



## **CLIMATE CHANGE (SCOTLAND) BILL**

**Analysis of written responses to the calls for evidence from the Transport, Infrastructure and Climate Change Committee, and the Rural Affairs and Environment Committee, of the Scottish Parliament**

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## ***Summary of Analysis***

This report details the results of the analysis of documents received by the Transport, Infrastructure and Climate Change Committee (TICC) and the Rural Affairs and Environment Committee (RAE) of the Scottish Parliament in response to their calls for evidence in consideration of the Climate Change (Scotland) Bill. There were 359 responses to the Transport, Infrastructure and Climate Change Committee call for evidence, and 130 responses to the Rural Affairs and Environment Committee call for evidence on the Muirburn, Forestry and Waste Provisions.

These documents do not include written submissions provided in support of an organisation's oral evidence session in Committee. It should also be noted that some organisations may not have provided a response to the calls for written evidence if they had been invited to give oral evidence in Committee.

### **Part 1 – Emissions Reductions Targets**

- There is overwhelming<sup>1</sup> support for the general principles of the Bill, with many responses indicating that it should be used as an example to the rest of the world.
- There is some support for including either the concept of sustainable development in the long title of the Bill, or of making explicit mention of “dangerous climate change”.
- There is very strong support for the 2050 target of at least an 80% reduction in greenhouse gas emissions from the 1990 baseline.
- Opinions are divided almost evenly between those who are content with the interim target of 50% reduction by 2030, and those who are unhappy with it. Many responses suggest that the interim target should be set for 2020, and that it should be more ambitious than drafted.
- Most responses support the use of annual targets in the Bill as opposed to a multi-year budgeting approach.
- A significant number of responses disagree with the current statutory annual target setting from 2010-2019. Many suggest minimum annual reductions of 3% should be established in the legislation as early as 2010.
- There is support for the inclusion of the “basket” of greenhouse gases rather than just Carbon Dioxide.
- There are few objections to setting the targets based on greenhouse gases emitted by sources in Scotland. However, many respondents suggest that consumption based figures – or Scotland's “carbon footprint” – should be reported in parallel to these.
- A significant number of responses suggest that Scotland's share of emissions from aviation and shipping must be included in the Scottish emissions account from the outset of the Bill.
- A large number of responses support imposing a limit in the Bill on the number of international carbon credits that can be used in the net Scottish emissions account.

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<sup>1</sup> Comparative terms or descriptions of the weight of opinions are used only as qualitative indicators of the degree of support. They are not used in a quantitative or statistical manner.

## Part 2 – Advisory Functions

- Opinion is divided between those who are content to make use of the UK Committee on Climate Change until such time as a separate Scottish advisory body is deemed necessary, and those who call for the immediate establishment of a separate Scottish advisory body, which is independent of Government, in the primary legislation.

## Part 3 – Reporting Duties

- There is strong support in the responses for statutory reporting requirements in the Bill. However, many responses suggest that the Bill as drafted is inadequate.
- Many responses also call for greater Ministerial accountability or enforcement measures to be included in the Bill.

## Part 4 – Duties of Public Bodies Relating to Climate Change

- Most responses support the general intention in Part 4 of the Bill to impose “climate change duties” on public bodies.
- Many responses call for section 36 to be changed from an enabling power, and instead impose immediate duties on public bodies in the primary legislation.

## Part 5 – Other Climate Change Provisions

- There is strong and widespread support for the requirement to address adaptation in the Bill, but many responses suggest that this should be strengthened or broadened in various ways.
- There is widespread support for the inclusion of the powers in the Bill enabling Scottish Ministers to vary the permitted times for muirburn.
- Among written responses to both TICC and RAE there is near unanimous opposition to the forestry leasing proposals drafted in the Bill.
- Among responses to both TICC and RAE there is universal support for the idea of Forestry Commission Scotland entering into joint ventures to develop renewable energy projects.
- Most responses support the inclusion of energy efficiency measures relating to domestic buildings in the Bill. However, many responses suggest that the measures in the Bill are inadequate as drafted.
- One key concern surrounding section 48 is that it inadvertently weakens the requirement in the Housing (Scotland) Act 2006 for Scottish Ministers to “improve” energy efficiency in domestic housing.

