussed under point 1, while we support the aim of investing in single-stream recycling facilities for products such as nappies and sanitary products, textiles and bulky goods (e.g. mattresses), there is always an opportunity cost and there are therefore valid questions to be raised around the relative benefits of this approach, as compared to investing in circular economy and reuse infrastructure. To take the example of nappies, we recommend comparing the return on investment, environmental benefit and social value to be gained through a) co-investing in specialist recycling facilities and b) supporting community nappy reuse projects (for example, with pooled collections and laundry services, and outreach activities).

To understand what investment is optimal in terms of circular economy and waste management infrastructure, we would like to see [comprehensive modelling of infrastructure needs under different policy scenarios](#). These should explore the potential impacts of ambitious circular economy, reuse and repair policies (such as, but not limited to, those outlined under point 2). This is necessary to avoid 'lock-in' of infrastructure and contracts which undermine the transition to a circular economy. This risk relates not only to energy from waste (EfW) plants, but also for example to higher-impact forms of recycling, such as chemical recycling of plastics. Such technologies will play an important role, but should not be viewed as an acceptable alternative to eliminating hard-to-recycle plastics wherever possible.

Conclusion

We strongly support Wales' commitment to world-leading recycling rates and practices. The reputation Wales has established in this area will help attract circular economy innovation and funding to the country, which can be leveraged to move it further beyond recycling.

In the next stage of progress, we believe a national conversation is needed around reducing primary resource use. Wales needs to go further in addressing the circular economy beyond municipal waste and individual consumption, to promote progress in key sectors of the economy and to create opportunities for large institutions to have an impact. It should deploy a wider range of domestic policy levers while continuing to advocate for more ambitious UK-wide policies.

Yours sincerely

Name: Gwen Frost | Position: Executive Director | Mobile: [REDACTED] |

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Written evidence from Reloop – 29th May 2024

1. Thank you to the Committee for inviting Reloop to give oral evidence on Thursday 13th June 2024. We are grateful for the opportunity to share our insights and experience.

Impact of delays to the introduction of a Deposit Return Scheme and Extended Producer Responsibility Reforms

2. The Welsh deposit return scheme was initially set to start in October 2025. In line with scheme's across the UK, it has now been delayed until October 2027. Reloop's [What We Waste report and dashboard](#) draws on data from 93 countries, over a 20-year period, to examine trends in sales, collection and wastage of drinks containers. Our analysis shows that, on average, the countries with the least wastage per person collect their beverage containers via a deposit return system.
3. Reloop understand that Wales' current recycling rates stand at 59% for PET bottles, 82% for cans, and 87% for glass bottles. An effective deposit return scheme is likely to bring rates up as follows:

PET plastic: 85% oct 2025 to sept 2026, then 90% oct 2026 to sept 2027.

Aluminium: 90% Oct 2025 to Sept 2027

Glass: 90% oct 2025 to Sept 2027

Based on these estimates, a two-year delay from October 2025 to October 2027 would result in 647 million PET bottles being landfilled, littered or incinerated in Wales. This would also be the fate of 332 million cans and 61 million glass bottles.

4. Delays to the implementation of deposit return are harming the transition to reuse, indeed as Huw Irranca-Davies noted in his Statement on DRS on April 24th, "it is striking that the best examples not only include glass but are already supporting the reuse of glass".
5. At a per unit (can or bottle) level, greenhouse gas emissions associated with glass are three to four times higher than for aluminium and PET. Recycling glass saves just 25% of the energy costs, whereas recycling aluminium saves 90%. This means that reuse and refill of glass, as well as a switch away from it where possible, will be key. Including glass bottles

in a deposit return scheme from the start will keep costs down and establish the infrastructure required to move towards refillable glass in the future. Excluding glass from a deposit system risks producers switching to the most carbon- intensive material.

- The table below shows the implementation timeline and material scope of recently started international systems.

Recently implemented European schemes

Country	Legislation Enacted	System Operator appointment	System start date	Scope
Slovakia	September 2019	February 2021	January 2022	plastic, metal
Latvia	August 2020	January 2021	February 2022	plastic, metal, glass
Malta	July 2020	September 2020	November 2022	plastic, metal, glass
Romania	October 2021	May 2022	November 2023	plastic, metal, glass
Hungary	February 2021	February 2022	January 2024	plastic, metal, glass

- Several other countries are preparing to roll out their deposit schemes soon, including Austria, Greece, Portugal and Poland.

Delays to EPR for packaging

8. The Government’s Extended Producer Responsibility (EPR) reforms offer a meaningful chance to tackle the root causes of our environmental problems, fully adopting the “polluter pays” principle and shifting the costs of pollution onto those who profit from m placing large amounts of packaging on the market. Delays to EPR mean that the financial benefits to Local Authorities are taking longer to materialise as well as the projected environmental benefits from better designed packaging and greater collection rates. Further, packaging EPR was supposed to be the first of many EPR schemes, including for textiles, and delays have halted progress across the board.

Impact of the UK Internal Market Act

9. This post-Brexit legislation has already had serious negative consequences for the progression of environmental policy in the UK's devolved nations. Scotland's deposit return system was due to start in August 2023 and agreement had been reached with the UK Government in terms of the inclusion of glass in the UK's deposit-return schemes. Scotland was very advanced in the implementation of its deposit return scheme, but the UK Government diverged from what had been a collectively agreed position that had been consulted upon. This has resulted in the Scottish system being delayed for a fourth time, until October 2027. It is now set to start almost 20 years since the primary legislation was first approved at Holyrood.

Waste

Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Gwastraff | Waste

Tystiolaeth gan Benthg Cymru | Evidence from Benthg Cymru

The Climate Change, Environment and Infrastructure Committee (the Committee) is undertaking a one-day inquiry on waste.

Background

The focus of this work will be on progress towards delivery of the Welsh Government's circular economy strategy, Beyond recycling (March 2021) (PDF 2MB), specifically:

- the 2025 targets - 70% recycling for waste from households, commercial and industrial businesses, 26% overall reduction in waste, zero waste to landfill, 50% reduction in avoidable food waste, and
- actions undertaken to date aimed at: driving innovation in materials use; upscaling prevention and re-use; building on our recycling record; investing in infrastructure; enabling community and business action; and aligning Government levers.

The Committee is particularly interested in how the following are impacting/will impact on progress:

- Delays to the introduction of a Deposit Return Scheme and Extended Producer Responsibility Reforms.
- Roll out of the ban on single-use plastic products and business waste separation requirements.
- Preparedness of the waste sector and infrastructure investment requirements.
- UK Internal Market Act.

Our response relates to the delivery of the Welsh Government's circular economy strategy as set out in '*Beyond Recycling*.' Wales' first Library of Things and Benthg Cymru's pilot 'Benthg - Borrow Don't Buy', is cited on page 20 of this strategy document, on the basis that Libraries of Things are a key part of a vibrant circular economy, with multiple environmental, economic and social benefits.

Background

Established in 2017, Benthg Cymru has developed and continues to support a membership network of 20 Libraries of Things (LoTs) from Barry to Bethesda, with more communities joining up every week.

The Benthg Cymru network supports behaviour change from buying to borrowing, and encourages a more circular economy by maintaining and keeping the items borrowed in use longer, reducing materials going into waste streams as well as reducing carbon emissions.

Most items on an LoT inventory in Wales are second-hand items donated from the local community, via individuals' sheds, attics and cupboards. By keeping these items in use, Benthg Cymru estimates that the network has diverted nearly 4000 items representing c. 13.7 tonnes from landfill.

By saving people money (borrower fees are kept deliberately low) and space in their homes, LoTs are a sustainable, low-cost way to support those who suffer social and economic deprivation – an increasing concern in the ongoing cost of living crisis. Via online borrowing platforms, LoTs provide easy access to a variety of items from tents, school uniforms, toys and the ever-popular carpet cleaner.

To date, the Benthg Cymru network has supported approximately 13,000 borrows across Wales and communities in Wales have saved over a total of £300k and 160,000kg of carbon emissions through borrowing instead of buying.

Benthg Cymru's network of LoTs also provide employment and volunteering opportunities as well as alleviating social isolation and loneliness. The network changes people's lives on a daily basis.

This change would not have been possible without the far-reaching vision and support of the Welsh Government, Benthg Cymru is the only organisation of its kind in the world - further cementing Wales' commitment to the Circular Economy and its place as one of the highest recycling nations in the world (page 4 of *Beyond Recycling*):

'[Welsh Government] has provided the tools to enable community action. This means supporting the local actions which collectively make a big difference. (page 6 of Beyond Recycling).'

A recent testimony from the Australian Library of Things network illustrates Wales' global reputation in this sector:

'[Benthyg Cymru's] results are impressive when compared to other countries and have been discussed in International Library of Things forums as a model to emulate. The Australian Library of Things Network aims to replicate this successful model, once we establish a suitable funding source.'

David Paynter

Australian Library of Things Network

Evidence

1. In the *Dechrau Benthyca 2022* report Benthyg Cymru reflected on the learnings of the nascent network from April 2021 – March 2022 and made recommendations for harnessing the incredible momentum achieved within a short timeframe. The report concluded that:

1.1 Benthyg Cymru's ethos of providing tailored support to different projects and stakeholders allows necessary flexibility to adapt to different circumstances and communities, but significant variations from one project to the next means that outcomes and timings are difficult to predict at this stage.

1.2 Sustained, flexible funding at local and network level will be required to carry out the long-term evaluation and analysis which will be crucial in understanding the key drivers behind a successful LoT.

1.3 Centralised support in the form of a network model gives Wales a huge advantage in establishing LoTs on a national scale by providing templates, toolkit, shared learnings and consistent collated data. Benthyg Cymru has developed a comprehensive and detailed toolkit covering all areas of managing a Library of Things including risk mitigation processes. These resources are available to all Benthyg Cymru network members.

1.4 One of the benefits of a national network approach is to be able to compare and analyse differences within different geographical and demographic locations, this provides insight into the significant opportunities to identify and operate levers to accelerate behaviour change towards a circular economy.

1.5 Funding streams would ideally support a 3–5-year project in order to allow time for projects to become established and to see behaviour change take effect.

Revenue funding is often likely to be more important than capital to support venue and staff costs.

1.6 Libraries of Things are an integral part of making the circular economy a reality in Wales and delivering behaviour change towards more sustainable ways of living.

2. Benthg Cymru is currently funded by Welsh Government. The organisation is researching and developing alternative income streams and working to reduce reliance on one source of funding but at the same time keep borrower fees as low as possible.

2.1 Sustainability is an integral part of making the circular economy a reality in Wales and delivering behaviour change towards more sustainable ways of living.

2.2 Increasing awareness of sustainable living is a key step and challenge for the organisation and critical to enabling behaviour change as well as generating income. Benthg Cymru is conducting behaviour change 'test and learn' trials as well as delivering targeted communications campaigns to proactively encourage people in Wales to borrow not buy.

2.3 In order to support communities live sustainably and affordably by making borrowing as easy as popping out for a loaf of bread, Libraries of Things need to be convenient, easy to use and accessible to everyone.

3. Benthg Cymru has a Memorandum of Understanding with Repair Cafe Wales and together both organisations are stronger than their sum of parts, by fostering collaboration, resource sharing, and collective problem-solving.

3.1 Repair Cafe Wales supports over 100 communities across Wales. Over the course of a year, their repair cafe network helps divert over 7000 items from landfill which is over 24,500 kg of waste and over 230,300 kg CO₂e in carbon emissions saved. But their repair cafes also do much more than reduce landfill, they help build community cohesion, reduce loneliness and isolation, teach skills, save people money, and bring generations together.

3.2 The progress that Repair Cafe Wales and Benthg Cymru have made in raising awareness and creating opportunities for repairing, borrowing, and reusing across

Wales has the potential to accelerate crucial behaviour change to support Wales' Circular Economy ambitions.

3.3 However, the biggest challenge both organisations face is that of funding. Developing sustainable operational models while maintaining the ethos of accessible services and supporting those suffering deprivation will take years, not months, and must be completed in parallel societal behaviour change.

4. Evidence from the 'Sustaining Change: The RE:MAKE Newport Model for Community-Led Repair and Reuse 2024' report produced by Benthyc Cymru and Repair Cafe Wales shows that:

4.1 High-street repair and reuse hubs are effective in promoting sustainable practices at an everyday level by bringing borrowing, repair and reuse under one roof in a retail-like setting.

4.2 The report highlights the need for a social value tool to measure and understand the broader impact of repair and reuse hubs beyond the already understood environmental and financial benefits, which includes evaluating the social and economic contributions, such as community well-being, skill development, and job creation.

4.3 The RE:MAKE project has demonstrated significant benefits at local sites in Newport, Pontypridd and Maerdy and developed a role that could be replicated with minimal modification.

4.4 RE:MAKE Newport's success in challenging circumstances, post-pandemic in a struggling City centre, demonstrates that with sufficient support, this model has the potential to thrive anywhere in Wales.

Conclusion

The success of Benthyc Cymru and its network has shown how local, everyday actions (borrowing not buying) can contribute to a circular economy.

However, securing funding is critical to sustain and expand the network's impact across Wales in order to ensure long-term behaviour change that already does and will further contribute to social, economic, and environmental improvement across Wales.

Waste

Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Gwastraff | Waste

Ymateb gan Caffi Trwsio Cymru | Evidence from Repair Cafe Wales

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- Preparedness of the waste sector and infrastructure investment requirements.
- UK Internal Market Act.

(Evidence from Repair Cafe Wales)

Repair Cafe Wales (RCW) is a Community Interest Company that facilitates pop-up events, offering training and advice to encourage communities that want to work towards a more circular economy, creating a culture of repair and re-use, directly addressing the ever-growing emergency of unsustainable growth in landfill and waste.

Described by the First Minister as a 'phenomenon of Wales' repair cafes enable members of the public to have their household items fixed for free by skilled volunteers to extend the products lifespan and reduce the number of items going to landfill.

Since January 2019, our communities have repair over 17,269 items which equates to:

- 568,150.1 kg CO₂e emission saving
- 60,441.5 kg landfill & recyclables saving

Born in Wales, but not just for Wales, communities around the UK continue to join the RCW umbrella, united by our vision of a society empowered to work together to reduce waste, share skills, and strengthen our communities.

Our network of over 130 repair cafés provide a diverse range of benefits to the communities in which they are embedded:

- Offer creative opportunities to engage with re-energising town centres and developing zero waste towns.
- Potential routes to employment by supporting formalised training and digital inclusion projects.
- Provide data that feeds into product design improvement. As the Welsh Government's 'Prosperity for All: A Low Carbon Wales' plan argues 'Better design assists in creating products that are durable and easy to repair, upgrade or remanufacture'.
- Provide a wide variety of volunteering opportunities which supports intergenerational activity.
- Creates safe and inclusive spaces that support community development and improve health and wellbeing.

Frequently consulted by groups both in the UK and internationally, Wales remains one of the most prominent experts on repair café operations and the leading voice on repair café insurance, one of the largest challenges facing the industry. RCW is an excellent example of an innovative, scalable project which reflects Welsh Government's plans to promote community infrastructure that helps citizens reduce waste. For example, the 'Prosperity for All: A Low Carbon Wales' plan asserts the need to keep 'products and resources in use for as long as

possible through recycling, reuse, repair, remanufacturing reduces emissions and helping to develop a circular economy’.

Our work contributes to and aligns with numerous areas of Welsh Government policy including:

- Beyond Recycling Strategy
- Wellbeing of Future Generations Act
- Prosperity for All: A Low Carbon Wales • High street regeneration
- Tackling poverty and inequality
- Mental and physical health and wellbeing

RCW’s work contributes to all seven goals of the Wellbeing of Future Generations Act (2015).

Wales has the largest repair cafe network in the UK and Repair Cafe Wales are proud to be leaders in the industry, often supporting other countries to replicate the success we have achieved here in Wales. Our vision is to open a repair cafe in every community in Wales. Our strategic priorities over the next five years are:

- To continue to grow our network of repair cafes
- To better understand levers for behaviour change to continue to normalise repair for Welsh citizens
- To contribute to the progress of the Right to Repair movement
- To explore ways of better integrating repair into schools and education settings to begin to close the intergenerational repair skills gap we see in our communities

RCW also contributes to work happening at a UK level and across Europe through the Right to Repair movement. In October 2023, the UK repair network (of which RCW are a lead member) published the **UK Repair and Reuse declaration** which calls for:

- Making repair more affordable, through tax reductions and repair vouchers.
- Expanding the UK’s right to repair regulations to cover all consumer products, strengthen design standards and remove barriers to repair for everyone.
- Introducing a repair index to help the public choose more repairable and durable products.

- Introducing requirements and targets for reuse and repair to be prioritised over recycling and providing investment to make this a reality. This should be a key part of amended extended producer responsibility rules.
- Supporting a new generation of repairers through repair training, accreditation and apprenticeships.

Whilst Wales has the largest repair cafe network in the UK, there is only so far our work can go if the products we are buying are not designed to be fixed and there is no legislation to monitor the cost of spare parts. The rate of growth of the repair cafe movement demonstrate the public demand for repair services and skills, but so much more is required to meet this need.

Supporting the Welsh Government's aim of 80 repair and reuse hubs across Wales and building upon the ambitions set out in our 2020 paper 'Welsh Government supported high street pilot: Multipurpose circular economy resource', Repair Cafe Wales and Benthyc Cymru launched RE:MAKE Newport in 2021. This was Wales' first high-street repair and reuse hub and this significant partnership project was made possible through the Nationally Significant Landfill Tax Fund from the WCVA. It set out with the aim of creating a new high street model that could be replicated and adapted across Wales, accelerating uptake of repair and reuse behaviours.

Benthyc Cymru and Repair Cafe Wales have applied the proven benefits of sharing learning and creating best practice processes and templates to accelerate and scale-up circular economy activities in national networks. Through combined insight and collaborating with a wide range of stakeholders, this has created a new hybrid repair and reuse model that has the potential to grow and adapt to incorporate an unlimited range of circular economy and sustainable practices for communities.

The main lessons learned from this project include the effectiveness of high-street repair and reuse hubs in promoting sustainable practices, the importance of community engagement and skill-sharing, and the challenges in achieving financial sustainability. These insights are crucial for replicating this model in other areas to further the goals of the Beyond Recycling Strategy.

The project has highlighted the need for a social value tool to measure and understand the broader impact of repair and reuse hubs beyond the already understood environmental and financial benefits. This includes evaluating the social and economic contributions, such as community well-being, skill development, and job creation, highlighting the multifaceted value of repair and reuse hubs.

Alongside paid staff, volunteers have been crucial to the success of the RE:MAKE Newport project and the additional repair and reuse hubs. These spaces would not be able to run without a dedicated team of volunteers and therefore robust volunteer engagement, training, and retention strategies are essential.

Establishing strong partnerships is also key to the success and sustainability of projects like RE:MAKE Newport. This includes collaborations with local businesses, public and third sector, and community organizations who help contribute to resource sharing, enhanced service offerings, and broader community engagement.

The RE:MAKE project, has evidenced the extent of the social, economic, and environmental objectives that can be achieved and amplified within a Repair and Reuse hub. It demonstrates the potential for a national network to enhance behaviour change by leveraging local differences and accelerating learning. As a pioneering model, RE:MAKE Newport aims to be a national hub for training in Repair and Reuse, aligning with Newport's sustainable city goals. However, securing continued funding is critical to sustain and expand its impact and ensure its longevity.

