

Questions over transparency for Deposit Return Scheme firm

The Scottish Government is being asked to explain why Circularity Scotland was set up as a private, non-profit company, making it exempt from public scrutiny under Freedom of Information legislation.

The issue was raised by Scottish Liberal Democrats' Climate Emergency Spokesperson, Liam McArthur MSP, who has tabled a series of parliamentary questions on the Scottish Government's decision, asking why the company was not set up using a model similar to Scottish Water or the Scottish Crown Estate.

The Deposit Return Scheme is a recycling initiative set to start in August this year, although there have been [calls for delays](#) to the timetable. Consumers will pay a small deposit of 20p when they buy a drink in a single-use container and then get the deposit back when they return the empty bottle or can.

The scheme has divided opinion, with [some business representatives](#) warning of reduced choice in Scotland and small breweries saying the extra costs and burdens associated with it will put them out of business. Others, [including Irn Bru producers AG Barr](#) have called for the new First Minister Humza Yousaf to make it a "top priority", while Circular Economy Minister Lorna Slater, in charge of its rollout, is keen to press ahead describing the DRS as a "[change we so](#)

[desperately need](#)". There is also the looming possibility of another legislative clash with the UK Government [threatening to to use the Internal Markets Act](#) to block the policy. A bottle deposit scheme is planned for other parts of the UK but it will not be rolled out until October 2025.

The Liberal Democrats claim that because of the exemption from FOI requests for the scheme's operator Circularity Scotland, politicians and parliamentarians have had to rely on leaked reports to find out information such as the £300,000 salary of Chief Executive, David Harris.

Mr McArthur said "I can see why it might appeal to secretive ministers to have their unwieldy and expensive new administrative body sit above public questioning but it's terrible for transparent and effective governance.

"The public deserve to know why this organisation was set up like this, who took the decision and were alternative options considered, such as using a similar model to Crown Estate Scotland and Scottish Water? I have lodged a series of parliamentary questions looking to get answers.

"Dozens of countries around the world have successful deposit return schemes in place. Left in the hands of SNP and Green ministers, however, a good idea has turned into a mess risking business failure, consumer choice and public confidence. At the moment the only thing getting recycled is endless excuses.

"Further reform of Freedom of Information laws is needed and Scottish Liberal Democrats are clear that any organisation delivering services to the public sector should be open and accountable to the public."

A Scottish Government spokesperson said:

"In line with the polluter pays principles, and just like similar schemes around the world, Scotland's deposit return scheme is being delivered by industry. Circularity Scotland

Ltd is a private non-profit company, set up by producers, retailers and wholesalers. As a private company, they are not subject to the Freedom of Information Act.

“The Scottish Government is committed to reviewing the operation of Scotland’s FOI regime, and is currently analysing the results of its recent consultation on Access to Information Rights in Scotland with the aim of publishing a report later in the spring.

“Access to information plays a critical role in ensuring openness and transparency – and the Scottish Government believes Scotland’s FOI laws are robust and internationally respected.”



Liam McArthur MSP