## ***Introduction***

This report details the results of the analysis of documents received by the Transport, Infrastructure and Climate Change Committee (TICC) and the Rural Affairs and Environment Committee (RAE) of the Scottish Parliament in response to their calls for evidence in consideration of the Climate Change (Scotland) Bill.

There were 359 responses to the Transport, Infrastructure and Climate Change Committee call for evidence, and 130 responses to the Rural Affairs and Environment Committee call for evidence on the muirburn, forestry and waste provisions.

These documents do not include written submissions provided in support of an organisation's oral evidence session in Committee. It should also be noted that some organisations may not have provided a response to the calls for written evidence if they had been invited to give oral evidence in Committee.

This analysis was commissioned on behalf of the lead committee, the Transport, Infrastructure and Climate Change Committee, and its results are directed towards that Committee. The analysis and report were compiled by independent researcher John Dowens, with the project managed by Graeme Cook from the Scottish Parliament Information Centre (SPICe).

## ***Methodology***

It should be recognised that the analysis presented in this report does not attempt to draw statistical conclusions from the responses received. Although numbers are used to indicate how many responses discuss particular themes, these are not meant to attribute any precise weight to the degree of support which any particular viewpoint receives. This report identifies the key themes that emerge from the volume of responses. Members of the Committee have access to all the written submissions, and have heard detailed submissions from several respondents in oral evidence sessions.

### **Treatment of umbrella, overlapping or duplicated responses**

Several of the written responses were received from umbrella organisations – such as Stop Climate Chaos Scotland, COSLA, and NHS National Services Scotland – from which some individual member organisations also responded separately. Some organisations were represented by their own response and as part of both Stop Climate Chaos Scotland and Scottish Environment LINK. The nature of these types of umbrella submissions can make it difficult to precisely account for the balance of opinions on some topics, and it is not within the scope of this analysis to do so. Instead, each written response received has been treated as a unique individual view.

One variation on this relates to the single largest group of responses to the Transport Infrastructure Climate Change Committee call for evidence which came from individual members of the public who appear to have used, as the basis for their submission, a template which was made available through a WWF Scotland campaign. The template took the form of some standard text, into which a paragraph could be inserted containing further text on the issue of climate change. The responses which appeared to have been generated using this template were checked for any unique comments and where there were no substantive comments, were grouped together as a shared view. Although no statistical weighting is given

to the views which appear to have been generated by the WWF Scotland campaign, the fact that 271 individuals were motivated to respond directly to the Committee should not be overlooked.

Those responses which differed markedly from the WWF Scotland template were counted as individual views.

The analysis in the rest of this report therefore deals with views from a total of 89 unique responses to the Transport, Infrastructure and Climate Change Committee but makes appropriate reference to the 271 individuals referred to above.

### **Analysis of written responses to TICC**

The information used in the production of this report was extracted from the written responses in three main stages. Firstly, a review of the earliest published responses allowed several key themes to be identified; this enabled a database to be established that could catalogue all the responses and their views on both the specific questions asked in the call for views, and also their views in relation to the key themes. Once catalogued, a second review of the responses allowed further themes identified to be extracted and included in the database. Once the key themes had been identified, it was possible to review the responses once more and map any remaining relevant views to the correct theme.

Although a number of the key themes are presented as precise dichotomies between well defined opposing viewpoints, the comments in the responses sometimes dealt with them in less precise terms or as part of wider issues. Care has been taken to only count responses towards a key theme where the opinion is stated explicitly or is strongly implicit. Where there are any ambiguities towards a precise theme the responses have not been counted, although the report makes note of where such responses occurred.