Overall, to best support the Beyond Recycling Strategy's aim of enabling community action, we need to see:

- Continued support and funding for community driven repair initiatives, acknowledging the crucial role community repair plays in tackling the repair of items for which there is not a suitable alternative business model
- Progress of repair and reuse legislation in Wales to ensure our products are better designed and citizens are empowered to repair
- Development of repair education in Wales to contribute to the wider green skills agenda
- Continued funding and support of repair and reuse hubs to give them time to build income generation streams and embed into town centres

The progress we have made in raising awareness and creating opportunities for repair and reuse led by and for communities around Wales has the potential to accelerate crucial behaviour change to support Wales' Circular Economy ambitions. However, the biggest challenge we face going forwards is that of funding. We are working hard to develop sustainable business models while maintaining our ethos of accessible services, but the lead time for this work is years, not months, and must be completed in parallel with the operational and behaviour change work at its core.

Ymholiad Pwyllgor Newid Hinsawdd, yr Amgylchedd ac Isadeiledd ar wastraff

Craig Mitchell

13 Mehefin

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Cymdeithas Llywodraeth Leol Cymru – Llais Cyngorau Cymru

Ni yw Cymdeithas Llywodraeth Leol Cymru (CLILC); sefydliad trawsbleidiol dan arweiniad gwleidyddol sy'n ceisio rhoi llais cryf i lywodraeth leol ar lefel genedlaethol. Rydym yn cynrychioli buddiannau llywodraeth leol ac yn hybu democratiaeth leol yng Nghymru.

Ein haelodau yw'r 22 o gynghorau yng Nghymru ac mae'r tri awdurdod tân ac achub ac awdurdodau'r 3 parc cenedlaethol yn aelodau cyswllt.

Nid yw'r ymateb hwn yn gyfrinachol.

Cyflwyniad

Mae Cymru wedi gwneud cynnydd mawr wrth ddarparu gwasanaethau ailgylchu a gwastraff o'r safon gorau ac erbyn hyn Cymru ydi'r drydedd wlad orau yn y byd am ailgylchu. Fodd bynnag, fel y mae strategaeth 'Mwy nag Ailgylchu' Llywodraeth Cymru yn ei egluro, mae'n rhaid rhoi mwy a mwy o bwyslais ar atal gwastraff, mentrau aildddefnyddio ac atgyweirio a lleihau carbon.

Mae yna hefyd fanteision economaidd sylweddol posibl i'r 'economi gylchol' hon, lle cedwir adnoddau at ddefnydd cynhyrchiol am gyfnod hirach. Mae'n rhaid i fentrau atgyweirio ac aildddefnyddio, mewn diffiniad, fod yn y cymunedau a wasanaethir ganddyn nhw (economi sylfaenol), gan gefnogi swyddi ac economïau lleol a rhoi bywyd newydd i ganol trefi a effeithiwyd yn ddrwg gan y pandemig. Mae defnydd gwell o adnoddau hefyd yn helpu o ran yr argyfwng natur ac atal colli bioamrywiaeth, a'r arbedion mwyaf sylweddol ar garbon yw atal gwastraff.

Mae'r Cyngorau hefyd yn cydnabod mai elfen allweddol o lwyddiant gwasanaethau ailgylchu ar draws Cymru yw bod â sefyllfa polisi cenedlaethol cyson, targedau clir a chymorth sylweddol trwy'r Grant Rheoli Cynaliadwy dros y blynyddoedd. Mae'r



fframwaith hwn yn hanfodol er mwyn galluogi datblygiad gwasanaethau lleol cynlluniedig sy'n diwallu anghenion lleol gwahanol.

Fodd bynnag, mae hefyd yn bwysig nodi bod nifer o Gynghorau wedi gorfod ystyried toriadau gwasanaeth mewn perthynas ag ailgylchu, gwasanaethau stryd a phriffyrdd dros nifer o flynyddoedd er mwyn adlewyrchu'r sefyllfa gyllidebol ehangach a'r gofynion sylweddol ar wasanaethau eraill megis gwasanaethau cymdeithasol. Mae hyn yn effeithio ar y gallu i fodloni targedau yn y dyfodol. Mae cyllidebau cyfalaf y Cynghorau hefyd yn cael eu pwysio'n drwm yn sgil cyfraddau llog uchel, isadeiledd yn methu a blaenoriaethau sy'n gwrthdaro. Bydd gwaith uwchraddio sydd ei angen i'r isadeiledd gwastraff - gorsafoedd trosglwyddo, canolfannau swmpio, depos, canolfannau ailgylchu, trawsnewid fflyd cerbydau trydan, yn parhau, a rhaid dod o hyd i gyllid er mwyn galluogi i'r gwaith barhau. Mae CLILC wedi comisiynu Canolfan Polisi Cyhoeddus Cymru i ddrafftio nodyn briffio ar ffynonellau posibl o gyllid amgen ar gyfer gwaith amgylcheddol (Trosglwyddiad i sero net a arweinir yn lleol) ac mae Cadwch Gymru'n Daclus wedi bod yn archwilio'r ffynonellau cyllid arloesol hyn er mwyn cefnogi eu gweithgareddau.

Ers 2007 mae'r Rhaglen Gwella Gwastraff o fewn CLILC a'i ariannu gan Lywodraeth Cymru, wedi bod yn gweithio gydag awdurdodau lleol i'w cynorthwyo nhw i wella perfformiad ac effeithlonrwydd eu gwasanaethau gwastraff, gan ddilyn pedwar amcan allweddol yn y broses: tystiolaeth, effeithlonrwydd, gwella perfformiad a darparu egwyddorion cynaliadwy ehangach.

Rôl allweddol y rhaglen yw:

- casglu, dilysu a dadansoddi data perfformiad allweddol, ymateb i anghenion Llywodraeth Cymru ac awdurdodau partner lleol;
- cyhoeddi data mewn ffordd sy'n sicrhau ei fod yn hawdd i'w ddefnyddio ac yn gwneud y mwyaf o'i botensial ar gyfer gwella gwasanaeth;
- llywio penderfyniadau a dyluniad gwasanaeth effeithiol ac effeithlon ar draws y 22 awdurdod lleol, trwy ledaenu data mewn digwyddiadau rhanbarthol, rhwydweithiau a phyrth ar y we;
- datblygu offer ac adnoddau sy'n gwneud gwahaniaeth i wasanaethau'r rheng flaen;
- galluogi caffael ar y cyd, gan gynnwys cydweithio; a
- chefnogi gweithgaredd Rhaglen Newid Gydweithredol.

Golyga hyn bod Cynghorau Cymru wedi bod mewn lle llawer gwell i ddarparu data i Defra er mwyn eu hysbysu o'u model ar gostau EPR. [Rhaglen Gwella Gwastraff - CLILC](#)

Cynnydd



Mae Mwy nag Ailgylchu yn ei gwneud yn glir ein bod angen symud i fyny'r hierarchaeth gwastraff er mwyn cyflawni'r nod o ddim gwastraff erbyn 2050. Er bod rhaid i Gynghorau gyflawni carbon sero net erbyn 2030, mae carbon sylweddol yn economi Cymru yn dod o'r nwyddau yr ydym yn eu defnyddio. Os gellir lleihau hyn, os allwn addasu patrymau defnyddio, yna gallwn gael buddion mawr o leihau carbon.

Mae gwaith yn parhau i geisio datgysylltu twf economaidd o sgil-gynhyrchion. Mae hyrwyddo ailddefnyddio ac atgyweirio fel patrwm defnyddio, wedi derbyn hwb sylweddol, o ran mentrau sector preifat ond hefyd o ddatblygiad ailddefnydd siopau/allfeydd ar ganolfannau ailgylchu gwastraff y cartref ar draws Cymru, yn ogystal ag ymdrechion y trydydd sector megis caffis atgyweirio a Benthg.

Mae cyfyngiad ar wastraff bagiau du wedi dangos y gall hyn helpu i yrru deunyddiau allan o'r ffrwd ynni o wastraff i ailgylchu. Mae'r dadansoddiad cyfansoddiadol diweddaraf yn parhau i ddangos y gall fwy gael ei wyro er mwyn lleihau gwastraff.

Heriau

Mae Cynghorau hefyd â thargedau ailgylchu statudol i'w cyflawni, yr iteriad diweddaraf yw 70% erbyn 24/25 gyda thargedau pellach yn debygol o symud tuag at ddim gwastraff erbyn 2050. Mae nifer o'r Cynghorau eisoes yn taro'r targed o 70%, tra bod eraill yn parhau i weithio tuag at hyn.

Mae'n bwysig pwysleisio y gall perfformiad ailgylchu gael ei effeithio gan nifer o wahanol bethau, rhai sydd tu hwnt i reolaeth y Cynghorau. Mae'r rhain yn cynnwys:

- Ymgysylltiad cyhoeddus a defnydd gwasanaethau.
- Derbynwyr addas/marchnad ar gyfer ailgylchu/deunyddiau nad allent gael eu hailgylchu'n ymarferol ar hyn o bryd.
- Cyfyngiadau ar sut all deunyddiau gael eu trin - e.e. llygryddion organig parhaus mewn dodrefn meddal wedi'u difrodi sy'n golygu bod angen eu gwaredu mewn cyfleuster Troi Gwastraff yn Ynni.
- Oedi mewn buddsoddiad ar gyfer isadeiledd wedi arwain at oedi mewn fframwaith rheoleiddio a chaniatáu.
- Cyfyngiadau ar y buddsoddiad wedi arwain at sefyllfa ariannol ehangach heriol.
- Oedi i newidiadau gwasanaeth yn sgil Covid yn golygu bod buddsoddiad wedi ei oedi.
- Diffyg eglurder ar ofynion gwasanaeth yn y dyfodol yn sgil Cyfrifoldeb Estynedig Cynhyrchwyr, Cynllun Dychwelyd Ernes a gwaharddiad ar blastig a'r hyn y bydd yn ofynnol i'r gwasanaeth ddelio ag ef.
- Problemau o ran y natur wledig ac amddifadedd.
- Canran uchel o fflatiau, Tai Amffeddiannaeth a llety twristiaid.



Mae'r data ar gyfer defnydd tirlenwi yng Nghymru yn dangos pa mor effeithiol oedd caffaeliad ar y cyd Llywodraeth Cymru/Cynghorau ar gyfer canolfannau Troi Gwastraff yn Ynni a Threulio Anaerobig. Mae Troi Gwastraff yn Ynni yn dechnoleg drawsnewidiol a dylid nodi effaith sylweddol y costau tebygol ar gyfer Cynllun Masnachu Allyriadau. Mae gwaith hefyd yn dechrau ar sut fydd gwastraff bwyd yn cael ei drin yn y dyfodol, wrth i gontractau/cyfleusterau presennol ddod i ddiwedd eu hoes, gan ei fod yn debygol y bydd llif gwastraff sylweddol o ystyried bod rhannau ohono'n anochel (croen llysiâu ac ati). Hefyd, mae newidiadau i reoliadau Ailgylchu yn y Gweithle yn golygu y bydd angen mwy o gapasiti ar gyfer trin gwastraff bwyd masnachol.

Bydd angen yn parhau am fuddsoddiad mewn isadeiledd gwastraff. Mae proffil newidiol y deunyddiau a ddelir â nhw, yn golygu bod angen i safleoedd adlewyrchu hyn. Os yw hyn yn debygol o olygu cyflwyno casgliad haenau plastig o 2027 wedi'i ariannu gan Gyfrifoldeb Estynedig Cynhyrchwyr, neu'r angen i ddelio â dodrefn meddal gyda llygryddion organig parhaus yn unol â chynghor rheoleiddwyr. Bydd angen buddsoddiad hefyd er mwyn diwallu'r gofynion rheoleiddio llymach megis rheoliadau tân.

Mae'r Byrddau Rhaglen Gweinidogol yr Economi Gylchol yn 4 o gyfarfodydd rhanbarthol yr arweinwyr cabinet gwastraff a'r economi gylchol, sy'n cwrdd bob chwarter. Maent yn edrych ar y gofynion isadeiledd yn y dyfodol, unrhyw botensial ar gyfer gweithgarwch cydweithredol rhanbarthol ac yn adolygu cadernid y ddarpariaeth bresennol. Mae hyn yn cysylltu â'r gweithgaredd addasu a lliniaru newid hinsawdd ehangach sydd ei angen fel rhan o'r gofyniad carbon sero net erbyn 2030.

Bydd y gwaith hwn hefyd yn parhau i geisio canfod cyfleoedd i gyd-leoli prosiectau adnewyddadwy gyda defnydd ynni megis depo ar gyfer cerbydau allyriadau isel. Mae LIC yn ceisio cefnogi'r dull hwn yn eu rhaglenni cymorth cyfalaf.

O dan y broses grant Economi Gylchol mae Llywodraeth Cymru wedi cefnogi buddsoddiad sylweddol mewn rhaglenni ailddefnyddio ac atgyweirio. Mae gan y mwyafrif o'r Cynghorau siop ailddefnyddio yng Nghanolfannau Ailgylchu Gwastraff y Cartref ac mae partneriaid megis Caffi Atgyweirio Cymru a Benthyc (Llyfrgell o bethau) wedi elwa o fuddsoddiad mewn cyfleusterau, yn aml yn canolbwyntio ar y stryd fawr er mwyn gwella hygyrchedd a helpu i adfywio'r stryd fawr ar ôl y pandemig.

Bydd angen buddsoddiad ac eglurder parhaus o ran sut fydd cyllid gan Gyfrifoldeb Estynedig Cynhyrchwyr yn cefnogi hyn.

Cyflwyno Gwaharddiad ar Blastig a Rheoliadau Ailgylchu yn y Gweithle.



Er ei bod yn gynnar yn y prosesau hyn i lunio gormod o gasgliadau, bydd y ddau yn newid cyfansoddiad y deunyddiau y mae angen i Gynghorau ddelio â nhw. Gan fod deunyddiau amgen eu hangen i ddisodli'r eitemau gwaharddedig, bydd angen adolygu hyn er mwyn penderfynu ar unrhyw ganlyniadau negyddol nad ydynt yn cyd-fynd â bwriad y polisi. Yn yr un modd â'r rheoliadau WPB, bydd effaith ar fusnesau, adeiladau cyhoeddus a sefydliadau'r trydydd sector. Bydd bob amser problemau cychwynol i'w datrys gydag unrhyw bolisi newydd, er enghraifft, un enghraifft o'r fath yw na ddarperir biniau cyhoeddus gan y Cyngor. Er ei fod yn arfer da i ddarparu biniau ar gyfer deunyddiau ar wahân, mae halogiad yn parhau i fod yn her, gan olygu y gall rhai busnesau/eraill dynnu eu biniau cyffredinol.

Mae dyfodiad Cyfrifoldeb Estynedig Cynhyrchwyr yn golygu y bydd mwy o waith dadansoddi cyfansoddiadol rheolaidd ei angen er mwyn penderfynu lle fydd pecynnu gwastraff, beth yw'r llwybr trin a beth yw'r costau. Mae hyn hefyd yn wir ar gyfer pecynnu sbwriel bin, ac yng Nghymru a'r Alban, pecynnu sbwriel stryd. Bydd y gofynion data hyn yn gost ychwanegol a *ddylai* gael ei dalu gan Gyfrifoldeb Estynedig Cynhyrchwyr a bydd hyn yn helpu Cynghorau i ddeall effaith y newidiadau polisi ar lif deunyddiau a chynllunio yn unol â hynny.

Gweithgaredd lefel cymunedol

Hefyd fe gomisiynodd CLILC ymchwil i'r hyn mae cylcholdeb yn ei olygu ar lefel gymunedol, gan bartneru gyda Miller Research a'i ariannu gan Lywodraeth Cymru. Pwrpas y gwaith hwn oedd ceisio deall beth oedd cylcholdeb cymuned, beth oedd ei gryfderau a gwendidau a pha gyfleoedd y gellid adeiladu arnynt. Mae tair astudiaeth beilot wedi cael eu cyflawni gyda chymunedau yng Ngwynedd, Sir Gâr a Chasnewydd. Pwrpas y gwaith hwb yw ymgysylltu'r gymuned mewn trafodaeth am gylcholdeb (a'i fanteision posibl) a llywio blaenoriaethau buddsoddi yn y dyfodol.

Mae aelodau etholedig yn teimlo bod y dull hwn yn hanfodol os ydym am wireddu buddion posibl y CE a sicrhau bod adnoddau cyfyngedig yn cael eu defnyddio yn effeithiol. Gall gopïau o'r adroddiadau peilot fod ar gael i'r pwyllgor os fyddai hynny o fudd (mae maint y ffeiliau yn fawr).

Cynllun Dychwelyd Ernes a Chyfrifoldeb Estynedig Cynhyrchwyr

O ran alinio cymhelliant y llywodraeth mae'r polisiâu o ran Cynllun Dychwelyd Ernes a Chyfrifoldeb Estynedig Cynhyrchwyr yn cyflwyno heriau penodol. Mae'r 4 gwlad mewn sefyllfaoedd gwahanol iawn o ran perfformiad ailgylchu ac felly maent oll yn edrych ar y polisiâu hyn gyda safbwyntiau a chyd-destun gwahanol.

Y realiti yw er bod CLILC yn cydnabod y buddion posibl y Cynllun Dychwelyd Ernes, yn arbennig o ran materion sbwriel, mae problemau yn parhau o ran cydraddoldeb (mynediad at bwyntiau Cynllun Dychwelyd Ernes a chludiant), dyblygu systemau (mae gwasanaethau ymyl palmant ar gael yng Nghymru) a lleihad mewn incwm (a pherfformiad ailgylchu) ar gyfer Cynghorau sy'n tanseilio darpariaeth ymyl palmant.



Mae'r heriau o ran pa ddeunyddiau i'w cynnwys, y gost o sefydlu Sefydliad Rheoli Uniongyrchol, ac o ystyried profiad yn yr Alban, yn debygol i ddisgyn ar y pwrs cyhoeddus, a'r lefel o fuddsoddiad sydd ei angen i greu rhwydwaith o beiriannau gwerthu gwrthdro, yn sylweddol.

Felly, rydym bob amser wedi awgrymu y dylai Cyfrifoldeb Estynedig Cynhyrchwyr gael ei gyflwyno yn gyntaf, er mwyn penderfynu ar yr effaith cyn yr angen i geisio Cynllun Dychwelyd Ernes, ond wedi parhau i ymrwymo i wneud i'r Cynllun Dychwelyd Ernes weithio ar gyfer Cymru, ac i Gynghorau chwarae eu rôl yn y broses.

Felly, roedd yn synhwyrol oedi cyflwyniad y Cynllun Dychwelyd Ernes nes i effaith Cyfrifoldeb Estynedig Cynhyrchwyr gael ei ddeall yn llawn. Byddai'n well petai deunyddiau Cynllun Dychwelyd Ernes yn cael eu cynnwys gan Gyfrifoldeb Estynedig Cynhyrchwyr dros dro gan fod arian cyhoeddus angen parhau i dalu ar gyfer delio â'r deunyddiau hyn.

O ystyried methiant gwaith y Cynllun Dychwelyd Ernes yn yr Alban, mae'n bwysig dysgu gwersi o hyn. Ymddangosir mai'r goblygiadau allweddol yw nad yw diwydiant yn debygol o ariannu'r costau sefydlu'n llawn, gan olygu y bydd angen arian cyhoeddus i sefydlu'r Sefydliad Rheoli Uniongyrchol, a bod unrhyw ddyhead i ddefnyddio Cynllun Dychwelyd Ernes i wahanol ddeunyddiau yn gorfod delio â materion o amgylch Deddf Marchnadoedd Mewnol y DU.

