



Consultation on proposed changes to the Carrier Bag Levy.

1 June 2021

Sustainability at the heart of a living, working, active landscape valued by everyone.



Department of
**Agriculture, Environment
and Rural Affairs**

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IN PEOPLE**



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1. Purpose of this consultation

This consultation aims to review the Carrier Bag Levy legislation currently in place in Northern Ireland (NI) with the aim of further reducing the number of carrier bags in circulation in order to continue to support positive environmental change.

2. Strategic context

Northern Ireland's environment is our most important asset and it is crucial to members of the public that we continue to protect and enhance it. The NI Executive's Programme for Government, Outcome 2 - we live and work sustainably, protecting the environment, aims to put a healthy environment at the heart of future Government policies whilst maintaining sustainable economic growth. Environmentally friendly products, processes and practices should impose no harm to the natural environment, whilst helping to conserve resources like water and energy and prevent contributions to air, water and land pollution. Continuing with negative environmental behaviours will have a detrimental impact on the things we value and all members of the public in NI are responsible for minimising our negative environmental impacts where possible. The Department for its part, in seeking to deliver its vision, will continue to strive for sustainability at the heart of a living, working, active landscape valued by all.

The Department aims to encourage a more sustainable environment and circular economy for everyone across NI with the reduction in usage of all carrier bags, a central building block of these targets. In the *"New Decade, New approach"* document the NI Executive made a firm commitment to prepare a plan to eliminate plastic pollution. These proposals are an important element of delivering on this commitment, as any changes to the scope or existing charging regime of the NI Carrier Bag Levy (the levy) will deliver a further decrease in the use of some of the most harmful plastics.

3. Background to the levy

The levy in NI is the most extensive of carrier bag levies across the UK; it applies to all bags and not just single use and plastic. The proceeds are collected and processed by DAERA and used to both promote and sustain the wider NI environmental sector.

The 5 pence levy was introduced in April 2013 as part of the then Department of the Environment's Sustainable Waste Management Strategy and initially applied only to single use bags. The scope of the levy was extended in January 2015 and is currently applicable to all bags with a retail price of less than 20 pence (the charging threshold). The primary objective of the levy is to influence customer behaviour to promote a significant reduction in bag usage.

Published annual usage statistics for the existing levy show that the introduction of the levy across NI in 2013 had a significantly positive impact, reducing carrier bag use by 73.2% (in excess of 1.5 billion bags) from the 2012 baseline figure of 300 million carrier bags. While



statistics also show a year on year decrease in overall bag usage since the introduction of the levy, the Department is now concerned that the volume of heavy duty carrier bags entering the NI retail and supply sector are not being reused and, regrettably, will often end up in landfill sites. While it is clear that the existing legislation has been successful, it is important to ensure it remains relevant and as such, the Department now intends reviewing the current legislation.

4. How is the levy used?

In the seven years of existence in NI the levy has generated proceeds in excess of £32m which has subsequently been reinvested to support a broad range of local and country wide environmental projects. While the levels of funding have varied to support small, medium and large projects many of these initiatives have been funded through the NI Environment Fund, which enables not for profit organisations and councils to deliver key environmental interventions. Previous recipients are both wide ranging and cross cutting, including Keep NI Beautiful which inspires our citizens to create cleaner, greener and more sustainable and healthy communities, Lisburn and Castlereagh City Council which created access and connectivity from Glenmore Activity Centre into the Deadwall Plantation and supported wildlife and natural habitats, the National Trust working within the Mourne Mountains, also our local councils enabling them to use innovative and sustainable methods to promote air quality.

5. Current trends

Across the NI retail sector many retailers have already taken steps to reduce the use of single use carrier bags by withdrawing them completely from circulation, replacing them with thicker bags which they designate as reusable. While this is to be commended and it is clear that significant progress has been made in reducing the use of single use bags, it should be recognised that further proactive and preventative action can be taken to continue to reduce usage of bags of all materials and protect our natural environment.

The existing legislation which has already delivered a “*Small Charge, Big Change*” and which focused on ‘bring your own bag’, now needs to be reviewed to reflect developing environmental and retail trends.

Figures from annual DAERA statisticsⁱ and related trend analysis show that there has already been a move away from using single use bags across NI since the levy was introduced in 2013. These statistics show that 95% of bags dispensed in 2014/15 were those identified as single use carrier bags, compared to only 48% in 2019/20, a significant drop of 47%. While this reduction is encouraging, it should be recognised that a 48% usage figure still represents a high number of single use carrier bags which are in circulation and a significant change in consumer behaviour is still required to encourage further reductions.

DAERA statistics and field based research clearly evidence that heavier, thicker bags, which are significantly more harmful to the environment, have become the main bag dispensed by retailers in NI (making up 52% of the figures available for the latest annual validated statistics).



This clearly demonstrates that these heavier thicker bags have now become the new “*throw away*” bag as they are not being reused as often as was originally intended. These bags are significantly more harmful to the environment and we must act quickly to address this potentially negative trend which represents a significant and increased environmental risk and also potentially threatens the ongoing successful impact of the levy. Action by the Department is now required in an effort to reinforce the messages of “*bring your own bag*” and “*reuse your bags as often as you can*”.

Many large retailers have already increased their bag prices to 20 pence and above and therefore now operate outside the scope of the levy. These figures are not included in the Department’s annual validated statistics and it is clear that consumers have and are regularly purchasing bags at this price.