As mentioned above, although numbers are used to indicate the number of responses which raise key themes or support particular points of view, these numbers should not be taken as statistically meaningful.

### **Responses to the Rural Affairs and Environment Committee on Muirburn, Forestry and Waste Provisions**

A separate call for views was made by the Rural Affairs and Environment Committee as part of its consideration of certain chapters of Part 5 of the Bill. While some responses to the Transport, Infrastructure and Climate Change Committee did offer comments on these sections of the Bill, the greater body of evidence comes directly from responses to the Rural Affairs and Environment Committee. The analysis of these sections in this report relies primarily on the responses to the Rural Affairs and Environment Committee, but where a detailed response was received by the Transport, Infrastructure and Climate Change Committee, those views have also been included.

## ***Analysis of Responses***

It was apparent from the content of the written responses that many of the views expressed, and the key themes that have emerged, overlap several of the specific questions asked by the Committees in the call for views. To better reflect the opinions given, this report follows the order of the Bill rather than the order of these questions.

### **PART 1**

#### **EMISSIONS REDUCTION TARGETS**

**There is overwhelming support for the general principles of the Bill, with many responses indicating that it should be used as an example to the rest of the world.**

The responses indicate that there is overwhelming support for the general principles and spirit of the Bill. Of the 359 responses received by the Transport, Infrastructure and Climate Change Committee, all but thirty explicitly or implicitly express support for the production of the Climate Change (Scotland) Bill. As discussed in the methodology section, for the purposes of this report this represents fifty nine out of eighty nine unique views. Many of these views, from a wide range of respondents including members of the public, NGOs, public bodies and business groups, give examples of the impacts of climate change around the world, and draw attention to the scientific evidence both for the existence of climate change and for the need to act by reducing emissions.

There is a widespread feeling in the responses that the Bill is, or should be, a world-leading piece of legislation, with nearly thirty of the eighty nine views including some statement to this effect. Many responses make specific reference to the example that the Bill could set for other countries at the United Nations Framework Convention on Climate Change (UNFCCC) conference in Copenhagen in December 2009 where a global framework to follow the Kyoto Protocol is due to be agreed.

Nineteen responses did not give a clear opinion on their overall view of the Bill. These were mostly where the response was concerned with only one or two sections of the Bill in detail.

There are three responses to the call for views which appear to not support the Bill because they simply think it provides an inadequate response to climate change. These responses, including from the Holyrood350 group, suggest that there is a growing body of scientific opinion which considers that much more drastic cuts than proposed in the Bill are required, and that even if made as strong as possible the Bill will be inadequate.

The remaining small number of responses which did not support or otherwise oppose the Bill tended to refer to either a lack of concern about anthropogenic climate change, the futility of the Bill due to the global insignificance of Scotland's emissions, or the argument that population control rather than emissions reduction should be the focus of climate change policy.

**There is some support for including either the concept of sustainable development in the long title of the Bill, or of making explicit mention of “dangerous climate change”.**

Several responses, mostly from respondents aligned with Stop Climate Chaos Scotland, make the suggestion that the Bill should be explicit that sustainable development is “*core to the purpose and delivery of the statute in relation to mitigation and adaptation*”. The written response from **Friends of the Earth Scotland** follows that:

In light of this, FoES supports Stop Climate Chaos calls for sustainable development to be acknowledged in the long title of the Bill. It should be noted that this has a precedence given the Flood Risk (Scotland) Management Bill is set to be amended to include ‘a more specific reference to sustainability in the Bill’s long title’.

Similarly, two responses advocate including reference to “dangerous climate change” in the long title of the Bill. Christian Aid state that “*if the aim of the bill is for Scotland to contribute its fair share towards avoiding dangerous climate change this aim should be made explicit in the long title of the bill*”. Scottish Renewables make a more specific request that any provision in the Bill to vary targets must be based on the “*statutory purpose of the Bill to contribute towards a stabilisation of global average temperature levels at no more than 2 degrees celsius beyond pre-industrial levels*”, and that this target and purpose is explicitly stated in the Bill.