Bydd y Sefydliad Rheoli Uniongyrchol yn cael ei arwain gan ddiwydiant ac yn ôl ein dealltwriaeth, mae'r statws hwn yn golygu bod rhaid i'r 4 llywodraeth fod â dull ysgafn tuag at 'reoli'r' sefydliad a phenderfynu sut mae'n rhannu ei swyddogaethau. Un agwedd y mae aelodau etholedig yn ei drafod yw y gall hyn olygu bod deunyddiau yn llifo allan o Gymru a bod eu gwerth yn cael eu gwireddu yn rhywle arall (sef yr achos yn aml beth bynnag, ond mae mwyafrif y drafodaeth isadeiledd CE yn canolbwyntio ar sut i wireddu'r gwerth yng Nghymru).

Yng Nghymru rydym wedi treialu Cynllun Dychwelyd Ernes Digidol yn CS Brycheiniog a Phowys. Roedd y cynllun hwn yn galluogi pobl i dderbyn ernes gan ddefnyddio ffôn clyfar a chod bar ar yr eitem ac yna'i waredu trwy eu gwasanaeth ailgylchu ymyl palmant. Er bod nifer o broblemau technegol oedd angen eu datrys (megis argraffu codau bar unigryw ar filiynau o eitemau) mae potensial gwirioneddol ar gyfer hyn. Mae hyn hefyd yn negyddu'r angen i deithio yn ôl i rai pwyntiau canolig gyda'r deunydd er mwyn derbyn ernes.

Mae Cyfrifoldeb Estynedig Cynhyrchwyr yn parhau i ddatblygu'n gyflym ac yn gynyddol gymhleth o ran y gwaith modelu, pa mor effeithiol ac effeithlon mae gwasanaethau ar draws y DU, sut fydd y diwydiant pecynnu yn diffinio eu



deunyddiau fel rhai y gellir eu hailgylchu (Dull Asesiad Ailgylchu) a sut fydd yn newid llif deunyddiau trwy'r economi.

Cyfrifoldebau Estynedig Cynhyrchwyr ar gyfer Deunyddiau Pacio

Wrth i wasanaethau ailgylchu ddatblygu mae'r llywodraeth leol wedi darparu gwasanaeth ychwanegol i etholwyr i sicrhau bod modd ailgylchu deunyddiau pacio a'u hail-ddefnyddio yn yr economi. Mae yna gostau mawr ynghlwm wrth hyn ac mae'r pedair gwlad wedi penderfynu y dylai'r cwmnïau hynny sy'n rhoi deunyddiau pacio ar y farchnad (cynhyrchwyr) dalu cyfran deg o'r costau dan yr egwyddor mai'r 'llygrwr sy'n talu'. Mae llawer o waith yn mynd rhagddo i weld sut y bydd hyn yn gweithio'n ymarferol ac i sicrhau bod Cynghorau yn gallu adennill y costau net llawn. Ar hyn o bryd mae'n debygol y bydd hyn yn cael ei gyflwyno o 2025.

Dan Gyfrifoldebau Estynedig Cynhyrchwyr bydd cynhyrchwyr yn gyfrifol am dalu yn uniongyrchol i'r Cynghorau (trwy weinyddwyr y cynllun) *gost net lawn* rheoli, ailgylchu a gwaredu deunyddiau pacio ac mi fyddan nhw'n cael eu cymell i wneud deunyddiau pacio yn haws i'w hailgylchu drwy ostwng y ffioedd yn seiliedig ar y gallu i ailgylchu. Bydd taliadau hefyd yn cael eu gwneud ar gyfer costau sy'n gysylltiedig â deunyddiau pacio mewn biniau sbwriel ac, yng Nghymru a'r Alban, bydd hynny'n cynnwys sbwriel ar lawr, er y bydd hynny'n dod i rym wedyn.

Prif bryderon y Llywodraeth Leol ydi sut fydd y trefniadau ariannu yn gweithio a sut i ddylanwadu ar drefniadau sefydlu a gweithredu Gweinyddwr y Cynllun sy'n cynnal y cynllun ac yn penderfynu ar daliadau'r llywodraeth leol drwy broses a fydd yn edrych ar effeithlonrwydd ac effeithiolrwydd. Mae Llywodraeth Cymru wedi sicrhau sedd ar y grŵp llywio gweinyddu'r cynllun ar gyfer llywodraeth leol yng Nghymru er mwyn sicrhau bod llais yn cael ei glywed.

Bydd taliadau yn cael eu gwneud yn chwarterol fel ôl-daliadau, yn seiliedig i gychwyn ar gostau wedi'u modelu nad ydyn nhw o reidrwydd yn adlewyrchu'r gwir gostau ac a all gael eu lleihau os ydi Cyngor yn aneffeithiol; hefyd nid oes eglurder tymor hirach ar yr hyn y bydd Trysorlys y DU yn ei wneud gyda'r gyllideb sydd ar hyn o bryd yn talu am wasanaethau gwastraff.

Caiff effeithlonrwydd (cost gwasanaeth) ei asesu drwy fodel talu (LAPCAP)¹. Mae'r model yn grwpio Cynghorau yn ôl natur wledig ac amddifadedd, ac yna'n eu grwpio ymhellach fesul systemau casglu ailgylchu sych ac amllder casgliadau gwastraff gweddilliol. Ar gyfer y ddwy flynedd gyntaf, y bwriad ydi gwneud taliad wedi'i fodelu i Gynghorau. Bydd Cynghorau yn cael gwybod beth fydd eu taliadau yn Hydref 2024. Bydd incwm o ailgylchu yn daliadau wedi'u netio. Mae'r holl grwpiau yn seiliedig ar y DU ac mae'n debygol y bydd Cynghorau Cymru yn cael eu grwpio

¹Cost a Thaliadau Deunyddiau Pacio Awdurdodau Lleol



mewn ffordd nad ydym yn arfer ei weld h.y. Cyngorau a ystyrir yn wahanol iawn i'w gilydd yn yr un grŵp.

Pryder mawr ydi'r ffordd y caiff y cyd-destun polisi gwahanol yng Nghymru ei ystyried yn y model. Mae'r cyfraddau ailgylchu yn llawer uwch yng Nghymru na gweddill y DU ac mae'n rhaid i'r asesiad o gost gwasanaethau gwastraff ystyried y cyd-destun gwahanol yma. Os caiff mwy ei wario gan Gyngorau Cymru oherwydd eu hymdrechion ailgylchu drutach, mae perygl y byddan nhw'n ymddangos yn ddrud. Mae Llywodraeth Cymru yn canolbwyntio ar sicrhau bod Cyngorau Cymru yn cael cyfran deg o'r adnoddau.

Bydd effeithiolrwydd (faint o ddeunyddiau pacio a gesglir) yn cael ei fesur drwy nifer o fetrigau sy'n asesu perfformiad Cyngor wrth gasglu deunyddiau sy'n gysylltiedig â Chyfrifoldebau Estynedig Cynhyrchwyr. Mae'r broses yn caniatáu lleihau taliadau awdurdodau lleol (hyd at 20%) os na ystyrir bod y gwasanaethau yn effeithiol. Fodd bynnag, bydd y gostyngiad ond yn berthnasol os na fydd gwelliant ar ôl cynhyrchu a gweithredu cynllun gwella sy'n cynnwys camau 'rhesymol' a gytunir arnyn nhw rhwng Gweinyddwr y Cynllun a'r Cyngor.

O ran y setliad datganoli mae yna bryder y byddai'r broses wella yma yn cael ei goruchwylio gan Weinyddwr y Cynllun ar lefel y DU, a fydd i gychwyn yn rhan o DEFRA.

Mae Cyngorau Cymru eisoes yn gweithio gyda nifer o bartneriaid cyflawni Llywodraeth Cymru sydd â mwy o wybodaeth am y cyd-destun Cymreig ac mae CLILC yn awyddus i weld y trefniant lleol yma, sy'n ddemocrataidd atebol, yn parhau.

Disgwylir y bydd hysbysiad o'r taliadau wedi'u modelu yn cael ei gyhoeddi fis Tachwedd 2024. Bydd y taliadau cyntaf yn cael eu gwneud fis Mawrth 2025.

Mae'r trafodaethau cychwynnol wedi'u cynnal gyda Chyfarwyddwyr Cyllid oherwydd y gall y goblygiadau i Gyngorau fod yn sylweddol. Tan y bydd y gwaith modelu wedi'i gwblhau, mae yna ddiffyg eglurder ac mae'n bosibl y bydd ailddosbarthiad effeithiol o'r adnoddau ar draws y gwahanol Gyngorau ac fe all hynny wedyn gynyddu neu leihau'r gefnogaeth i Gymru.

Crynodeb

Mae'n glir bod cynnydd sylweddol wedi cael ei wneud ar ailgylchu, atal tirlenwi, helpu i yrru gwastraff i lawr a chefnogi'r cyhoedd o ran gwastraff bwyd. Mae datblygiad Cyfrifoldeb Estynedig Cynhyrchwyr a Chynllun Dychwelyd Ernes yn cyflwyno lefel o ansicrwydd i'r system, a'i fod yn gadarnhaol nid all hyn fod yn rheswm ar gyfer oedi'r cynnydd.



Bydd holl gynghorau yn parhau i fod angen buddsoddi mewn isadeiledd, nid yn unig er mwyn dod yn garbon niwtral, weithiau cyn i oblygiadau llawn y newidiadau hyn ddod i'r amlwg. O ystyried bod y newid hwn ar lefel y DU, mae Cynghorau yn gweithio'n galed gyda Llywodraeth Cymru i gael eglurder ar gyllid yn y dyfodol, gofynion gwasanaeth, er mwyn modelu'r effeithiau ar lif deunyddiau/cyllid, ystyried gofynion di-garbon a cheisio diogelu gwasanaethau ar gyfer y dyfodol.

Yn y cyfamser, rhaid i hyn oll gael ei gyfathrebu i'r cyhoedd mewn ffordd sy'n eu hymgysylltu, a'u gwneud i ddeall pam bod y newidiadau hyn yn digwydd. Mae perygl gwleidyddol o ran cyflwyno'r gwasanaethau newydd a ariennir gan Gyfrifoldeb Estynedig Cynhyrchwyr, megis casglu haenau plastig, tra bo'r sefyllfa gyllido ehangach yn golygu y gall wasanaethau lleol gwerthfawr eraill leihau. Bydd goblygiadau'r trefniadau ariannu gwahanol o ychydig ddiddordeb i'r cyhoedd.

Together, we stand for
a world beyond waste

The Chartered Institution of Wastes Management (CIWM) is the leading professional body for the resource and waste management sector with a purpose to move the world beyond waste. Representing over 6,500 individuals in the UK, Ireland and overseas, CIWM has a mission to unite, equip and mobilise its professional community to lead, influence and deliver the science, strategies, businesses and policies for the sustainable management of resources and waste. CIWM has ten regional centres across the UK and Ireland, including CIWM Cymru Wales, that are run by member volunteers.

CIWM Cymru Wales organise an extensive programme of technical meetings, site visits, symposia and social events. Representing over 350 waste professionals working in local and national governments, agencies, private waste companies, consultancies, social enterprises as well as education and research centres, CIWM Cymru Wales provides a forum for professional debate and the opportunity for members to meet and socialise through a strong network of professionals.

Inquiry: Progress towards delivery of the Welsh Government's circular economy strategy, Beyond recycling (March 2021)

Please see our response to the committees' questions:

The Committee is particularly interested to know how the delays to the introduction of a Deposit Return Scheme and Extended Producer Responsibility Reforms will impact Wales recycling goals.

DRS

Since the DRS reforms won't be in place by 2025, the immediate impact to Wales' goals is seen to be negligible. However, their implementation, even if delayed, is essential for long-term sustainability and efficiency.

At present, only 2-3% of the potential recyclables are affected, but every bit helps. Wales is already achieving high recycling rates, but to reach the higher branches of our recycling goals, additional tools like DRS are necessary.

Wales has already achieved high dry recycling rates, demonstrating the effectiveness of the current system. This raises the question of whether there is a need for DRS however, despite high dry recycling rates, recyclables are still found in residual waste which need to



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be retrieved. DRS can be another tool to incentivise that material to come away from the residual waste stream.

One advantage seen of DRS is that it provides a solution away from “on the go” waste, such as street bins. Additionally, DRS can help obtain high-quality feedstock from co-mingled and ongoing residual materials, ensuring that high quality recycled materials are recovered for recycling.

The delay in implementing DRS provides an opportunity to explore Digital DRS, which could offer significant long-term benefits, such as collection from the kerbside. This would make recycling more convenient and efficient, increasing participation rates further.

Digital DRS will also support better data capture and monitoring, helping us understand recycling behaviours and plan our future more effectively. While the delay has not impacted household recycling rates significantly, it is expected to support commercial recycling rates, which is a crucial area for improvement.

EPR

The delay in introducing the EPR reforms presents an opportunity to rethink how we can greater support the funding of local governments to support better collection methods and processing infrastructure.

Although the delay may mean that we will not see an increase of higher recyclable content packaging come to market sooner, the eventual implementation of these reforms will be highly beneficial in creating more opportunities for high quality captured recycling materials in the future.

A significant benefit of these reforms is making producers more responsible and invested in our recycling processes. When producers are accountable, they are more likely to design products with recyclability in mind and support effective recycling practices.

Economically, the reforms will benefit Wales to support our collection systems and processing capacity. This not only supports our recycling goals but creates jobs and positions Wales as a solution provider for the rest of the UK.

The financial resources generated from these reforms can also be further utilised to promote higher practices of the waste hierarchy, such as waste prevention, reuse, and recycling.

These reforms will ultimately enhance recycling practices, stimulate economic growth, and promote sustainability in Wales and beyond.



Roll out of the ban on single-use plastic products and business waste separation requirements.

Single Use Plastics

The banning of single-use plastics is a positive step towards reducing waste and environmental pollution. However, to achieve our broader recycling and sustainability goals, we must consider additional initiatives and strategies.

A key area for further effort is working closely with businesses, especially SMEs, to find innovative ways to reuse materials. Collaboration across sectors can lead to creative solutions that reduce waste and promote a circular economy. For instance, simply replacing plastic forks with wooden ones still results in waste. Instead, we should focus on developing and implementing reusable alternatives that can significantly reduce overall waste generation.

An example of a successful initiative is the community cup reuse programmes, which encourage the use of reusable cups within local communities. Such programmes not only reduce single-use plastic waste but also foster a culture of sustainability and shared responsibility.

By partnering with businesses and communities to promote reusable solutions and sustainable practices, we can make a more substantial impact on reducing waste and enhancing recycling efforts. This approach will not only support our environmental goals but also drive innovation and positive behavioural change within Wales.

Workplace Regulations

While the new workplace regulations are a step towards improving recycling practices, there is a pressing need for more support and engagement to clarify the regulations and aid in setting up effective collection systems to individual businesses, especially SMEs.

A useful comparison can be made between kerbside rollout and the workplace rollout. Whereas households benefit from direct and individualised communication, businesses often received only limited support through webinars or website updates. This disparity highlights the need for more tailored assistance to businesses.



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Businesses also require additional help as they do not have full control over bin usage in the same way that householders do. The nature of waste generation in businesses, particularly in the tourism sector, differs significantly from household waste. This sector often relies on the public to use bins correctly, which can lead to owners having to segregate waste themselves.

In addition, many businesses are concerned about the additional costs associated with the new workplace regulations, particularly as they feel these costs are often dictated by larger collection companies. For example, the mandate for minimum fortnightly collections can impose financial strain on smaller enterprises when collection is otherwise not necessary.

It's important to recognise and address the complexities that vary across Wales, offering targeted support where needed. The unique challenges faced by different sectors and regions must be considered to ensure the successful implementation of the new regulations.

Preparedness of the waste sector and infrastructure investment requirements.

As detailed above, the implementation of new workplace regulations has taken many businesses by surprise, but the resource sector has demonstrated readiness and preparedness. For instance, there are already flexible processing plants and advancements in fibre recycling capabilities ready for support Wales' aims.

However, processing plants will need to rely on alternative/additional feedstock to ensure continuous operation and efficiency. This reliance highlights the importance of having a diverse and resilient supply chain for recyclable materials that may have to be relied on by support outside of Wales.

While infrastructure and preparedness of Welsh resource sector is adequate, it's also crucial to recognise that the best economic and environmental solutions may not always be found within Wales. This reality should not result in penalties. Instead, we should adopt a pragmatic approach that allows for flexibility in sourcing and processing locations outside of Wales to achieve optimal outcomes.

However, this must be done in balance with the promotion of social value benefits of keeping materials within Wales. By emphasising the economic and environmental advantages of local processing, we can encourage investment in domestic infrastructure and support the circular economy further within Welsh regions.



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To attract investment, we need to consider short, medium, and long-term goals. By setting clear and achievable targets, we can create a more attractive environment for investors, fostering growth and innovation in the waste sector.

UK Internal Market Act.

While the UK Internal Market Act is seen by some as a barrier to devolved policy making, it brings businesses, such as packaging producers, from across borders to work in line with each other. This alignment can enhance the efficiency and effectiveness of recycling efforts.

There is a positivity that the UK Internal Market Act can help avoid scenarios like the Deposit Return Scheme (DRS) in Scotland, where regional discrepancies led to complications. A unified approach ensures cohesive and efficient recycling practices across the UK.

The UK Internal Market Act would promote a stable and predictable regulatory environment which can potentially attract increased investment into Wales' recycling infrastructure. Investors are more likely to fund projects when they have confidence in consistent regulations and market access. A unified market assures investors that their investments will benefit the entire UK, including Wales.

The integrated market framework supports the principles of a circular economy by facilitating the flow of recycled materials and products across the UK. Wales can contribute significantly to the circular economy goals by ensuring high recycling standards and practices. The UK Internal Market could be used as a tool to better facilitate this circular economy.



Inquiry on Waste

Climate Change, Environment and Infrastructure Committee

FSB Wales

June 2024

About FSB

Celebrating its 50th anniversary, FSB Wales is the authoritative voice of businesses in Wales. It campaigns for a better social, political, and economic environment in which to work and do business. With a strong grassroots structure, a Wales Policy Unit, and dedicated Welsh staff to deal with Welsh institutions, media and politicians, FSB Wales makes its members' voices heard at the heart of the decision-making process.

Introduction

FSB welcome the opportunity to provide evidence on waste policy and SMEs. Climate change is a key policy priority, and the majority of SMEs responding in FSB surveys agree that we are in a climate emergency.

FSB Wales's previous research illustrated that 73% of small businesses in Wales believe that they have a responsibility to become more sustainable, but only 24% of businesses felt they knew enough about Welsh Government's environmental policies. Therefore, providing the right guidance and raising awareness will help this acknowledged responsibility become an achievable reality and support SMEs in contributing to the Welsh Government's policy goals.

FSB's UK 'Accelerating Progress' report¹ found that 64% of small businesses have increased recycling in their business and 50% have taken steps to eliminate waste wherever possible. This highlights that small businesses are recognising their role in tackling climate change and are working hard to make changes in their businesses.

The contradiction between SMEs' will to help and the lack of necessary knowledge to do so should be a starting point in any new policy changes. It is important that Welsh Government's strategy does not assume awareness of all measures by time poor businesses balancing a multitude of different priorities. This is particularly so where they may differ from wider discussions on such policy at UK or England level. The starting point must be grounded in a realistic

¹ [Accelerating Progress | FSB, The Federation of Small Businesses \(FSB: 2021\)](#)

assessment to ensure that changes are implemented credibly, effectively, and without being counter-productive.

Devolution allows for Wales to carve out its own bespoke agenda to address much of this, harnessing decision making that will enact and influence overall policy outcomes. It is important that it retains and develops on its strong record on recycling, and that residential recycling achievements are matched and implemented with businesses in ways that they can best achieve results. Doing so requires bringing small businesses with the agenda, engaging with them to understand the pressures they face in order to, as the Climate Change Minister put it, 'make it easy to do the right thing'. It is also important to engage with SMEs on the opportunities arising from transition as well as the regulatory aspects, and this is a key part of the success of policy.