6. Evidence for change

Carrier bags continue to contribute to the litter on our streets and a survey by Keep Northern Ireland Beautiful funded by DAERA in 2019ⁱⁱ, found that there were 1.3 million pieces of litter on our streets at any one time equating to 28 tonnes of rubbish resulting in an annual clean-up bill of £45 million. A total of 71% of all waste collected was made up of plastics, part of which, although significantly less than previously, is from plastic bags. Any reduction in carrier bags being provided to consumers in shops will reduce the overall litter on our streets and save money in cleaning throughout NI.

The impact of carrier bags made from other materials should also be addressed. The Carrier Bags Act (Northern Ireland) 2014 amended the term ‘single use carrier bag’ to ‘carrier bag’ and extended the levy in NI to bags of all materials. This was as a direct result of research which clearly showed the environmental impact of the supply and use of all carrier bags, regardless of materialⁱⁱⁱ. A Greenpeace/Environmental Investigations Agency study detailed that in 2019^{iv}, 10 UK companies (representing 95.2% of the UK grocery retail market) reported distributing 525 million single-use carrier bags and 1.58 billion ‘bags for life’, described as the heavier duty reusable option. It is clear from this data that many people are simply swapping ‘single-use’ plastic bags for these bags for ‘life’.

7. Conclusion

The levy in NI has already delivered a “*Small Charge, Big Change*” but further work is required to review and potentially strengthen existing Carrier Bag Levy policy in NI to ensure that it continues to deliver its policy objectives. Officials are now aware of a number of factors which would point to the need to re-evaluate our current Carrier Bag levy policy incorporating changes to the list of exemptions, including the pricing threshold and the current charge.

Other environmental trends and changes also now need to be considered within the levy regime, for example the renewed emphasis on minimising the use of single use plastic in line with the UK Government’s 25 year Environmental Plan.



It should be recognised that both further and wider societal impacts and behavioural changes are required. Promotion of a greater awareness by members of the public in NI of their environment and how we all use and dispose of our natural resources must be paramount in our thinking at both local and global levels. While the NI Assembly work primarily for everyone in NI we also must consider global environmental concerns and as such *“Act Locally, Think Globally”*.

8. Proposals

A - Proposal to increase the levy on all carrier bags to a minimum of either 20 pence or 25 pence.

B - Proposal to simplify exemptions by:

- Removing the exemption for bags which are sold to customers for a sum of not less than 20 pence each.
- Removing the exemption for gusseted liners used to line or cover boxes, crates or other containers of a similar nature.
- Removing the exemption for bags used on board ships, trains, aircraft, coaches, buses and in areas designated as security restricted (with the exception of Security Tamper Evident Bags (STEB)).
- Removing the exemption for bags made wholly from paper with no gusset or handle and with maximum dimensions of 175mm x 260mm.
- Removing the exemption for bags made wholly from plastic, with no gusset or handle with maximum dimensions of 125mm x 125mm.
- Removing the exemption for bags made wholly from paper, with no handle with maximum dimensions of 80mm (wide) x 50mm (gusset width) x 155mm (height).
- Introducing an exemption for bags of any material with no handle, to include a gusset width no greater than 50mm and maximum dimensions of 125mm x 155mm.

9. Legislative change

Amendments under secondary legislation to The Single Use Carrier Bags Charge Regulations (Northern Ireland) 2013 will be required.

In addition to the changes being proposed above, the Department are reserving any decision on the current exemptions for bags used to contain hot foods or hot drinks intended for consumption away from the premises on which they are sold. The Department intend to revisit this part of the legislation in line with the Department's current Single Use Plastics and Green Growth strategies.



10. The consultation

Those Affected

This is a public consultation, open to all who may have an interest and who wish to be part of improving the environmental impact of carrier bags. It is hoped that many will take an interest in this consultation and provide feedback. Retailers, producers, those involved in environmental issues, local authorities and members of the public views are all welcomed by the Department.

Duration

This consultation will run for a period of 8 weeks. It will open on **1 June 2021** and close on **27 July 2021**.

Early completion of the consultation response is encouraged.

Responding to this consultation

Responses are invited via Citizen Space at: [Carrier Bag Levy NI Consultation](#).

By email via: carrierbaglevy@daera-ni.gov.uk

Or by post to: Carrier Bag Levy Team,
Ballykelly House,
111 Ballykelly Road,
Ballykelly, Limavady,
BT49 9HP.

We would encourage an online response in order to limit any environmental impact.

11. After the consultation

Confidentiality

The Department will publish a summary of responses following completion of the consultation process. Your response and all other responses to the consultation, may be disclosed on request. The Department can refuse to disclose information only in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation. Any confidentiality disclaimer generated by your IT system in e-mail responses will not be treated as such a request.

Data Protection

Section 8(e) of the Data Protection Act 2018 permits processing of personal data when necessary for an activity that supports or promotes democratic engagement. Information provided by respondents to this consultation exercise will be held and used for the purposes of the administration of this current exercise and subsequently disposed of in accordance with the provisions of the Data Protection Act 2018 and UK General Data Protection Regulation.



Freedom of Information

The Freedom of Information Act 2000 gives the public a right of access to any information held by a public authority (the Department in this case). This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity, should be made public or treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances.

The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties 'in confidence' which is not confidential in nature;
- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.
- For further information about confidentiality of responses, please contact the Information Commissioner's Office:

Email: ni@ico.org.uk

Website: [Information Commissioner's Office](#)

Endnotes

i [Northern Ireland carrier bag levy statistics | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](#)

ii [blog-000968-20200228111517.pdf \(keepnorthernirelandbeautiful.org\)](#)

iii [Carrier bags – Environmental Impact \(niassembly.gov.uk\)](#)

iv [EIA-Greenpeace-Checking-Out-on-Plastics-III-SPREADS.pdf \(eia-international.org\)](#)



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