However, the response from Scottish Natural Heritage suggests that this explicit approach need not be taken, making reference to an equivalent section of the Climate Change Act 2008 where a provision is made that any targets must be set in line with the prevailing scientific developments.

**There is very strong support for the 2050 target of at least an 80% reduction in greenhouse gas emissions from the 1990 baseline.**

Of responses which gave an opinion on the long term target in the Bill, there is near universal support for the 2050 target of at least an 80% reduction in greenhouse gas emissions from the 1990 baseline with around fifty responses giving a clear positive response on this issue.

Many responses emphasised that this target should be seen as a minimum requirement, and noted that it should be possible to amend it (and all targets in the Bill) in the future on the basis of advice informed by scientific developments. For example the **Royal Society of Chemistry** state that:

“if an authoritative body, such as the Committee on Climate Change, concludes that there is a need for the GHG emission reduction target of 80% to be amended then this should be possible within this proposed system.”

Twenty four responses give no clear opinion on the 2050 target, with fifteen of those falling into the category mentioned above that include opinions on only a few specific sections of the Bill.

Of the eleven responses which disagree with the 2050 target, around half come from respondents who are generally unsupportive of the Bill in principle and in practice for the reasons stated above. The rest are from those who do not believe the target is strong enough. For example, the City of Edinburgh Council state that

they believe a target of 90% would be more appropriate, while the **Holyrood350** group state that:

“When the Bill was first proposed the target of 80% by 2050 was groundbreaking, however it is now clear that: Scotland needs to achieve a reduction of 100% by 2029 and 10% by 2011 to show the climate change leadership the world needs in order to start the race out of carbon, and to place us in pole position to take advantage of that race.”

**Opinions are divided almost evenly between those who are content with the interim target of 50% reduction by 2030, and those who are unhappy with it. Many responses suggest that the interim target should be set for 2020, and that it should be more ambitious than drafted.**

There are opposing views on the proposed interim target of at least 50% reduction by 2030. While around twenty five responses indicated that they are generally content with the target as set, more than thirty disagreed. Twenty seven of those who were unhappy with the current interim target felt that it should be more ambitious either in timing or in magnitude; i.e. the target should be set higher, and/or sooner than the current level.

The responses hold several suggestions for alternative interim targets; but the most common, suggested by many organisations including those involved with Stop Climate Chaos Scotland. **Stop Climate Chaos Scotland** state that

“the interim target [should be] revised so that a 50% emissions reduction must be achieved by 2020 rather than 2030. Not only does this place the target on a more desirable trajectory, it also places the Scottish interim target in line with other UK, European and international targets – all of which have 2020 targets rather than 2030 targets.

This suggestion is qualified in a number of responses, such as that from Transform Scotland, by noting that the UK Committee on Climate Change have recommended that UK emissions be cut by 42% by 2020, and that “*Scotland is in a good position to over-contribute towards meeting the UK target*”.

**Most responses supported the use of annual targets in the Bill as opposed to a multi-year budgeting approach**

Those responses which considered the issue were overwhelmingly supportive of the approach in the Bill to use annual targets rather than multi-year budgets similar to the Climate Change Act 2008. Thirty seven responses made reference to this preference; while only three suggested that an approach using budgets would be preferable, including the Scotch Whisky Association, who considers that the system of five year budgets used in the UK Act is more practical and flexible.

However, around twelve responses indicate that some form of cumulative emissions total or overall budget should be considered when setting the annual targets. Scottish Natural Heritage “*support this approach provided the targets are compatible with the first three 5- yearly budgets recommended by the UK Climate Change Committee*”, while Stop Climate Chaos Scotland suggest that “*consideration of a fair and safe cumulative budget must be included in the factors to which Ministers and the advisory body must have account when setting multi-year batches of annual targets*”.