Alignment with UK policy and messaging are important to success, with many levers remaining at a UK level, and within Wales it is important that policy timelines are aligned with England as much as possible to ensure that communications are effective and possible confusion mitigated. Where things are done differently it is important that we look at an engagement model that works for SMEs.

As an organisation, FSB has been clear in its support for the transition towards a low carbon, and environmentally sustainable economy. In general, our approach to environment policy starts from the following principles:

- 1) Small businesses recognise and support the broad, long-term objectives of climate change and environmental sustainability policies.
- 2) Small businesses want to do the right thing and play their part.
- 3) A long-term, strategic approach to environmental policy making is far better than a short-term, reactive approach.
- 4) Policy solutions must be evidence led.
- 5) The impact of policies on small businesses must be understood in granular detail.
- 6) Small businesses should be given adequate time to adapt to new requirements.
- 7) Those small businesses that are particularly impacted, or least able to adapt, should be identified and provided with additional support/time to adapt.

We believe that approaches to environmental policy should follow the above principles. By doing so, we can ensure SMEs are properly brought in to the transition towards a low carbon and sustainable economy, and help to translate our ambitions into practice.

Welsh Government's 2025 targets –

- **70% recycling for waste from households, commercial and industrial businesses,**
- **26% overall reduction in waste, zero waste to landfill,**
- **50% reduction in avoidable food waste.**

We are not the experts in the field to understand the data and the realism of the targets, nor how this is going.

We note that SMEs take their responsibilities seriously but often do not know what is the best way for them to have an impact that counts. This is important as 99.4% of Welsh businesses are SMEs – and 95% are microbusinesses or smaller, which means when one employer must often deal with everything from regulatory matters, employment, skills and so on, that there is less capacity to deal with added regulatory burden, including recycling and waste management. Research in other parts of the UK suggests that SMEs spend 8 hours – a full working day – a week on compliance.

It is therefore important that the support (whether financial, service based, or in terms of expert advice) and advice systems in place are easy to navigate and accessible . This where our focus is here.

Actions undertaken to date aimed at:

- **driving innovation in materials use;**
- **upscaling prevention and re-use;**
- **building on our recycling record;**
- **investing in infrastructure;**
- **enabling community and business action;**
- **and aligning Government levers.**

We do not have evidence on all these matters, but some will be dealt with in later themes addressed in this document.

We note at UK and Welsh level that there are some problems with the definition of single-use plastics when it comes to driving innovation, as it may be that some innovative practices are being placed within the definition so as to make those materials illegal. We are told by businesses in the specialist field that some of the problems to do with these are apparently also due to the lack of recycling separation hubs that are available in other countries. As such the role of investing in infrastructure in this context may be something to explore.

This also appears to have banned products in sustainable packaging sector that were developed with receipt of government funding as innovative packaging solutions, which does suggest that some different parts in legislation and policy were misaligned.

It is also to be noted that for many SMEs dissemination of process innovation is more valuable in this context, with a look to how savings and auditing of efficiency needs can be built into small businesses across Wales, and not just on the products developed.

FSB supports the aims for better recycling for business, recent waste and recycling legislation for businesses, but have expressed concerns on ways some of the requirements affect certain businesses. This included concerns relating to businesses being worried that they'll be liable for contaminated waste in bins on streets space for separation in small areas of work; the fact that it could be contaminated by a single worker not knowing the regime and putting in wrong box and so on. Some of these may be teething issues, but it needs to be monitored.

On the plus side, alongside government guidelines and support from agencies such as WRAP and NRW, we have been impressed by some examples of waste companies' correspondence and advice to businesses and how they would respond to initial mistakes. This is based on a random selection of examples we have come across, and is likely to be patchy dependent on providers locally. However, this indicates an area and approach that may work best with providers who are already in contact with businesses they service.²

The question of alignment and enabling action is the key one for SMEs. We would note that a consistency at national regional and local level, and the support structures of advice, finance and funding, and supplies and services are key to support SMEs in transition to Net-Zero, in terms of recycling and waste but also in terms of the wider transition to net-zero. Implementation and engagement, as well as understanding the material benefits and opportunities

² A good example is here: [Government Regulations for Businesses in Wales - Biffa](#)

are an intrinsic part of policy success, and not an add-on to be brought in after the policy discussion.

When it comes to alignment and enabling SME business action, Wales is currently the only UK nation without a fixed SME regulatory impact assessment, while Scotland is now implementing one, and Northern Ireland and England already have one. Given this, while we await such an assessment, it becomes even more crucial to utilize all available channels to ensure small firms are aware of any legislative or regulatory changes. This will be instrumental as we progress with the regulatory agenda to enable a transition to net-zero. Our call for an Economic Development Bill targeted at the Small Business Economy, was in order to provide a clearer regulatory framework that accounts proportionality for SMEs, but also ensures we are building the capacity and capability of firms to address their net-zero needs whether through skills or efficiencies, in a way which will also help them develop and grow as firms. It remains a concern that the 'story' around net zero has focused on regulation and mitigating risk, and not on opportunities too in a way that would resonate with SMEs.

Delays to the introduction of a Deposit Return Scheme and Extended Producer Responsibility Reforms.

The UK Government's Deposit Return Scheme for England, Wales and Northern Ireland will play an integral role in recycling more plastic and expanding the UK's circular economy. The UK's 5.5 million small businesses and sole traders will play a vital role in ensuring the success of this scheme. However, if not appropriately implemented, they will also disproportionately be affected by it. While many larger businesses will have a member of the team dedicated to ensuring compliance with regulation, SMEs will have to dedicate extra resources to engage with the regulation. As such, it is important that getting it right is prioritised rather than getting there first.

As noted above, businesses overall support the UK Government's Net Zero and sustainability agenda. However, COVID-19 took a heavy economic toll and the continuing pressures since mean businesses – particularly in sectors affected by this policy – are in a less resilient position than may have been the case before. The proposed deposit return scheme risks placing additional burdens on small businesses such as the extra space required on business premises, the scheme's additional cost, and the time it will take for firms to set up and administer the scheme.

We would recommend a number of exemptions for small businesses, but these require a full analysis of the best way forward. Our main asks are:

- Exempt the smallest businesses and producers from being required to participate in the scheme where appropriate, in order to minimise both the clear practical problems for small retailers and hospitality businesses, as well as the barriers to small food and drink producers.
- Guidance tailored to SMEs, and duties placed on Tier 1 suppliers to support SMEs in their supply chains.
- Keep the system simple to use for producers, retailers, consumers and regulators
- Introduce a fund to support smaller businesses to adapt and comply with a DRS to minimise the economic impact of the scheme
- Ensure consistency and compatibility of a scheme UK-wide

Given the significant risks of the scheme to SMEs viability, and subsequent risk to the credibility of net zero transition policies in general if implemented badly, we welcome the delay. This provides the opportunity to bring the SME sector in line and up-to-date with government policy, and to work with them to address the main issues.

In looking at some of the granular detail needed and therefore why a delay is sensible, the following examples show the need for aligning the local needs and UK level strategy, alongside the diverse needs of businesses affected:

- FSB advocates a mixture of both 'take-back' to a place that sells drinks and designated drop-off locations. Transport terminals, schools, sports clubs and other civic spaces should all have facilities for consumers to return their empty drinks containers. We are particularly keen to ensure that such locations are accessible and do not drive footfall to out-of-town locations.
- Empty units in town centres, for example, could also be brought back into use by being turned in to designated drop off points for communities. This

would use these as opportunities to increase footfall, and also provide shared designated spaces for smaller businesses to administer the recycling more effectively where possible, by providing areas for businesses drop off too.

- Small retailers, particularly convenience stores, will be crucial in making a return to retail DRS work. In many of these stores space is at a premium and, considering the range of practical concerns of the smallest businesses, we strongly recommend that premises under 200sqft should be exempt from being required to take back returns (though there would be nothing to prevent those who wished to participate from doing so). For those who do, engaging locally to help provide drop off points would be best.
- Restaurants, bars and other sit-in only hospitality businesses should also be exempt from taking back returns and should instead only manage the bottles and cans sold within their premises. The drinks containers sold within these businesses are unlikely to leave the premises. Taking this into consideration, it may be sensible to exempt these businesses from charging their customers a deposit on the bottle altogether, instead letting them (instead of the customer) become the consumer in the DRS supply chain and be covered through other new waste regulations for businesses in Wales.

In any case, while FSB advocate a UK alignment of policy across the nations, it is too important that DRS scheme aligns with other regulation that is Wales-only in terms of business waste and recycling.

All of this adds complexity, and getting it right is important. As such we welcome the delay in implementation.

Roll out of the ban on single-use plastic products and business waste separation requirements.

FSB is in favour of the removal of single-use plastics from the economy.

The ban facilitates the shift away from disposable products towards cleaner, more sustainable alternatives, supporting the transition to a circular economy. However, we believe that small businesses require enough time, information and support to transition their businesses away from using these items. As such our evidence will discuss this part.

According to FSB research released in October 2021, more and more businesses seek to minimise single-use plastics in their products and services. Nearly half of small businesses (47%) at that time already avoided plastic products where an alternative is available. This number increases to 60 per cent among firms in the accommodation and food services sector.³

Definitions and Understanding

However, we have found concerns around the definition of 'single use plastic', and this has had an impact on SMEs' understanding of the change.

This is not a devolved area, as the Welsh definition of 'single use plastic' derives from the UK legislation – and it would be problematic to have different definitions. However, these are matter that have caused confusion and uncertainty, particularly for businesses in the biodegradable packaging sector. We would encourage Welsh Government to work with other governments to check if the definitions disincentivise the development of new renewable packaging, while also ensuring that these products are in fact recyclable. There are a few examples we have seen of businesses being in receipt of innovation funding or Development Bank of Wales funding who have subsequently found that their sustainable packaging may fall foul of this legislation and may in fact force them to work elsewhere. One business was considering moving to Canada – which provides funding support in this area also, to now continue their business. So capital flight is a concern where the regulation may capture too many materials, which then may hinder sustainability-led innovation.

There may also be issues around circular economy hubs and recycling points that may be relevant here. As this is a technical area we (at Welsh and UK level) have suggested that discussion happen between businesses affected and government to understand the tensions, and to ensure the balance between

³ Accelerating Progress (FSB: 2021)

innovation for future sustainability in products, and the need for action now is correct.

We have previously outlined our concerns in this regard in a letter to the Minister and we also provided this information to the Chair of the Committee.

At the 'consumer' business sector we have also found confusion caused by the definitions, with some small retailers and food businesses believing they had already moved to sustainable products for takeaways etc, now unsure as to whether they were or were not breaking the law. On the one hand this may be better of course, if the packaging created is not actually sustainable, but it means they require advice and support and clarity on sustainable ethical supply chains.

Advice and support

Our anecdotal engagement suggests that this has been patchy, and at times poor.

The food retailer above was not sure where advice could be found on this area that would help her business. We also have an example of someone who was unable to get any advice from his local Trade Standards on whether he could manufacture particular products, which suggests that key advice is not forthcoming.

On the other hand, while more on sustainability in general than single use plastics in particular, we have had some businesses mentioning in recent roundtables that they are accessing advice on sustainability from Business Wales – this contrasts with surveys in 2020 suggesting that none had received advice on this topic (but many said they wanted it). This suggests that their new sustainability advisers are having some impact.

It is important that business support is resourced to provide expertise in this agenda in future and the capacity of advice infrastructure for SMEs is important as we transition.

Lessons from rollout

As is well understood, there is a lack of Welsh media, and when there is an overlap of policy at England, or UK level and a divergent Welsh approach, there is more likelihood of confusion as SMEs in Wales will hear about England legislation, but may not be aware of the Welsh differences. We are hopeful that this lesson has been learned and where possible that timelines are aligned across the nations and general messaging produced that can serve SMEs in Wales, alongside simple messages going forward.

There is going to be another rollout of single use plastics in the next few years, dealing with products such as wet wipes alongside other materials. Again, we are supportive of these measures in principle. It is important that engagement on any issues that may arise (for example with small SME cleaning companies needing to source supplies and will need to be appraised of exceptions in health settings) be made early.

On the plus side, we are supportive of the grace period following the enactment of legislations allowing companies to be taught where they are going wrong inadvertently rather than a presumption of intent and guilt. It is also useful that where companies have stock overflow they are encouraged to use these rather than put into landfill, which is a more sensible option. FSB support this for future such activity, and as an important part of ongoing engagement and learning. This does need to be balanced with ensuring a level playing field for everyone and ensuring there aren't perverse incentives for businesses NOT do the right thing.

We would also note that for businesses selling products, broadly speaking addressing issues higher up the supply chain so that liability is upheld at production makes things easier than needing to understand every area of packaging rules.

Finally, we would note that there are times where the presumption of knowledge of policy issues has undermined the intent of policy. It was not helpful to hear a

Minister say that one 'had to be living under a rock' to not know of single use products being problematic. Even if true in a broad level, this does not mean that how this is implemented at a firm level, how one understands how to transition to new supply chains, whether those products will then be affordable and available, as well as lack of clarity on the responsibility and opportunities involved to SMEs, are still legitimate question. Understanding beyond that the diverging legislation and expectation at the devolved level and support institutions in place for advice would require quite a high level of knowledge by people outside policy circles.

Preparedness of the waste sector and infrastructure investment requirements.

As noted above, we have seen good examples of engagement from waste companies, although these are examples rather than a universal review. It appears that the campaign coordination with Welsh Government was relatively successful in this regard, and ensuring local relationships being a key part of engagement is a key part of success. So far – and tentatively- this appears to have worked better in new recycling regime than was the case with single use plastics.

The best links through to companies should be set out from the outset – for example, we have previously found using accountants for tax devolution (a field where we would expect confusion) was largely successful.⁴ Where there may be capacity issues (such as capacity to provide green audits for example), plans should be prepared to address capacity issues and address any market failures.

In terms of infrastructure, as noted above, we have heard from some sustainable packaging companies that the separation of recyclable items in the UK is not on a par with others. However, this is not an area where FSB has sufficient expertise except to pass on the claim from experts in the industry.

⁴ See Dr Helen Rogers & Sara Closs-Davies, 'Funding Prosperity: Creating a New Tax System in Wales' (FSB: 2019)

In terms of business recycling, one thing that we would want to monitor is any cost implications arising from the new regime. Unlike residential recycling provided by council, businesses pay directly for the services and often the choices are limited leading to high prices and sometimes bad services. It is important to keep a monitor on any rising costs as well as time issues involved in businesses themselves implementing the regime. We would note that businesses separating waste does also reduce the cost needed at the collection points to separate waste, and so should be seen as a valuable activity.

Waste policy and UK Internal Market Act

FSB welcomed the introduction of mutual recognition and non-discrimination as underpinning principles for the UK Internal Market across goods and services. Both principles are critical to the proper functioning of the UK Internal Market for small and micro businesses. However, all four administrations must ensure that the transposition of these powers is done neatly and cohesively. The principles should complement one another, though need not apply jointly in all cases. The changes must be made to work equally for businesses operating across all four localities, they must also be clearly communicated to businesses across all jurisdictions in a manner which distinguishes between the requirements for each jurisdiction where these exist.

Waste illustrates some of these issues at their most acute. Clearly if Welsh government brings harder legislation on packaging but mutual recognition means that competitors in another polity in the UK can sell without the same regulation, this means that Welsh Government would effectively be legislating for comparative disadvantage, and displacing any unsustainable practice to another part of the UK to basically take advantage of the new market.

So while we note possible issues with the definition in the legislation on 'single-use plastics' having a different definition in Wales would not address the problem, and our view is that with the principles of non-discrimination and mutual recognition clearly articulated, it is vital that all four UK administrations work together to develop proposals for the UK Internal Market's regulation that provide confidence and stability to smaller businesses. As such, the process of developing common frameworks should be the starting point for the operation of the UK Internal Market, with the measures set out in the consultation to be used to provide stability to that framework over the longer-term.

FSB supports a three-tier model of enforcement and oversight bodies for the UK Internal Market. The first is the Four Nations Independent Body as was outlined in the White Paper. This body must adopt an equitable approach to decision

making for all four administrations. The investigations and enforcement powers must be conferred upon a new or existing regulatory body such as the Competition and Markets Authority. Finally, there is need for a wider engagement forum for businesses and representative bodies to feed into the aforementioned bodies. Any such body requires adequate enforcement powers to hold all entities to account in the event of a violation. In order to achieve this, the independent body must not be accountable to any government within the UK Internal Market.

This provides a necessary balance between policy divergence and a broad consistency, and would provide a four-nation approach while avoiding undue pulling back of devolved competencies to the centre. The current outcomes from the differing policies across the UK - while imperfect - do not appear yet to have caused a warping of the market across the different parts of the UK on the basis of internal market principles. It may be that it has stopped activity that may otherwise have been possible, but in this context that is a judgement for policy makers to make, rather than FSB.

Conclusion

For SME employers it is vital that schemes start from understanding the pressures upon them, in terms of capacity (time and costs). Therefore, any aim to move must start from a basis of looking to provide headroom for SMEs to transition through alleviating costs and/or time in any schemes proposed, and that SMEs have fair access with schemes shaped to include their needs in a just transition. As noted, this also makes sense in terms of sustainable growth, prioritising growth from community businesses embedded in their local areas.

As such there are numerous opportunities in this agenda, if we get the frameworks right. It is important that the Welsh Government accentuate the positives and develop a strategy and narrative that focuses on tangible benefits for businesses and communities, be they in terms of lower costs or supply chains or new business opportunities. Currently the story SMEs hear are added costs and obligations, or at best mitigations of risks, rather than the numerous opportunities.

There are lessons – both on the good and bad practice – on how this has been done to date and we hope this evidence provides some useful initial insights.

Huw Irranca-Davies AS

Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion

Gwledig

8 Mai 2024

Annwyl Huw,

Mae'r Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith (y Pwyllgor) yn cynnal darn byr o waith ar wastraff yn ddiweddarach yn nhymor yr haf 2024. Bydd ffocws y gwaith hwn ar y cynnydd a wnaed gan Lywodraeth Cymru tuag at gyflawni ei strategaeth economi gylchol, Mwy nag ailgylchu (Mawrth 2021), yn benodol:

- targedau 2025 - ailgylchu 70% ar gyfer gwastraff o gartrefi a busnesau masnachol a diwydiannol, 26% o ostyngiad cyffredinol mewn gwastraff, dim gwastraff i safleoedd tirlenwi, gostyngiad o 50% mewn gwastraff bwyd y gellir ei osgoi, a
- y camau a gymerwyd hyd yma, gyda'r nod o: ysgogi defnyddio deunyddiau mewn modd arloesol; cynyddu atal gwastraff ac aildefnyddio; adeiladu ar ein hanes da o ailgylchu; buddsoddi mewn seilwaith; galluogi cymunedau a busnesau i weithredu; ac alinio ysgogiadau'r Llywodraeth.

Mae gan y Pwyllgor ddiddordeb arbennig yn y ffordd y mae/y bydd y canlynol yn effeithio ar gynnydd:

- Oedi cyn cyflwyno Cynllun Dychwelyd Ernes a'r Diwygiadau Cyfrifoldeb Cynhyrchwyr Estynedig.
- Cyflwyno'r gwaharddiad ar eitemau plastig untro a'r gofynion i fusnesau wahanu eu gwastraff.
- Parodrwyd y sector gwastraff a'r gofynion o ran buddsoddi mewn seilwaith.
- Deddf Marchnad Fewnol y DU

Rydym yn ymwybodol y byddwch eisoes yn ymddangos gerbron y Pwyllgor ddwywaith yn ystod tymor yr haf 2024. Fel y cyfryw, nid ydym yn bwriadu eich gwahodd i roi tystiolaeth lafar mewn cysylltiad â'n gwaith ar wastraff. Byddai'n ddefnyddiol, fodd bynnag, pe gallech ddarparu papur

tystiolaeth ysgrifenedig sy'n ymdrin â'r materion a amlinellir uchod. Bydd cyfle i'r Pwyllgor eich holi ar eich ymateb pan fyddwch yn ymddangos ger ein bron ar 26 Mehefin 2024 ar gyfer gwaith craffu cyffredinol.

Mae'r Pwyllgor yn awyddus i ddefnyddio eich ymateb i lywio ein sesiynau tystiolaeth gyda rhanddeiliaid ar 13 Mehefin. Felly, byddai'n ddefnyddiol derbyn eich ymateb erbyn **29 Mai**. Os cewch unrhyw anhawster i gwrdd â'r terfyn amser hwn, a fyddai modd i'ch swyddogion gysylltu â'r tîm clerico.

Yn gywir



Llyr Gruffydd AS,
Cadeirydd y Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Cynnydd o ran Cyflawni'r Strategaeth Economi Gylchol, Mwy nag Ailgylchu

Mae ein strategaeth economi gylchol, *Mwy nag Ailgylchu*, yn amlinellu ein hymrwymiad i drosglwyddo i economi gylchol wrth gyflawni ein nod o ddod yn genedl ddiwastraff a sero net erbyn 2050. Cyhoeddwyd y strategaeth yn 2021, ar adeg ddigynsail oherwydd y pandemig Covid-19. Er gwaethaf y cyd-destun hwnnw, fel y dengys y papur tystiolaeth hwn, mae cynnydd sylweddol wedi'i wneud. Mae hyn yn cynnwys y ffaith bod cyfraddau ailgylchu wedi parhau i gynyddu er gwaethaf yr heriau yn ystod y pandemig, bod y gwaith o ddatblygu'r seilwaith sylfaenol wedi parhau wrth i gyfleusterau ailddefnyddio ac atgyweirio gael eu cyflwyno – a thrwy hynny adeiladu ar y cynnydd parhaus mewn perthynas ag ailgylchu – a bod y Rheoliadau Ailgylchu yn y Gweithle newydd wedi eu datblygu a'u rhoi ar waith. Mae gwaith hefyd wedi parhau ar y meysydd sy'n cael eu cyflawni mewn partneriaeth ar draws pedair gwlad y DU, gan gynnwys ar ddarparu Cynllun Cyfrifoldeb Estynedig ar gyfer pecynwaith a Chynllun Dychwelyd Ernes. Yn ogystal, i gydnabod y cynnydd yn ystod y cyfnod hwn a'r arweinyddiaeth wrth drosglwyddo i'r economi gylchol, dewiswyd Cymru i gynnal yr International Circular Economy Hotspot eleni.

Targedau Economi Gylchol

O ran y targed o ailgylchu 70% o'r gwastraff o gartrefi, busnesau masnachol a busnesau diwydiannol erbyn 2025, mae'r data diweddaraf ym mhob maes fel a ganlyn:

- Gwastraff trefol a gasglwyd gan Awdurdod Lleol 2022-23 – 65.7%¹
- Gwastraff cartrefi 2022 – 56.7%²
- Gwastraff diwydiannol 2018 – 69%³
- Gwastraff masnachol 2018 – 64%⁴
- Gwastraff adeiladu a dymchwel 2019 – 93%⁵

O ran gwastraff trefol a gasglwyd gan Awdurdodau Lleol, mae ffigurau 2022/23 yn dangos bod pedwar Awdurdod Lleol eisoes yn cyflawni targed 2024/25 o 70%, bod 13 Awdurdod Lleol wedi rhagori ar y targed lleiaf o 64%, a dim ond pump wedi methu â chyrraedd y targed.

Mae amrywiaeth o gamau yn cael eu cymryd i gynyddu cyfraddau ailgylchu ymhellach a gweithio tuag at y targed. Mae hyn yn cynnwys parhau â'r model llwyddiannus o gymorth i Awdurdodau Lleol i'w helpu i wella eu perfformiad, gan gynnwys y Grant Rheoli Gwastraff Cynaliadwy, cyllid cyfalaf wedi'i dargedu, cyngor ar wella perfformiad a chyflawni'r ymgyrch ymwybyddiaeth gyhoeddus Bydd Wych. Yn fwyaf diweddar, rydym wedi gweithredu'r Rheoliadau Ailgylchu yn y Gweithle newydd⁶ sy'n ei gwneud yn ofynnol i weithleoedd gadw eu deunyddiau ailgylchadwy

¹ <https://www.llyw.cymru/adroddiad-rheoli-gwastraff-trefol-awdurdod-lleol-ebriill-2022-i-mawrth-2023>

² <https://www.gov.uk/government/statistics/uk-waste-data/uk-statistics-on-waste>

³ <https://cdn.naturalresources.wales/media/691995/survey-of-commercial-and-industrial-waste-generated-in-wales-2018-executive-summary-cymraeg.pdf>

⁴ <https://cdn.naturalresources.wales/media/691995/survey-of-commercial-and-industrial-waste-generated-in-wales-2018-executive-summary-cymraeg.pdf>

⁵ [Cyfoeth Naturiol Cymru / Arolwg gwastraff adeiladu a dymchwel 2019](#)

⁶ [Ailgylchu yn y Gweithle | LLYW.CYMRU](#)

allweddol ar wahân ac i'r rheiny gael eu casglu ar wahân, er mwyn gwella maint ac ansawdd yr ailgylchu o adeiladau annomestig. Yn ogystal, rydym wedi cyflwyno darpariaeth cyngor a chymorth i fusnesau gan Busnes Cymru.

Ar gyfer y gostyngiad cyffredinol o 26% yn y targed gwastraff, mae amcangyfrifon data presennol yn dangos mai cyfanswm y gwastraff yw 7,552,000 o dunelli o gymharu â llinell sylfaen 2006-7, sef 10,553,261 tunnell, sy'n ostyngiad o 28.4%. Mae cynnydd cadarnhaol hefyd o ran yr amcan o ddim gwastraff i safleoedd tirlenwi a tharged 2024-25 o lai na 5% o'r gwastraff a gynhyrchir yng Nghymru yn cael ei anfon i safleoedd tirlenwi. Y cyfraddau tirlenwi diweddaraf a gyhoeddwyd yw:

- Gwastraff trefol a gasglwyd gan Awdurdodau Lleol – 1.6% yn 2022-23⁷
- Gwastraff diwydiannol a masnachol - 11% yn 2018⁸
- Gwastraff adeiladu a dymchwel – 6% yn 2019⁹

Ar gyfer ein gwastraff trefol, mae'n golygu, ers datganoli, fod y gyfradd tirlenwi wedi gostwng o 95% yn 1998 i 1.6%. Gyda'r Rheoliadau Ailgylchu yn y Gweithle bellach ar waith, bydd yn sicrhau ymhellach bod deunydd ailgylchadwy yn cael ei gipio'n well i'w ail-brosesu, gan atal y deunydd hwnnw rhag cael ei anfon i safleoedd tirlenwi. Yn ogystal, fel rhan o'r diwygiadau ailgylchu yn y gweithle, mae'n cynnwys gwaharddiad ar anfon gwastraff pren i safleoedd tirlenwi a fydd yn cyfrannu ymhellach at gyflawni yn erbyn y targed hwn.

O ran ein targed i leihau gwastraff bwyd y gellir ei osgoi, mae sawl ymyriad ar waith i fynd i'r afael â gwastraff bwyd yng Nghymru, gan gynnwys:

- Casgliadau ar wahân ar gyfer gwastraff bwyd o gartrefi wedi cael eu cyflwyno'n llwyddiannus gan bob awdurdod lleol yng Nghymru;
- Mae'n ofynnol bellach i weithleoedd wahanu gwastraff bwyd i'w gasglu fel rhan o'r diwygiadau Ailgylchu yn y Gweithle;
- Ariannu FareShare Cymru i ehangu aildosbarthu bwyd dros ben i sefydliadau cymunedol;
- Clystyrau Bwyd Cynaliadwyedd yn canolbwyntio ar effeithlonrwydd adnoddau ac atal gwastraff mewn busnesau bwyd a diod;
- Ymgyrch [Gweithredu ar Newid Hinsawdd](#) Llywodraeth Cymru, gan gynnwys awgrymiadau ar leihau gwastraff bwyd a gwneud dewisiadau bwyd cynaliadwy;
- Roedd ymgyrch Bydd Wych¹⁰ a ariennir gan Lywodraeth Cymru yn canolbwyntio ar atal gwastraff bwyd a chyfraniad gan Lywodraeth Cymru at ymgyrch Hoffi Bwyd Casáu Gwastraff WRAP; a,
- Chefnogaeth Llywodraeth Cymru i gytundeb gwirfoddol Courtauld 2030 sy'n dod â manwerthwyr mawr ynghyd i helpu defnyddwyr i leihau gwastraff bwyd.

Yn ogystal, rydym yn gweithio gyda WRAP ar hyn o bryd i ddatblygu'r fethodoleg i ddadansoddi ac amcangyfrif lefelau gwastraff bwyd a'u cymharu â llinell sylfaen 2007.

⁷ <https://www.llyw.cymru/adroddiad-rheoli-gwastraff-trefol-awdurdod-lleol-ebriill-2022-i-mawrth-2023>

⁸ <https://cdn.naturalresources.wales/media/691995/survey-of-commercial-and-industrial-waste-generated-in-wales-2018-executive-summary-cymraeg.pdf>

⁹ [Cyfoeth Naturiol Cymru / Arolwg gwastraff adeiladu a dymchwel 2019](#)

¹⁰ [Arbed arian a chreu pŵer i Gymru | Cymru yn Ailgylchu](#)

Trosolwg o Gamau i Gyflawni Mwy nag Ailgylchu

O ran yr Economi, arloesi a datblygu'r farchnad, yr amcan yw cefnogi a sbarduno arloesedd, datblygu marchnadoedd newydd ar gyfer deunyddiau crai eilaidd a chynyddu cydnerthedd y gadwyn gyflenwi yng Nghymru, gan gydnabod bod datgarboneiddio'r gadwyn yn golygu bod yr economi gyfan yn dod yn fwy cylchol.

O fewn polisiau craidd Llywodraeth Cymru, mae *Mwy nag Ailgylchu* a'r rheidrwydd i symud i economi gylchol a'r cyfleoedd sylweddol i Gymru yn sgil gwneud hynny wedi'u hymgorffori ar draws ein strategaethau a'n cynlluniau. Mae hyn yn cynnwys *Cymru'n arloesi: creu Cymru gryfach, decach a gwyrddach, Cynllun Gweithredu Gweithgynhyrchu* Llywodraeth Cymru a datblygu'r *Cynllun Sgiliau Sero Net*.

Er mwyn cefnogi'r gwaith o gyflawni ein polisiau, mae cyllid wedi'i roi ar waith drwy'r Gronfa Economi Gylchol ar gyfer Busnes i helpu busnesau i addasu eu prosesau i ddefnyddio deunydd wedi'i ailgylchu a gwella effeithlonrwydd adnoddau, ac mae WRAP yn darparu cymorth arbenigol. Yn 2023-24, derbyniodd 19 o fusnesau ledled Cymru gyllid gan y Gronfa Economi Gylchol ar gyfer Busnes. Yn ogystal, mae WRAP wedi gweithio gyda busnesau yng Nghymru ar dreialon cadwyni cyflenwi gyda'r nod o gynyddu'r defnydd o ddeunyddiau wedi'u hailgylchu ym maes gweithgynhyrchu.

Mae'r rhaglen Cymunedau Arloesi Economi Gylchol (CEIC)¹¹ a'r rhaglen Ymchwil Gymhwysol ar gyfer Atebion Cylchol¹² a gynhelir gan Brifysgol Met Caerdydd a Phrifysgol Abertawe hefyd yn cynnig cyllid i BBaChau yng Nghymru arloesi a mabwysiadu atebion busnes cylchol.

Mae gan gaffael sector cyhoeddus cynaliadwy rôl hanfodol o ran cefnogi datblygiad y farchnad ochr yn ochr â gwella'r canlyniadau amgylcheddol sy'n cael eu cyflawni. Wrth weithredu'r ymrwymadau yn *Mwy nag Ailgylchu*, datblygwyd canllawiau ar yr Hierarchaeth Caffael Cynaliadwy, ymgysylltu â'r farchnad yn gynnar, adeiladu, dodrefn, tecstilau a chostau oes. Er mwyn asesu pa mor dda mae sefydliadau'r sector cyhoeddus yn perfformio o ran caffael cynaliadwy, datblygwyd yr Adolygiad Aeddfedrwydd Caffael Cynaliadwy sy'n darparu cynlluniau gweithredu ar gyfer gwella. Yn ogystal, mae cyfleoedd fel Menter Ymchwil Busnesau Bach (SBRI)¹³ Economi Gylchol yn y Sector Cyhoeddus, wedi rhoi cyfle i fusnesau yng Nghymru gynyddu atebion economi gylchol arloesol ar gyfer y sector cyhoeddus.

Mae'r newid i economi gylchol hefyd yn cyflwyno cyfleoedd ar gyfer arloesi digidol, fel y dangosir drwy gyflwyno'r treial Cynllun Dychwelyd Ernes Digidol tref lawn cyntaf yn y byd yn Aberhonddu. Profodd y treial Sganio|Ailgylchu|Gwobr dechnoleg newydd sy'n caniatáu i ddeiliaid tai sganio cynwysyddion diodydd, gyda'r treial yn darparu lefelau uchel o ymgysylltu, a 18,794 o wobrau yn cael eu hawlio.

¹¹ [Economi gylchol | DU \(ceicwales.org.uk\)](https://ceicwales.org.uk)

¹² [Ymchwil Gymhwysol ar gyfer Atebion Cylchol | Busnes Cymru \(llyw.cymru\)](https://llyw.cymru)

¹³ [Economi Gylchol yn y Sector Cyhoeddus yng Nghymru - Canolfan Ragoriaeth SBRI \(sbriwales.co.uk\)](https://sbriwales.co.uk)

Gan gydnabod y bydd angen y sgiliau i drosglwyddo i economi gylchol er mwyn manteisio i'r eithaf ar y cyfleoedd economaidd, mae ymgynghoriad y *Cynllun Sgiliau Sero Net* yn cynnwys sgiliau economi gylchol. Mae hyn yn cynnwys y rhai sy'n ofynnol yn y sector gwastraff ac adnoddau, yn ogystal ag ar draws pob sector gan gynnwys gweithgynhyrchu, ynni a seilwaith, amaethyddiaeth a'r sector cyhoeddus - gyda'r newid i economi gylchol yn elfen hanfodol o ddatgarboneiddio ym mhob un.

Wrth gymryd camau i gefnogi busnesau i bontio, mae Busnes Cymru wedi prif ffrydio hyfforddiant, gwybodaeth a chynngor i BBaChau i'w helpu i fabwysiadu arferion economi gylchol fel cynyddu effeithlonrwydd adnoddau. Fel y cydnabuwyd gan Bwyllgor y DU ar Newid Hinsawdd, mae cynyddu effeithlonrwydd adnoddau yn elfen hanfodol o'r gweithredu ar newid hinsawdd sydd ei angen y degawd hwn. Ynghyd â'r Addewid Twf Gwyrdd sy'n canolbwyntio'n gryf ar effeithlonrwydd adnoddau ac egwyddorion economi gylchol, mae'r cymorth hwn yn helpu busnesau i atal gwastraff a chymhwyso modelau busnes mwy cylchol. Mae Clwstwr Busnes Cynaliadwyedd ar gyfer gweithgynhyrchwyr bwyd a diod, sy'n cynnwys gweithgor gwastraff bwyd mewn cydweithrediad ag AMRC Cymru, ochr yn ochr â chyflwyno hyfforddiant 'Sgiliau Gwyrdd' i weithgynhyrchwyr bwyd a diod drwy'r 'Cwrs Hyfforddi Cynaliadwyedd' a 'Gweithdai Datgarboneiddio', hefyd ar waith. Mae Cyswllt Ffermio hefyd yn rhoi cynngor ar elfen gylchol ar ffermydd ar gyfer y sector ffermio.

Ein nod wrth adeiladu ar record ailgylchu Cymru yw parhau â'r llwyddiant a'r cynnydd sylweddol hyd yma drwy barhau i ysgogi gwelliannau o ran ailgylchu gwastraff o gartrefi, masnachol, diwydiannol, adeiladu a dymchwel a sicrhau bod Cymru ar flaen y gad o ran ailgylchu yn fyd-eang. Felly, mae datblygu a gweithredu'r Rheoliadau Ailgylchu yn y Gweithle yn gam sylweddol arall ymlaen a fydd yn lleihau ymhellach faint o wastraff a anfonir i losgi ac i safleoedd tirlenwi, gan gipio mwy o ddeunyddiau o ansawdd uchel sydd wedi'u gwahanu yn y tarddle y gellir wedyn eu bwydo'n ôl i economi Cymru. Bydd y ffaith bod y cynllun Cyfrifoldeb Estynedig Cynhyrchwyr ar gyfer pecynwaith a'r Cynllun Dychwelyd Ernes ar gyfer cynwysyddion diodydd yn cael eu datblygu yn sbarduno cynnydd ymhellach ac yn darparu manteision ehangach fel mynd i'r afael â sbwriel.

Mae ein gwaith partneriaeth gydag Awdurdodau Lleol, sydd wedi bod mor ganolog i Gymru yn dod yn genedl ailgylchu, hefyd yn parhau gyda pharhad yr ystod o gymorth ochr yn ochr â chydweithio ar y diwygiadau sy'n cael eu datblygu. Mae hyn yn cynnwys diweddarau arferion gorau'r Glasbrint¹⁴ i gefnogi Awdurdodau Lleol i ailgylchu mwy na 70%.

Elfen allweddol o'r strategaeth economi gylchol yw'r ymrwymiad i atgyweirio ac aildddefnyddio, gan gydnabod ei bod yn hanfodol gwneud *Mwy nag Ailgylchu* er mwyn dod yn genedl ddiwastraff a sero net. Wrth gyflawni'r ymrwymiad hwn, rydym wedi cymryd nifer o gamau i dyfu ac ehangu aildddefnyddio a buddsoddi mewn cyfleusterau allweddol.

¹⁴ [Trosolwg | Glasbrint Casgliadau \(collectionsblueprint.wales\)](https://www.glasbrint.co.uk/collectionsblueprint.wales)

Mae hyn yn cynnwys gweithio gyda Chaffi Trwsio Cymru i ehangu'r rhwydwaith o gaffis trwsio i 137 o gymunedau ledled Cymru. Mae dros 17,000 o eitemau bellach wedi'u dargyfeirio o wastraff drwy gael eu hatgyweirio. Mae buddsoddiad yn Benthg Cymru hefyd wedi cefnogi ehangu eu rhwydwaith o 'Lyfrgelloedd Pethau' i 20 safle ledled Cymru, ac mae hyn wedi golygu eu bod wedi prydlesu eu heitemau 12,000 o weithiau.