**A significant number of responses disagree with the current statutory annual target setting from 2010-2019. Many suggest minimum annual reductions of 3% should be established in the legislation as early as 2010.**

Fourteen responses were content with the provision in the Bill that targets for the years 2010-2019 need only be lower than the preceding year. However twenty seven responses, from a wide range of organisations, public bodies and individuals, disagreed with this, and explicitly propose that there be statutory minimum reductions of 3% annually from 2010. **Glasgow City Council** state that:

“To achieve both the 2030 and 2050 targets, the bill must establish year-on-year reduction targets of at least 3% from the start. This will also ensure that Scotland fulfils its aspiration of providing an example of good practice to other countries.”

Many responses, including from Stop Climate Chaos Scotland, a number of other organisations, and individuals who seemed to have responded through the WWF `Scotland campaign, suggested that the 3% targets must be set immediately, in line with the SNP 2007 Manifesto commitment, and that “*delaying a requirement for at least 3% reductions in emissions until 2020 means action will be too late*”.

Additionally, a number of responses generally suggested that there be some movement towards 3% or higher annual reductions as early as possible. Tearfund suggest that statutory minimum reductions of 3% could be established after 2012 in line with the Kyoto Protocol timeframe, and to allow a reasonable lead-in time for action. **The City of Edinburgh Council** more generally state that:

“The Council believes that the impact on the climate of carbon emissions depends on total emissions, so delays in achieving emission reductions will exacerbate climate change. A very early move towards statutory 3% annual reductions is critical if a meaningful and adequate level of emission reduction is to be achieved”.

A small number of responses indicated that more interim targets, perhaps at ten yearly intervals, could be usefully included in the Bill.

**There is support for the inclusion of the “basket” of greenhouse gases rather than just Carbon Dioxide**

Only a small number of responses considered this issue, but they unanimously supported the approach outlined in the Bill to apply the target to the Kyoto Protocol ‘basket’ of six greenhouse gases, and to use the baselines proposed in the Bill. For example, Glasgow City Council state that the 80% reduction target is set “*following the Kyoto Protocol basket of six gases and the target suggested by Intergovernmental Panel on Climate Change for Developed Countries*”.

**There are few objections to setting the targets based on greenhouse gases emitted by sources in Scotland. However, many respondents suggest that consumption based figures – or Scotland’s “carbon footprint”<sup>2</sup> – should be reported in parallel to these.**

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<sup>2</sup> “Carbon footprint” is a popular term used to signify the overall emissions attributable to an individual or other entity. It takes into account the emissions used indirectly to produce or supply products or services to them, as well as the emissions directly caused by their activities.

Of those responses which considered the issue, most supported the position in the Bill for the target to apply to greenhouse gases emitted from sources in Scotland, as currently reported in the annual UK Greenhouse Gas Inventory using the methodology agreed by the UNFCCC.

There were also around thirty responses, as well as the 271 responses which seemed to originate from the WWF Scotland campaign, which indicated that it would be appropriate to estimate Scotland's consumption based emissions (or "carbon footprint") and to report these in parallel to the main inventory. The response from WWF Scotland explains that while the target is rightly based on Scotland's territorial emissions in line with international practice, greater understanding of our overall impact on global emissions could be achieved through a requirement to also report consumption based emissions.

Only a small number of responses suggested that consumption based figures be included in the statutory targets, for example the response from **Gordon Wilson, an individual responder**, states that:

"Scotland counts all emissions, including consumption based emissions. All emissions that we are responsible for should be considered - including those made in another country when goods are produced but are then exported to Scotland."

**A significant number of responses suggest that Scotland's share of emissions from aviation and shipping must be included in the Scottish emissions account from the outset.**

Section 14 of the Bill states that:

Scottish Ministers may, by order, make provision regarding the emissions of greenhouse gases from international aviation and international shipping that are attributable to Scotland.