Rydym hefyd wedi buddsoddi dros £4 miliwn mewn prosiectau atgyweirio ac aildddefnyddio ledled Cymru drwy'r Gronfa Economi Gylchol. Mewn cydweithrediad ag awdurdodau lleol a phartneriaid trydydd sector, mae hyn wedi cefnogi creu dros 50 o hybiau. Mae hefyd yn golygu bod gan 18 o'n 22 awdurdod lleol o leiaf un cyfleuster aildddefnyddio bellach mewn Canolfan Ailgylchu, ac rydym yn gweithio gyda'r pedwar sy'n weddill i sicrhau darpariaeth lawn. Rydym hefyd yn ariannu WRAP Cymru i ddatblygu canllawiau aildddefnyddio ymarferol ar gyfer awdurdodau lleol, gan gynnwys arferion da o bob cwr o Gymru.

Wrth i'r seilwaith ehangu, rydym hefyd yn codi ymwybyddiaeth drwy ymgyrchoedd cyhoeddus i gefnogi newid ymddygiad, er enghraifft, drwy hyb digidol *Gweithredu ar Newid Hinsawdd*¹⁵ sy'n darparu cyngor ac yn cyfeirio dinasyddion yng Nghymru at wybodaeth am ddewisiadau cynaliadwy.

Mae'r camau sy'n cael eu cymryd i weithredu *Mwy nag Ailgylchu* hefyd yn cynnwys rhaglen uchelgeisiol o ddiwygio deddfwriaethol, gan ddefnyddio deddfwriaeth fel sbardun allweddol i gefnogi cynnydd. Yn ogystal â'r deddfau newydd i weithredu'r diwygiadau Ailgylchu yn y Gweithle y cyfeiriwyd atynt eisoes, daeth cam cyntaf y gwaharddiadau ar blastigau untro i rym ym mis Hydref 2023 o dan Ddeddf Diogelu'r Amgylchedd (Cynhyrchion Plastig Untro) (Cymru) 2023.

Mae'r rhaglen o ddeddfwriaeth i roi Cyfrifoldeb Estynedig Cynhyrchwyr ar gyfer pecynwaith ar waith eisoes wedi dechrau, gyda hynt y ddeddfwriaeth i gipio data allweddol wrth baratoi ar gyfer y cynllun. Mae'r hysbysiad o'r cynllun hefyd wedi'i gyflwyno i Sefydliad Masnach y Byd cyn cyflwyno'r prif offeryn statudol i weithredu'r cynllun yn ddiweddarach yn y flwyddyn. Bydd y diwygiadau'n golygu y bydd y busnesau hynny sy'n gosod nwyddau wedi'u pecynnu ar farchnad y DU neu'n eu mewnforio yn dod yn gyfrifol am gostau casglu, gwaredu ac ailgylchu'r pecynwaith pan fydd yn cyrraedd diwedd ei oes fwriedig. Mae'r penderfyniad ar y cyd gan y pedair llywodraeth i ohirio'r rhwymedigaethau ar gyfer talu am becynwaith rhwng mis Hydref 2024 a mis Hydref 2025 wedi galluogi gwaith ychwanegol gyda busnesau, awdurdodau lleol a rhanddeiliaid ehangach i fireinio'r cynllun ymhellach. Bydd hyn yn helpu i sicrhau y bydd yn cyflawni'r amcanion yn effeithiol ac yn gosod y sector ar lwybr clir tuag at ddatgarboneiddio.

Er bod y broses o gyflwyno'r Cynllun Dychwelyd Ernes ar gyfer cynwysyddion diodydd hefyd wedi'i ohirio tan fis Hydref 2027, mae datblygiad y ddeddfwriaeth ar y gweill ac mae ein [datganiad polisi](#) ar y cyd diweddar yn tynnu sylw at y cynnydd sylweddol a wnaed gan y pedair llywodraeth ar ystod o fesurau ynghylch y gallu i

¹⁵ [Gweithredu ar Hinsawdd Cymru \(llyw.cymru\)](#)

ryngweithredu. Mae'r mater sy'n weddill ac sy'n ymwneud â dull y DU o ymdrin â'r Ddeddf Marchnad Fewnol yn cael sylw yn y [datganiad ysgrifenedig](#), ond ein bwriad o hyd yw gweithredu Cynllun Dychwelyd Ernes yng Nghymru sy'n cynnwys gwydr. Cafodd hyn ei gymeradwyo'n llawn gan yr ymgynghoriad a gynhaliwyd ar y cyd â Llywodraeth y DU – a gyhoeddwyd ym mis Ionawr 2023 – ac mae'n arbennig o bwysig yng Nghymru er mwyn i'r cynllun lwyddo yn erbyn ein lefel ailgylchu sylfaenol.

Mae deddfwriaeth hefyd yn cael ei datblygu i gyflwyno gwasanaeth olrhain gwastraff digidol gorfodol i olrhain symudiad a chyrchfan gwastraff. Bydd hyn yn darparu ffordd gynhwysfawr o olrhain yr hyn sy'n digwydd i wastraff a gynhyrchir yn y DU a fydd, yn ei dro, yn helpu'r broses rheoleiddio a chydymffurfio â'r ddyletswydd gofal am wastraff ac yn helpu i fynd i'r afael â throseddau gwastraff.

Ar 30 Hydref 2023, daeth cam cyntaf y gwaharddiadau i rym o dan Ddeddf Diogelu'r Amgylchedd (Cynhyrchion Plastig Untro) (Cymru) 2023. Roedd y rhain yn cynnwys gwaharddiadau ar gyflenwadau:

- Platiau plastig untro – mae hyn yn cynnwys platiau papur sydd ag arwyneb plastig wedi'i lamineiddio
- Cytleri plastig untro – er enghraifft ffyr, llwyau, cyllyll
- Troyddion diodydd plastig untro
- Cwpanau sydd wedi'u gwneud o bolystyren ehangedig neu bolystyren allwthiedig ewynnog.
- Cynwysyddion bwyd tecawê sydd wedi'u gwneud o bolystyren ehangedig neu bolystyren allwthiedig ewynnog.
- Ffyn balŵn plastig untro
- Ffyn cotwm plastig untro
- Gwellt yfed plastig untro – gydag esemptiadau i bobl sydd eu hangen i fwyta ac yfed yn ddiogel ac yn annibynnol.

Daeth rheoliadau sy'n cyflwyno sancsiynau sifil ar gyfer y gwaharddiadau i rym ar 1 Rhagfyr 2023 ac, ar hyn o bryd, rydym yn gweithio ar y camau nesaf o waharddiadau, gyda'r nod o gyflwyno Cam 2 erbyn gwanwyn 2026. Bydd hyn yn cynnwys gwaharddiadau ar y canlynol:

- Bagiau plastig untro – gydag esemptiadau, gan gynnwys bagiau ar gyfer pysgod, cig neu ddofednod amrwd a bwyd heb ei becynnu
- Caeadau polystyren ar gyfer cwpanau a chynwysyddion bwyd tecawê
- Cynhyrchion plastig ocsio-ddiraddadwy.

Yn dilyn ymgynghoriad pedair gwlad diweddar a ddaeth i ben ar 25 Tachwedd 2023, rydym hefyd yn blaenoriaethu gwaharddiadau ar gyfer cadachau gwlyb sy'n cynnwys plastig. Cyhoeddwyd Ymateb y Llywodraeth i'r ymgynghoriad a Datganiad Ysgrifenedig cysylltiedig ar 22 Ebrill 2024. Amlinellodd hyn y camau nesaf a chadarnhawyd y byddai cyfnod pontio o 18 mis ledled y DU i ganiatáu i fusnesau drosglwyddo i gadachau di-blastig a lleihau gwastraff. Tynnodd y Datganiad sylw hefyd at ein cynlluniau i gyflwyno gwaharddiadau ar fêps untro. Ar hyn o bryd, mae

swyddogion yn cwblhau asesiadau effaith ac yn drafftio'r rheoliadau ar gyfer y gwaharddiadau hyn.

Parodrwydd y sector gwastraff a buddsoddiad mewn seilwaith

Mae ein dull gweithredu wedi canolbwyntio ar barhau ac adeiladu ar y gwaith partneriaeth gyda'r sector gwastraff sydd wedi bod mor drawsnewidiol ers dechrau datganoli. Mae ein hymgysylltiad rheolaidd yn cynnwys cyfarfodydd gyda Chymdeithas Gwasanaethau Amgylcheddol Cymru (prif gorff masnach y sector gwastraff), y digwyddiadau a drefnir yng Nghymru gan y Sefydliad Siartredig Rheoli Gwastraff (CIWM), yn ogystal ag ymgysylltiad yn ystod y camau allweddol wrth ddatblygu ein strategaeth gyffredinol a pholisïau ategol. Er enghraifft, mae ymgysylltiad â'r sector gwastraff ar y Rheoliadau Ailgylchu yn y Gweithle newydd wedi bod yn helaeth – gan fod y bwriad i gyflwyno gofynion ar gyfer gwahanu a chasglu deunyddiau ailgylchadwy allweddol ar wahân wedi'i nodi fel polisi allweddol yn yr ymgynghoriad ar strategaeth wastraff 2010, *Tuag at Ddyfodol Diwastraff* ac yna wedi'i gynnwys ym Mhapur Gwyn Bil yr Amgylchedd yn 2012-13, yr holl ffordd drwy'r ymgynghoriadau yn 2019 a 2022, ac mewn ymgysylltiad parhaus â pharodrwydd ac yna gweithredu hyd heddiw.

Mae buddsoddi mewn seilwaith yn allweddol i'r newid i economi gylchol, ond mae hefyd yn hanfodol o ran datgarboneiddio ac o bwys cynyddol i'n cydnerthedd economaidd a'n cystadleurwydd mewn economi ddatgarboneiddio fyd-eang. Mae ein dull o fuddsoddi yn seilwaith y sector cyhoeddus wedi ehangu ac adeiladu ar y dull gweithredu sydd wedi llwyddo i drawsnewid Cymru i fod yn genedl ailgylchu. Mae hyn wedi gweld Llywodraeth Cymru yn buddsoddi dros £1 biliwn ers datganoli, gydag elfennau mwy newydd fel y gefnogaeth i Awdurdodau Lleol drosglwyddo i ddefnyddio Cerbydau Allyriadau Isel lawn i gasglu ailgylchu a gwastraff yn cael eu hychwanegu at y gefnogaeth er mwyn gweithredu'r dull Glasbrint.

Ochr yn ochr â pharhau i fuddsoddi yn seilwaith y sector cyhoeddus, mae'r newid i economi gylchol hefyd yn mynnu bod y seilwaith economaidd yn manteisio ar y cyfleoedd sylweddol a chael budd o ddulliau heb eu hail Cymru o gasglu deunydd wedi'i ailgylchu. Gan ategu'r buddsoddiad drwy'r Gronfa Economi Gylchol ar gyfer Busnes a nodir uchod, sydd wedi bod o fudd i nifer o fusnesau yng Nghymru, rydym hefyd yn cefnogi mewnffuddsoddiad mewn meysydd allweddol, er enghraifft, ffatri ailgylchu plastig newydd Jayplas yn Abertawe, sy'n ymdrin â 100,000 tonnall o ddeunydd ailgylchu y flwyddyn. Mae ein gweledigaeth glir, ein polisïau cyson a'n perfformiad ailgylchu heb ei ail yn gwneud Cymru'n gyrchfan allweddol ar gyfer buddsoddi mewn arloesedd economi gylchol.



Department for
Science, Innovation
& Technology

Item 6.2
Minister of State for Data and Digital Infrastructure
Department for Science, Innovation & Technology
100 Parliament Street
London SW1A 2BQ

www.gov.uk/dsit

Delyth Jewell MS

Committee Chair
Culture, Communications, Welsh Language, Sport,
and International Relations Committee

16 May 2024

Dear Delyth,

Thank you for your letter of 19 February 2024, my apologies for my delayed response. However, I am pleased to advise that during this time, my Department has been in close communication with Welsh Government Officials to reach an agreed position on the Data Protection and Digital Information ('DPDI') Bill. This dialogue remains on-going.

The Data Protection and Digital Information Bill is an essential piece of legislation that will make the UK's data laws among the most effective in the world, by maintaining high data protection standards and making common sense changes to put in place a pro-growth, innovation friendly data protection framework. Since the introduction of the DPDI Bill, we have added a number of amendments to the Bill. Whilst many of the Government's amendments are technical in nature, others are key to unlocking the immense possibilities of data use to improve the lives of everyone in the UK.

National Underground Asset Register

The National Underground Asset Register (NUAR), as you are aware, is a new digital map built in partnership with Welsh and NI government officials to improve the way we install, maintain, operate and repair the pipes and cables buried beneath our feet. Approximately 1 in every 65 holes dug results in an accidental asset strike (c. 60,000 a year), which is far too high, causing around £2.4 billion worth of economic cost, putting workers' lives at risk and disrupting our day-to-day lives. We estimate NUAR will generate in excess of £400m in total benefits per annum through increased efficiency, reduced accidental damage and reduced disruptions for citizens and businesses. Immediate access to data in a digital, standardized format will also help improve worker safety.

The Geospatial Commission, part of the Department for Science, Innovation & Technology, has been working closely with Welsh Government officials to develop the NUAR platform from the onset in 2021, which is why Wales was one of the first areas to benefit from the new services in 2022. Officials have and continue to actively contribute to the platform's development, ensuring that it aligns with the specific needs and requirements of Welsh Government, asset owners and excavators. They have played a crucial role in getting asset owners across Wales involved with the NUAR, facilitating the inclusion of data related to underground pipes and cables in the register. Additionally, Welsh Government are actively sharing relevant data through the NUAR, ensuring that workers can access this through the new register. Most recently, officials participated in a discovery project to explore the technical feasibility of sharing data between NUAR and DataMapWales, a digital platform that provides access to public sector data in Wales, including through a map interface. Furthermore, officials have been informed about legislative reforms related to operationalizing the NUAR service, which will ensure the benefits are realized across all areas of operation. However, these benefits can only be achieved with the proposed legislative provisions.

Tudalen y pecyn 83



The majority of respondents to a 2022 public consultation on the future of NUAR stated new legislative reforms would be required to ensure workers have access to all the data they need, when they need it, through the new service. The requirement for legislation has been further reinforced in the current development phase of NUAR, where it has become increasingly clear that whilst a number of asset owners will voluntarily share their asset data, a proportion of asset owners will not do so in a timely manner, or keep it up to date, without new legislation being in place.

New reforms are required to establish NUAR as a statutory register for the sharing of buried utility data, to allow government to specify the data that is to be shared, who can access the data and the terms under which access may be granted, and to grant powers to charge fees to ensure the service is operationally viable and financially self-sustaining in future years without requiring use of public funds, as well as criminal offences for non-compliance.

Careful consideration was given as to the most appropriate legislative approach for bringing forward the necessary reforms to fully operationalise the digital service and realise the estimated benefits. It is our view that the best approach for introducing these new reforms is by updating existing data sharing obligations, rather than creating them afresh. Individual apparatus owners in England and Wales are already required to record information, maintain their own records and share information from those records with others as per the New Roads and Street Works Act 1991. With NUAR now live across England and Wales, it is appropriate to update these obligations to require the sharing of data through NUAR among other things.

We have adopted this approach after careful consideration and for important practical reasons; for NUAR to operate efficiently it is crucial that the legislative framework underpinning it is consistent in its approach across England and Wales. For example, for NUAR to be as effective and useful as possible, the information entered into it and then shared with others, must be consistent in content and format in respect of all apparatus. This also supports asset owners who operate across both nations, such as Virgin Media O2, Welsh and West Utilities and Openreach. Of course, we recognise the very keen interest that Welsh Ministers and the people of Wales will have in the content of any regulations made by the Secretary of State in relation to the devolved matter of street works, hence the inclusion of a clear requirement, prior to making such regulations, for the Secretary of State to have to consult Welsh Ministers.

Lastly, we have also taken care to ensure the provisions that are being taken forward do not prevent the Senedd from taking forward similar legislation in the future; for example, should Welsh Government wish to create their own version of NUAR, these provisions do not restrict the competency of the Senedd to do so.

We look forward to continuing our engagement with Welsh Ministers as we work to fully operationalise this high value service to improve worker safety and the resiliency of our critical services.

With best wishes,



Julia Lopez MP

Minister for Data and Digital Infrastructure
Tudalen y pecyn 84





Cadeirydd y Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

Llywodraeth Cymru
Welsh Government

Llyr Gruffudd AS, Cadeirydd y Pwyllgor Newid Hinsawdd, Amgylchedd
a Seilwaith

Senedd Cymru
Bae Caerdydd
Caerdydd
CF99 1SN

21 Mai 2024

Annwyl Cadeiryddion,

Mae'r llythyr hwn i'ch hysbysu fy mod, yn unol â Rheol Sefydlog 30A, wedi gosod Memorandwm Cydsyniad Offeryn Statudol yn Senedd Cymru mewn perthynas ag Offeryn Statudol y DU:

Rheoliadau Deddf Ynni 2023 (Diwygiadau Canlyniadol) 2024

Gellir dod o hyd i'r ddolen i'r Memorandwm Cydsyniad Offeryn Statudol [yma](#):

Rwy'n ystyried bod y Rheoliadau yn offeryn statudol perthnasol gan eu bod yn gwneud darpariaethau o ran Cymru sy'n diwygio deddfwriaeth sylfaenol, sef Deddf Amgylchedd (Cymru) 2016, sydd o fewn cymhwysedd deddfwriaethol Senedd Cymru ac nad ydynt yn ddarpariaethau sy'n rhai deilliadol, canlyniadol, trosiannol, darfodol, atodol nac arbed sy'n ymwneud â materion nad ydynt o fewn cymhwysedd deddfwriaethol y Senedd.

Gwneir y rheoliadau hyn o dan adran 330 o Ddeddf Ynni 2023. Byddwch yn ymwybodol nad oedd Senedd Cymru wedi cydsynio i'r pwerau hyn. Er hynny, nawr bod y darpariaethau hyn ar y llyfr statud rydym wedi ymrwmo i sicrhau eu bod yn cael eu harfer mewn ffordd gyfrifol.

Rwyf wedi cyhoeddi datganiad ysgrifenedig y gallwch ei weld [yma](#).

Yn Gywir,

Jeremy Miles AS/MS

Ysgrifennydd y Cabinet dros yr Economi, Ynni a'r Gymraeg
Cabinet Secretary for Economy, Energy and Welsh Language

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Gohebiaeth.Julie.James@llyw.cymru
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Rydym yn croesawu gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth Gymraeg sy'n dod i law yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

Restoration of opencast mining sites

Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Adfer safleoedd glo brig | Restoration of opencast mining sites

Tystiolaeth ychwanegol gan Sue Jordan | Additional evidence from Sue Jordan

The **Climate Change, Environment and Infrastructure Committee** ('the Committee') has agreed to undertake a short piece of work to explore the restoration of former opencast mining sites in south Wales.

This work will focus on:

- the financial and practical arrangements for the restoration of the Ffos y Fran opencast site;
- how restoration of opencast sites can be secured, and contingency planning in the event of insufficient funds being available; and
- the findings and recommendations from the Welsh Government report on **Research into the failure to restore opencast coal sites in south Wales (April 2014)** and whether these still apply.

I have summarised the outcomes we need as a country, below, and hope you will circulate to the chair and committee.

There was more we could have said about the loss of our home, and how it was allowed to happen. To ensure this does not happen to others, we need to give the full story.

Climate Change committee 9.5.24

We need:

1. Assessments from chartered, indemnified engineers, hydrologists, and geologists (to report on the likelihood of further earthquakes). Assessments should not be funded by the Coal Authority (CA), the LPAs, the UK Department of Business or the mine owners. They must be placed in the public domain.

2. Checks and confirmation that all buttressing and stabilisation recommended in earlier (2015) reports to the local planning authorities (LPA) has been completed. (submersible drones are one option)
3. Fill in the voids at Ffos y Fran, Margam and East Pit, as promised in original planning applications. Water becomes acidic and polluted from contact with mining waste and seeps into water courses. There is also the danger that the voids will overflow and flood the valleys below, particularly where they are situated on the sites of recent earthquakes.
4. No more opencast, no new coal, despite rising coal prices. Full recognition of the risks to the unborn child [1-3], (including lead and cadmium pollution [4]), children [5-7], and adults of releasing air pollutants [8-10], including the sulphur gases [3].
5. Enforced procedures to ensure that no more homes are destroyed by mining subsidence. The CA, NRW, and LPA were unable to do this.
6. A devolved Coal Authority, accountable to Welsh government, with residents and victims on the governing body. (Hugh Towns, from the LPA indicated that residents are not consulted regarding restoration.) Jan Adamson has described the control and coercion of the Westminster government. The current CA/ LPA arrangement is not fit for purpose, having failed in many areas:
 - Gleision mine disaster and fatalities <https://www.bbc.co.uk/news/uk-wales-south-west-wales-26931513>
 - Lead and cadmium pollution in Ceredigion , <https://www.bbc.co.uk/news/articles/cv2rzj3v2leo>
 - Homes destroyed and reduced to insurance write offs, despite external warnings.
 - Absence of oversight on subsidence
 - Opencast mining without consent at Ffos y Fran and East Pit
 - 40million cubic metres of water left on an active earthquake fault, 150m above the valley floor.
 - Subsidence of the A4069
 - Floods at Skewen <https://www.bbc.co.uk/news/uk-wales-60069085>

- Tips across South Wales: 41 now categorised as high risk.
- Failure to address or even mention the effects of mine-generated pollution on the unborn child, child and adult health.

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Merthyr Tydfil Heritage Trust

Ffos y Fran restoration – call any new plans to involve communities

Ref: htlt372-05-24

Llyr Gruffydd MS Chair and Members of the
Climate Change, Environment, and Infrastructure Committee
Senedd Cymru
SeneddClimate@senedd.wales

Wednesday, 22 May 2024

Dear Llyr Gruffydd MS Chair and Members of the Climate Change, Environment, and Infrastructure Committee,

Merthyr Tydfil Heritage Trust last month raised its concerns about the “total failure” of the Ffos y Fran Land Reclamation scheme – the final phase of the East Merthyr Land Reclamation Scheme.

We appreciate the efforts of the Climate Change Committee to hold statutory public sector bodies to account for what seems to be pitiful neglect in the oversight of the final stages of opencast coal mining across the vast East Merthyr site.

Your last meeting (9 May 2024) heard that the Ffos y Fran operator Merthyr South Wales Ltd (MSW Ltd) had written in with a claim that they had reached a formal agreement with Merthyr Tydfil County Borough Council to commence an interim restoration programme of works on site commencing this month.

Yet the local authority has said nothing about this in public – perhaps its delegation meeting with you today can clarify what this “formal agreement” says and who signed it off.

We will again be observing your proceedings with interest. Our ambition is to persuade statutory authorities and agencies to accept responsibility for delivering the aims of the Ffos y Fran restoration. and the whole 34 years of three phases of the East Merthyr Land Reclamation Scheme (stage 1 Incline Top, stage 2 Goat Mill Road and finally stage 3 Ffos y Fran).

At the outset in 1990 local people in East Merthyr and Dowlais were given pledges by their local authorities. Yes, there would be noise and nuisance in the short term but after 20 years – 30 at most - the old coal and slag tips stretching from Penydarren near Merthyr Tydfil town centre right up to the top of the overlooking hills would be re-purposed to provide communities with much needed breathing space and an environment that encouraged the revival of biodiversity.



Merthyr Tydfil Heritage Trust

Ffos y Fran restoration – call any new plans to involve communities

Back in the 1990s stages 1 and 2 delivered – in particular at Incline Top. Nature did indeed make a comeback. A new link highway was laid, a housing estate was built and a new park, woodlands and playing fields were provided. Restoration after two years of opencast mining was carried out over a five year term. A key to this success was initial positive public consultation and then close liaison with local residents.

This is in complete contrast with our experience over the last decade with the local authority and the operator at Ffos y Fran. Now in the spring of 2024 we see public bodies and agencies dissembling and prevaricating. Typical of this is Merthyr Tydfil CBC's latest letter to Friends of the Earth concluding, "the Council is taking a cautious approach to ensure the most appropriate outcome for the restoration of the site can be achieved in the public interest, mindful of the limited powers it has available."

To many this may sound not as caution but as a signal of retreat.

We would like to provide a more detailed submission to you following today's evidence session – even though it's at a late stage in your investigation.

As the Heritage Trust explained in our previous letter of 23 April 2024 we expect any new revised and/or replacement aftercare scheme for Ffos y Fran to include all the main objectives of the Replacement Strategy (2007).

That is to say the promises made to provide:

- safe public access across the East Merthyr historic landscape with a new network of trails and footpaths
- sustainable wildlife habitats and biodiverse environmental sites
- protection and restoration of surviving heritage features – including the old railway track bed from Cwmbargoed to Dowlais and
- the return of most of the site for traditional commoners' use.

The escrow account of £15 million (interestingly the sum originally promised for restoration in the first Ffos y Fran scheme some 25 years ago) should not be thrown away on unnecessary spoil moving for cosmetic landscaping.

MSL Ltd now say they have appointed Richards, Moorehead and Laing (RML) as consultants to prepare a revised restoration strategy. RML should be carrying out baseline habitat and biodiversity surveys – and the results should be shared with the local community and the wider public. As an example, the nesting season is in full swing. Many are likely to be surprised at the numbers and variety of birds across East Merthyr officially recorded 20 years ago. So, what is the picture today?



Merthyr Tydfil Heritage Trust

Ffos y Fran restoration – call any new plans to involve communities

3

The Heritage Trust has two suggestions to make from ‘left of field’.

First, that part of the Ffos y Fran site could be put forward as an alternative site for Dwr Cymru’s proposed water treatment works involve an underground reservoir and destruction of green, open countryside at Pontsarn less than a mile away.

Second, that the Ffos y Fran final operational site with its new 20 metre deep ‘body of water’ and the rock and coal seam cliff that looms over it be checked for potential as a ‘pumped hydro’ energy storage scheme.

May we now ask again that the committee politely calls for the Welsh Government to intervene to make sure Merthyr Tydfil County Borough Council has the best possible support and advice. And has it immediately.

You have heard evidence to the effect that neither the Carmarthenshire County Council opencast advisory team nor the Coal Authority have been commissioned to provide advice. They haven’t been near Ffos y Fran for months – possibly years.

The Central Valleys Landscape Partnership co-ordinated by Natural Resources Wales has brought together a Colliery Spoils Working Group that includes expertise from academic and scientific bodies across South East Wales. We understand that members of the group would be happy to be consulted on Ffos y Fran.

Generations of local people in East Merthyr and Dowlais have been let down by schemes that have ruined the environment and contributed to chronic ill health across the community. Prior to the East Merthyr Land Reclamation there was the Royal Arms / Trecatti coal opencast mining operation. Restoration there led to the Trecatti landfill site and that brought years of complaints and court action.

Any revision of the Ffos y Fran restoration plan now must not fail the present and future generations of our town.

Kind regards,

Rob Thomson

Projects Officer

Merthyr Tydfil Heritage Trust

[Redacted]

[Redacted]

[Redacted]

3

Eitem 6.5

Ymateb ysgrifenedig gan Lywodraeth Cymru i adroddiad y Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith ar graffu blynyddol Comisiwn Seilwaith Cenedlaethol Cymru: 2023.

Sefydlwyd Comisiwn Seilwaith Cenedlaethol Cymru (NICW) yn 2018 fel corff cynghori annibynnol, anstatudol i Weinidogion Cymru.

Ei brif ddiben yw dadansoddi, cynghori a gwneud argymhellion ar anghenion seilwaith economaidd ac amgylcheddol strategol hirdymor Cymru dros gyfnod o 5–80 mlynedd.

Cafodd y Comisiwn presennol ei ymgynnull yn 2022 pan benodwyd Dirprwy Gadeirydd a 6 Comisiynydd newydd i wasanaethu gyda'r Cadeirydd, Dr David Clubb, a benodwyd ddiwedd 2021.

Ynghyd â sefydlu Comisiwn newydd cafwyd llythyr cylch gwaith newydd, a gyhoeddwyd gan Lywodraeth Cymru, a oedd yn nodi rhaglen waith gan gynnwys y gofyniad i NICW edrych ar y ffordd y mae ynni adnewyddadwy yn cael ei ddarparu yng Nghymru. Yn ogystal, ymrwymodd y Cytundeb Cydweithredu i NICW edrych ar ffyrdd y gellid lleihau llifogydd mewn cartrefi, busnesau a chymunedau erbyn 2050. Caiff y adroddiad hwn ei baratoi ar hyn o bryd ac edrychwn ymlaen at glywed barn y Comisiwn ar hyn yn ddiweddarach eleni.

Mae craffu annibynnol ar gyrff fel Comisiwn Seilwaith Cenedlaethol Cymru yn rhan bwysig o ddemocratiaeth dryloyw. Hoffwn ddiolch i aelodau'r Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith am eu hadroddiad ar y sesiwn a gynhaliwyd ganddynt gyda Chadeirydd a Dirprwy Gadeirydd NICW ym mis Ionawr 2024.

Rwyf wedi nodi fy ymateb i argymhellion unigol yr Adroddiad, sydd wedi eu hanelu at Lywodraeth Cymru, isod.

Argymhelliad 1.

Rhaid i Lywodraeth Cymru gyflawni ei hymrwymiad i gynnal adolygiad cynhwysfawr o statws, rôl ac amcanion y Comisiwn cyn diwedd 2024. Rydym yn disgwyl i Lywodraeth Cymru ymgynghori â'r gwahanol sectorau seilwaith a rhanddeiliaid perthnasol eraill i lywio'r adolygiad.

Ymateb: Derbyn

Mae fy swyddogion wedi dechrau cwmpasu adolygiad o NICW gyda chydweithwyr o Wasanaeth Archwilio Mewnol Llywodraeth Cymru. Yn ddiweddar maent wedi cynnal adolygiadau tebyg ar draws y sefydliad a chyrrff cyhoeddus allanol. Cynlluniau cychwynnol yw i'r adolygiad gynnwys asesiad o gadernid trefniadau llywodraethu, gwerthuso myfyrdodau mewnol a wneir gan Gomisiynwyr, ymgysylltu allanol â rhanddeiliaid gan gynnwys amrywiol sectorau seilwaith ac ymarfer meincnodi ar draws sefydliadau tebyg. Bydd yr adolygiad yn edrych ar gylch gwaith, ffurf a swyddogaeth NICW a bydd yn gymesur o ran maint i faint y Comisiwn, gan geisio ystod barn a safbwyntiau amrywiol cyn cynnig sylwadau.

Goblygiadau ariannol:

Dim - Bydd Llywodraeth Cymru yn defnyddio ei Gwasanaeth Archwilio Mewnol ei hun i gynnal yr adolygiad.

Argymhelliad 2.

Dylai Llywodraeth Cymru egluro'r amserlen y mae'n gweithio tuag ati er mwyn cwblhau'r adolygiad. Os yw'r adolygiad yn annhebygol o gael ei gwblhau cyn diwedd 2024, dylai esbonio'r rheswm pam.

Ymateb: Derbyn

Caiff yr adolygiad hwn ei gwblhau erbyn diwedd mis Mawrth 2024. Bydd asesiadau desg cychwynnol o ddogfennaeth a meincnodi sefydliadau yn cael eu cynnal yn ystod y misoedd nesaf. Bydd yr amser hwn hefyd yn cael ei ddefnyddio i baratoi ar gyfer ymgynghori ac ymgysylltu ehangach â rhanddeiliaid a fydd yn cael ei gynnal wedi'r haf. Bydd y Comisiwn ei hun yn cymryd rhan yn yr adolygiad a bydd yn cael ei friffio'n rheolaidd ynghylch cynnydd. Ar hyn o bryd mae y Gwasanaethau Archwilio Mewnol yn paratoi'r Cylch Gorchwyl drafft a fydd yn nodi'r amserlenni a'r broses adolygu yn fanylach.

Goblygiadau ariannol:

Dim - Bydd Llywodraeth Cymru yn defnyddio ei Gwasanaeth Archwilio Mewnol ei hun i gynnal yr adolygiad.

Argymhelliad 3.

Fel rhan o adolygiad Llywodraeth Cymru o rôl ac amcanion statws y Comisiwn, dylai ystyried yr achos dros ymestyn y tymor penodi ar gyfer Comisiynwyr fel ei fod yn cydfynd yn well â phenodiadau cyhoeddus eraill.

Ymateb: Derbyn

Rhagwelir y bydd telerau penodi Comisiynwyr NICW yn cael eu cynnal fel rhan o'r adolygiad. Bydd hyn yn edrych a yw'r cyfnod presennol yn y swydd yn caniatáu digon o amser i Gomisiwn weithio'n gydlynol gyda'i gilydd i ddeall materion seilwaith yn gynhwysfawr a rhoi cyngor i Weinidogion Cymru ar draws y sectorau niferus y mae'n eu cwmpasu. Bydd meincnodi cyrff cyhoeddus eraill hefyd yn digwydd yn hyn o beth. Ar hyn o bryd mae'r Gwasanaethau Archwilio Mewnol yn paratoi eu Cylch Gorchwyl drafft a fydd yn nodi'r amserlenni a'r broses adolygu yn fanylach.

Goblygiadau ariannol:

Dim

Argymhelliad 4.

Dylai'r Comisiwn ymrwymo i sicrhau bod y gofyniad i Gomisiynwyr beidio â chymryd rhan mewn trafodaethau neu benderfyniadau pan allai gwrthdaro buddiannau, neu wrthdaro buddiannau canfyddedig, godi yn cael ei fodloni'n gyson. Dylai hefyd ymrwymo i sicrhau fod trefniadau priodol ar waith i fonitro cydymffurfio â'r gofyniad.

Ymateb: Amherthnasol

Mae'r argymhelliad hwn ar gyfer NICW ac nid Llywodraeth Cymru.

Goblygiadau ariannol:

Dim

Argymhelliad 5.

Dylai Llywodraeth Cymru wneud y canlynol:

- *ymateb i adroddiad y Comisiwn, Paratoi Cymru ar gyfer Ynni Adnewyddadwy 2050, fel blaenoriaeth, a*
- *esbonio pam na chyflawnodd ei ymrwymiad i ddarparu ymateb erbyn diwedd mis Ionawr 2024.*

Ymateb:

Mae'r adroddiad *Paratoi Cymru ar gyfer Ynni Adnewyddadwy 2050* yn gwneud 11 o argymhellion eang ar gefnogi system ynni adnewyddadwy yng Nghymru. Ystyriwyd bod angen ystyried adroddiad NICW law yn llaw â chwblhau adroddiad Archwilio Dwfn Ynni Adnewyddadwy o ystyried y gorgyffwrdd â'r argymhellion.

Mae'r trydydd diweddariad a'r olaf ar yr adroddiad Archwilio Dwfn Ynni Adnewyddadwy bellach wedi'i gyhoeddi. Mae gwaith ar ymateb i'r argymhellion sy'n weddill yn adroddiad NICW wedi'i baratoi fel mater o flaenoriaeth a bydd yn cael ei ystyried gan Weinidogion Cymru cyn ymateb i'r Comisiwn yn uniongyrchol.

Bydd Ysgrifennydd y Cabinet dros yr Economi, Ynni a'r Gymraeg yn ysgrifennu at y Comisiwn i'w gwahodd i gyfarfod i drafod ymateb Llywodraeth Cymru.

Goblygiadau ariannol:

Dim

Argymhelliad 6.

Rhaid i Lywodraeth Cymru adolygu ei hamserlen ar gyfer ymateb i adroddiadau'r Comisiwn. Dylai ystyried mabwysiadu amser ymateb rhwng 6 wythnos a 3 mis, fel ei fod yn cyd-fynd yn well â'r amser ymateb ar gyfer adroddiadau gan bwyllgorau'r Senedd ac Aseswr Diogelu'r Amgylchedd Annibynnol Cymru.

Ymateb: Derbyn mewn egwyddor

Bydd pob agwedd ar gylch gwaith a chylch gorchwyl NICW yn cael eu hasesu fel rhan o adolygiad y Gwasanaethau Archwilio Mewnol sydd ar ddod. Fodd bynnag, mae'n bwysig cofio y gallai natur argymhellion NICW, sy'n cael effaith hirdymor, olygu bod angen trafodaeth helaeth, o fewn Llywodraeth Cymru a chyda AGIC, ar y goblygiadau y gallent eu cael ar drefniadau cyflawni, deddfwriaeth a pholisi cyfredol. Er ei bod yn anffodus, o ran yr adroddiad ynni adnewyddadwy, nad ydym wedi gallu cyflawni ein hymrwymiaadau, mae hyn yn dangos yr amser sydd ei angen i asesu argymhellion y Comisiwn.

Goblygiadau ariannol:

Dim

Argymhelliad 7.

Dylai'r Comisiwn ystyried a ellid ymgorffori draenio a storio dŵr, a sut y gellid gwneud hynny, yng ngham ymchwil ei waith ar wrthsefyll y newid yn yr hinsawdd a risg ddirfodol. Dylai gyflwyno adroddiad i'r Pwyllgor ar y canlyniad wrth ymateb i'n hadroddiad.

Ymateb: Amherthnasol

Mae'r argymhelliad hwn ar gyfer NICW ac nid Llywodraeth Cymru.

Goblygiadau ariannol:

Dim

Argymhelliad 8.

Dylai'r Comisiwn:

** egluro a yw'n trafod â Phwyllgor y DU ar Newid Hinsawdd (UK CCC) ar ei waith, a sut, yn enwedig ei brosiect blwyddyn tri ar wrthsefyll y newid yn yr hinsawdd a risg dirfodol, a*

** ceisio cynrychiolaeth Pwyllgor y DU ar Newid Hinsawdd ar ei Fwrdd Cyngori ar wrthsefyll y newid hinsawdd a risg dirfodol.*

Ymateb: Amherthnasol

Mae'r argymhelliad hwn ar gyfer NICW ac nid Llywodraeth Cymru.

Goblygiadau ariannol: Dim

Argymhelliad 9.

Fel rhan o'r adolygiad cynhwysfawr o statws, cylch gwaith ac amcanion y Comisiwn, dylai Llywodraeth Cymru ystyried a oes budd i'w gwneud yn ofynnol i'r Comisiwn gynnal asesiad seilwaith cenedlaethol (tebyg i'r asesiadau a gynhaliwyd gan Gomisiwn Seilwaith Cenedlaethol y DU)

Ymateb: Derbyn mewn egwyddor

Bydd pob agwedd ar gylch gwaith a chylch gorchwyl NICW yn cael eu hasesu fel rhan o'r adolygiad sydd ar ddod, mae hyn yn cynnwys cynnal asesiad seilwaith cenedlaethol. Mae Comisiwn Seilwaith Cenedlaethol y DU yn gyfrifol am gynnal asesiad o'r fath, unwaith ym mhob senedd. Mae'r asesiad hwn ledled y DU yn cynnwys meysydd cyfrifoldeb datganoledig a neilltuedig. Byddai angen cynnal asesiad i weld a fyddai'n briodol i NICW ymgymryd â gwaith tebyg yng Nghymru ac a fyddai hyn yn rhoi gwerth am arian. Gellid ystyried bod dull presennol NICW o asesu sectorau unigol ar sail angen-ei-wneud, yn ffordd fwy effeithlon o weithredu, yn enwedig o ystyried lefelau adnoddau cyfredol. Rwy'n parhau i fod â meddwl agored ar y pwynt hwn a byddaf yn sicrhau bod yr adolygiad yn ymdrin â'r mater hwn.

Goblygiadau ariannol: Dim ar hyn o bryd. Fodd bynnag, mae'r wybodaeth a ddarparwyd gan yr hyn sy'n cyfateb i NICW yn Seland Newydd yn dangos y gallai asesiad cynhwysfawr o'r seilwaith gostio oddeutu £2.5 miliwn, gan feincnodi poblogaeth Seland Newydd yn erbyn Cymru.

Julie James AS

Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio



Ein cyf/Our ref: HID/PO/0146/24

Llŷr Gruffudd AS
Cadeirydd
Y Pwyllgor Newid Hinsawdd, Amgylchedd a Seilwaith
Senedd Cymru
Bae Caerdydd
Caerdydd
CF99 1SN

23 Mai 2024

Annwyl Llŷr,

Rwy'n ysgrifennu atoch i'ch hysbysu bod Llywodraeth Cymru, gyda'n partneriaid Awdurdod Cynllun Masnachu Allyriadau'r DU yn Llywodraeth y DU, Llywodraeth yr Alban a Gweithrediaeth Gogledd Iwerddon, wedi cyhoeddi dau ymgynghoriad heddiw ar ehangu Cynllun Masnachu Allyriadau'r DU (ETS y DU). Mae'r cyntaf yn ymwneud ag ehangu'r cynllun i ynni o'r sector gwastraff a llosgi gwastraff, ac mae'r ail yn ymwneud â sut y gellid integreiddio technolegau tynnu nwyon tŷ gwydr wedi'u peiriannu, ac a fyddai dulliau tynnu sy'n seiliedig ar natur yn addas ar gyfer y cynllun.

Ym mis Gorffennaf 2023 cadarnhaodd yr Awdurdod ei fwriad i gynnwys ynni o wastraff a llosgi gwastraff yn y cynllun o 2028. Mae hyn yn cynnwys cyfnod pontio o ddwy flynedd ar gyfer y sector rhwng 2026–2028 pryd y bydd allyriadau'n cael eu monitro, eu cofnodi a'u gwirio, heb unrhyw rwymedigaeth i brynu neu ildio lwfansau ETS y DU tan 2028. Mae'r ymgynghoriad heddiw yn rhoi rhagor o fanylion ar sut y bydd yr ehangu hwn yn cael ei weithredu, gan roi eglurder i sbarduno buddsoddiadau mewn datgarboneiddio.

Daw'r ymgynghoriad ar dynnu nwyon tŷ gwydr yn dilyn cyhoeddiad yr Awdurdod, hefyd fis Gorffennaf diwethaf, fod y cynllun yn farchnad hirdymor addas ar gyfer technolegau tynnu nwyon tŷ gwydr. Mae'r cyhoeddiad heddiw yn archwilio sut y gellid integreiddio technolegau tynnu nwyon tŷ gwydr wedi'u peiriannu o'r DU fel Dal Carbon mewn Aer yn Uniongyrchol, lle mae carbon deuocsid yn cael ei sugno o'r aer a'i storio'n barhaol, i ETS y DU. Wrth wneud hynny, mae'n anelu at ysgogi buddsoddiadau yn y technolegau hyn. Mae hefyd yn ystyried ymhellach y sefydlogrwydd, y costau a'r effeithiau posibl ar reoli tir ehangach pe bai technolegau o ansawdd uchel ar gyfer tynnu nwyon tŷ gwydr o goetir yn y DU yn cael eu cynnwys yn y cynllun.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Correspondence.Huw.Irranca-Davies@gov.wales

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

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

Bydd yr ymgynghoriad ar wastraff ar agor am wyth wythnos, tan 18 Gorffennaf 2024. Bwriad y cyfnod ymgynghori byrrach hwn yw rhoi amser i gwblhau rhagor o waith paratoi, a galluogi gweithredu'r cynigion erbyn 2026, fel yr ymrwymwyd i wneud yn flaenorol. Bydd unrhyw risg sy'n deillio o'r dull hwn yn cael ei lliniaru gan waith ymgysylltu helaeth i sicrhau cyfranogiad llawn rhanddeiliaid. Bydd yr ymgynghoriad ar dynnu nwyon tŷ gwydr ar agor am 12 wythnos tan 15 Awst 2024.

Bydd yr Awdurdod, ynghyd â swyddogion ar draws Llywodraeth Cymru, yn ymgysylltu'n helaeth â rhanddeiliaid yr effeithir arnynt i gasglu barn i gefnogi penderfyniadau terfynol ar sut y bydd ETS y DU yn cael ei ehangu. Bydd y diwygiadau hyn i ETS y DU yn gofyn am ddiwygiadau i Orchymyn Masnachu Allyriadau Nwyon Tŷ Gwydr y DU, felly bydd y Senedd yn cael cyfle i graffu ar gynlluniau unwaith y byddant wedi'u cwblhau.

Gyda'i gilydd, bydd yr wybodaeth a gesglir yn amhrisiadwy wrth lywio'r gwaith o ehangu'r cynllun, a fydd yn ei dro yn cynyddu'r allyriadau nwyon tŷ gwydr wedi'u cwmpasu o dan derfyn allyriadau'r cynllun. Bydd hyn yn cymell arloesedd, yn sbarduno gostyngiadau mewn allyriadau, ac yn helpu i sicrhau dyfodol cadarn, cynaliadwy i Gymru.

Yn gywir,



Huw Irranca-Davies AS/MS

Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig
Cabinet Secretary for Climate Change & Rural Affairs

Cadeiryddion pwyllgorau'r Senedd

22 Mai 2024

Cylchoedd gwaith y pwyllgorau

Annwyl Gadeirydd,

Yn ystod cyfarfod y Pwyllgor Busnes ar 14 Mai, gwnaethom ystyried llythyr gan Gadeirydd y Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith ynghylch heriau mewn perthynas â chylch gwaith y Pwyllgor hwnnw sydd wedi deillio o newidiadau diweddar i bortffolios gweinidogol.

Cytunodd y Pwyllgor Busnes i ysgrifennu at bwyllgorau eraill y Senedd i'ch gwahodd i roi unrhyw farn sydd gennych am gylch gwaith cyfredol y pwyllgorau, fel y gallwn ystyried unrhyw faterion sydd wedi codi mewn modd cydgysylltiedig.

Bwriadaf i'r Pwyllgor Busnes ddychwelyd at ystyried y materion hyn ymhellach cyn toriad yr haf, a byddwn felly'n ddiolchgar o gael eich barn neu unrhyw ystyriaethau sydd gan eich Pwyllgor erbyn dydd Gwener 21 Mehefin 2024. Rhowch wybod i mi os ydych yn rhagweld y cewch unrhyw anhawster ymateb o fewn yr amser hwn.

Rwy'n amgáu copi o'r ohebiaeth a anfonwyd gan Gadeirydd y Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith ynghylch ei gylch gwaith er mwyn rhoi cyd-destun.

Cofion cynnes

Elin Jones

Y Gwir Anrh. Elin Jones AS

Y Llywydd a Chadeirydd y Pwyllgor Busnes

Croesewir gohebiaeth yn Gymraeg neu Saesneg | We welcome correspondence in Welsh or English.





Ein cyf/Our ref: HID/PO/0143/24

Llyr Gruffydd AS
Cadeirydd
Y Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith
Senedd Cymru
Bae Caerdydd
Caerdydd
CF99 1SN

24 Mai 2024

Annwyl Llŷr,

Diolch am eich llythyr ynglŷn â chyfraith yr UE a ddargedwir (REUL). Gweler yr atebion isod i'ch cwestiynau:

Eich asesiad o Ddeddf Cyfraith yr UE a Ddargedwir (Dirymu a Diwygio) 2023 ar gyfraith amgylcheddol yng Nghymru

Rydym yn rhannu pryderon y Pwyllgor am effaith negyddol bosibl Ddeddf Cyfraith yr UE a Ddargedwir ar gyfraith amgylcheddol yng Nghymru. Ar y cyfan, rydym yn dal i fod o'r farn bod Ddeddf Cyfraith yr UE a Ddargedwir yn ddiangen, yn amwys ac yn seiliedig ar agenda wleidyddol. Nid yw'n sail synhwyrol ar gyfer diwygio cyfraith yr UE a ddargedwir, y gellid bod wedi'i wneud mewn modd mwy ystyriol yn raddol dros gyfnod o flynyddoedd.

Fel y mae, rydym yn hyderus nad yw dirymu'r ddeddfwriaeth a restrir yn Atodlen 1 i'r Ddeddf yn cael unrhyw effaith uniongyrchol a sylweddol ar gyfraith amgylcheddol yng Nghymru. Fodd bynnag, mae gennym bryderon penodol am y pwerau y mae'r Ddeddf yn eu rhoi i Weinidogion y DU i ddiwygio darnau presennol o gyfraith yr UE a ddargedwir (a elwir bellach yn "gyfraith a gymathwyd") drwy offeryn statudol. Nid oes gennym wybodaeth ar hyn o bryd ynghylch sut na phryd y gellid defnyddio'r pwerau hyn i ddiwygio cyfraith amgylcheddol, nac ym mha feysydd y gellid gwneud hynny, ac rydym yn ceisio eglurder pellach gan Defra. Er na fyddai unrhyw ddiwygio o'r fath mewn meysydd cymhwysedd datganoledig fel arfer yn cael ei ymestyn i Gymru gan benderfyniadau Gweinidogion y DU a Senedd y DU, gallai goblygiadau trawsffiniol unrhyw newidiadau o'r fath gael effeithiau negyddol yng Nghymru. Mae fy swyddogion yn parhau i weithio gyda Defra i ddeall eu bwriadau yn y maes hwn a byddant yn rhoi gwybod i'r Pwyllgor am ddatblygiadau.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Correspondence.Huw.Irranca-Davies@gov.wales

Rydym yn croesawu gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth Gymraeg sy'n dod i law yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 102
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Eich barn ar y goblygiadau ar gyfer llywodraethu amgylcheddol yng Nghymru.

Er bod agweddau ar gyfraith amgylcheddol yr UE wedi'u cadw drwy Ddeddf Cyfraith yr UE a Ddargedwir, un o'i heffeithiau yw dileu gweddill effeithiau egwyddorion cyffredinol cyfraith yr UE a ddargedwir yn y DU fel nad ydynt bellach yn cymhwyso nac yn dylanwadu ar ddehongli cyfraith yr UE a gadwyd fel arall ar lyfr statud y DU. Mae hyn yn cynnwys yr egwyddorion amgylcheddol a nodir yn Erthygl 191(2) o'r Cytuniad ar Weithrediad yr UE.

Yn sgil hyn, mae Llywodraeth Cymru yn bwriadu cyflwyno deddfwriaeth sylfaenol i ymgorffori egwyddorion amgylcheddol yr UE yng nghyfraith Cymru. Yn amodol ar ganlyniad ymgynghoriad y papur gwyn bydd y Bil Egwyddorion Amgylcheddol, Llywodraethiant a Thargedau Bioamrywiaeth yn gwneud darpariaeth i nodi egwyddorion amgylcheddol sy'n adlewyrchu rhai'r UE. Drwy'r bil hwn, byddwn yn rhagori ar y trefniadau blaenorol drwy osod dyletswydd ar Weinidogion Cymru i gymhwyso'r egwyddorion amgylcheddol wrth wneud penderfyniadau polisi. Bydd y dull hwn yn sicrhau bod yr egwyddorion yn rhan o'r broses o wneud penderfyniadau ar sail statudol unwaith y daw'r Bil i rym.

Bydd y dull hwn yn cael ei gefnogi ymhellach drwy sefydlu corff llywodraethu amgylcheddol, a fydd yn goruchwyllo cydymffurfiaeth Gweinidogion Cymru a chyrff cyhoeddus Cymru â chyfraith amgylcheddol - gan gynnwys yr egwyddorion amgylcheddol – yn ogystal â monitro effeithiolrwydd cyfraith amgylcheddol yng Nghymru.

Byddwch yn ymwybodol o'r gohebu blaenorol â'r cyn-Weinidog Newid Hinsawdd iddi ddweud wrthym fod Llywodraeth Cymru am gadw elfennau o'r Rheoliadau Terfynau Uchaf Allyriadau Cenedlaethol a oedd wedi'u cynnwys gan Lywodraeth y DU yn Atodlen 1 ar gyfer eu dirymu'n awtomatig ar 31 Rhagfyr 2023.

i. A allech ddarparu'r wybodaeth ddiweddaraf am y trafodaethau rhynglywodraethol ynghylch y rheoliadau hyn?

Mae Rheoliadau Terfynau Uchaf Allyriadau Cenedlaethol 2018 (NECR) yn gosod targedau lleihau allyriadau yn y DU ar gyfer pum llygrydd sydd i'w cyflawni erbyn 2030. Caiff darpariaethau'r Rhaglen Genedlaethol Rheoli Llygredd Aer (NAPCP) yn y Rheoliadau Terfynau Uchaf Allyriadau Cenedlaethol eu dirymu gan Ddeddf Cyfraith yr UE a Ddargedwir. Roedd dyletswydd ar yr Ysgrifennydd Gwladol i adolygu a chyhoeddi NAPCP o fewn 18 mis pe bai amcanestyniadau allyriadau yn dangos na fyddai'r targedau'n cael eu cyrraedd. Mae'r mesurau sydd wedi'u cynnwys mewn NAPCP yn dangos sut y byddai'r DU yn cyrraedd ei thargedau. Roedd dyletswydd ar yr Ysgrifennydd Gwladol hefyd i ymgynghori â'r cyhoedd cyn paratoi neu ddiwygio'r NAPCP yn sylweddol.

Cafodd y penderfyniad gan Lywodraeth y DU i ddileu darpariaethau'r NAPCP o'r Rheoliadau Terfynau Uchaf Allyriadau Cenedlaethol yng nghyd-destun Atodlen 1 i Ddeddf Cyfraith yr UE a Ddargedwir ei wneud heb iddo gael ei ystyried drwy'r Fframwaith Cyffredin Ansawdd Aer. Er bod gwendidau cydnabyddedig â'r broses, rwyf am osgoi gwanhau amddiffyniadau amgylcheddol.

Ar hyn o bryd, mae fy swyddogion yn gweithio gyda Defra a'r Llywodraethau Datganoledig eraill drwy'r Fframwaith Cyffredin Ansawdd Aer i lywio'r trefniadau amgen y mae Defra yn bwriadu eu cyflwyno i'r NAPCP. Maent wedi pwysleisio wrth Defra bod tryloywder a chraffu cyhoeddus yn agweddau pwysig ar Ddeddf yr Amgylchedd (Ansawdd Aer a Seinweddau) (Cymru), ac rwy'n awyddus i'w gweld yn cael eu harfer yma.

ii. A fydd Llywodraeth Cymru yn defnyddio'r pwerau sydd ar gael i Weinidogion Cymru o dan y Ddeddf, neu bwerau eraill sydd ar gael i Weinidogion Cymru, i adfer y Rheoliadau Terfynau Uchaf Allyriadau Cenedlaethol, yn gyfan gwbl neu'n rhannol?

Mae targedau lleihau allyriadau'r DU a'r darpariaethau adrodd a nodir yn y rheoliadau yn parhau i fod ar waith. Mae fy swyddogion yn parhau i drafod â Defra a'r Llywodraethau Datganoledig eraill i geisio dull gweithredu agored a chydweithredol ledled y DU o safbwynt datblygu prosesau i gyflawni targedau'r DU. Felly nid oes gan Lywodraeth Cymru unrhyw gynlluniau i ddefnyddio ei phwerau yn y cyd-destun hwn.

iii. A yw dirymiad y Rheoliadau Terfynau Uchaf Allyriadau Cenedlaethol wedi cael unrhyw effaith ymarferol?

Gan nodi bod y targedau lleihau allyriadau a'r darpariaethau adrodd yn parhau i fod ar waith, bydd unrhyw effeithiau ehangach ymarferol o ddirymu darpariaethau NAPCP yn dibynnu ar y trefniadau amgen a fabwysiedir.

Eich barn am y ffaith y daeth egwyddorion cyffredinol cyfraith yr UE i ben ar ddiwedd 2023 a'r goblygiadau i gyfraith amgylcheddol yng Nghymru.

Fel yr amlinellais eisoes, gan fod Deddf Cyfraith yr UE a Ddargedwir yn diddymu'r effeithiau sy'n weddill o egwyddorion cyffredinol cyfraith yr UE a ddargedwir yn y DU, mae Llywodraeth Cymru yn bwriadu cyflwyno deddfwriaeth sylfaenol i ymgorffori egwyddorion amgylcheddol yr UE yng nghyfraith Cymru.

Eich barn am y cynlluniau a nodir gan Lywodraeth y DU yn ei hadroddiad cyntaf ar gyfraith yr UE a ddargedwir i Senedd y DU fel y maent yn ymwneud â meysydd yng nghylch gwaith y Pwyllgor hwn, yn enwedig ei amserlen, gallu Llywodraeth Cymru i ymateb a goblygiadau i gyfraith amgylcheddol yng Nghymru;

i. A allech gadarnhau pa rôl, os o gwbl, oedd gan Lywodraeth Cymru yn y broses o baratoi'r adroddiad hwn?

Ni cheisiodd Llywodraeth y DU unrhyw fewnbwn gan y llywodraethau datganoledig wrth baratoi ei hadroddiad cyntaf i Senedd y DU ar Ddeddf Cyfraith yr UE a Ddargedwir. Fel y nodwyd yn ein [Datganiad Ysgrifenedig](#), a gyhoeddwyd mewn ymateb i'r adroddiad; "mater i'r deddfwrfeydd datganoledig yw penderfynu a ddylai cyfraith a pholisi domestig fod yn wahanol i gyfraith a pholisi'r UE, sut y dylai hynny ddigwydd ac i ba raddau. Mae'r egwyddor hon yr un mor gymwys i'r ystod gyfan o newidiadau y gellir defnyddio pwerau Deddf REUL i'w cyflawni.

A yw Llywodraeth Cymru yn ymwybodol o newidiadau ychwanegol sydd ar y gweill o dan y Ddeddf i gyfraith amgylcheddol gymathedig?

Nid yw Llywodraeth Cymru yn ymwybodol o unrhyw newidiadau ychwanegol arfaethedig o dan y Ddeddf i gyfraith amgylcheddol a gymathwyd. Os byddwn yn dod yn ymwybodol o unrhyw newidiadau arfaethedig, byddwn yn eich hysbysu drwy'r dulliau arferol.

A oes gan Lywodraeth Cymru unrhyw gynlluniau ar hyn o bryd i ddefnyddio pwerau yn Neddf Cyfraith yr UE a Ddargedwir mewn perthynas â'r amgylchedd?

Nid oes unrhyw gynlluniau gan Lywodraeth Cymru i ddefnyddio ei phwerau o dan y Ddeddf i ddirymu unrhyw ddarnau pellach o gyfraith a gymathwyd, nac i gyflwyno deddfwriaeth newydd i ddisodli deddfwriaeth a gynhwyswyd yn Atodlen 1 i'r Ddeddf.

Diolch am dynnu fy sylw at y materion manwl hyn a gobeithiaf y bydd yr ymateb yma o gymorth i'r Pwyllgor.

Yn gywir,



Huw Irranca-Davies AS/MS

Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig
Cabinet Secretary for Climate Change & Rural Affairs

Eitem 9

Yn rhinwedd paragraff(au) vi o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon

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