While all responses which considered the issue agreed with the principle of including emissions from aviation and shipping in the Scottish emissions account, around twenty five responses, as well as the responses which seem to have originated from the WWF Scotland campaign, suggest that the wording of the Bill be amended so that these emissions "must" be included from the start.

Several of these responses indicated that, while they would like to see emissions from aviation and shipping included from the outset, they recognise that the methodologies used to attribute emissions to Scotland may develop over time. The written response from the **Chamber of Shipping** includes detailed discussion on the methodology of attributing emissions from international shipping and on the advances towards international policy on this issue. They state that:

"If the Climate Change (Scotland) Bill was clear that it only wished to measure Scotland's contribution – a position that the Chamber of Shipping could support – to international shipping emissions this could be done as soon as an agreed methodology was decided upon".

Note that BAA Scotland did not submit a response to the call for evidence, they gave a written submission in support of their oral evidence session in Committee.

While only a few responses explicitly state that they are happy with the Bill as drafted, many others indicate that they are generally happy with the position as laid

out in the Bill. For example Falkirk Council states it “*welcomes the move to include consideration of emissions arising from international aviation and shipping*”.

Only one response, from WWF Scotland, suggests that some form of multiplier should be used with emissions from aviation to account for the radiative forcing or altitude effect of emissions from aircraft.

**A large number of responses support imposing a limit in the Bill on the number of international carbon credits that can be used in the net Scottish emissions account.**

Although specific opinions vary, around forty four responses, plus those appearing to be generated as a result of the WWF Scotland campaign, indicate that there should be a statutory limit to the number of carbon credits used in the net Scottish emissions account. In contrast, only two responses suggest that there should be no limit. Some of those who advocate a limit on credits suggest that doing so would be in line with the recommendations of the UK Committee on Climate Change, and more generally that a limit is required to focus attention on domestic action to reduce emissions. For example, the Scottish Association for Public Transport state that without a limit “*there is a risk that political factors and low prices for carbon will dilute the incentives for the steeper cuts in greenhouse gas emissions required in all countries*”.

Where a specific suggestion for an appropriate limit is made, the most common figure is from **Stop Climate Chaos Scotland and other associated responses**. This suggestion is that:

“at least 80% of the effort to cut emissions in any given year should take place in Scotland.”

Several responses consider separately the European Union Emission Trading Scheme and other international carbon trading schemes, noting that while it may be possible to limit the number of international credits purchased, there are fewer restrictions able to be applied to the European scheme. While some responses specify that any credits purchased should be from Kyoto Protocol compliant schemes, others raise specific criticisms of the Kyoto Protocol’s Clean Development Mechanism, and suggest that any credits should be assessed as meeting the highest standards. The response from Friends of the Earth Scotland includes detailed consideration of this, while proposing that the limit on international credits be informed by a “domestic effort target” which should increase from 80% at present to 100% by 2040 to reflect the reasoning of the UK Committee on Climate Change that international credits will become scarce as global targets at 2050 are approached.

## PART 2

### ADVISORY FUNCTIONS

**Opinion is divided between those who are content to make use of the UK Committee on Climate Change until such time as a separate Scottish advisory body is deemed necessary, and those who call for the immediate establishment of a separate Scottish advisory body, which is independent of government, in the primary legislation.**

Among the responses which consider the advisory functions in the Bill, opinion is divided between two key areas.

- Around twenty five responses were received from those who support the provision in the Bill to enable a Scottish Climate Change Committee to be formed, but with the policy intention of using the UK Committee on Climate Change until such time as a Scottish Committee is deemed necessary.
- Around twenty five responses, as well as the 271 responses which appear to be generated as a result of the WWF Scotland campaign, make a demand that a separate Scottish advisory body be established immediately; most of these responses also suggest that this body should be a “commission” appointed by the Parliament, rather than a “committee” established by Ministers.

As well as these views, a number of responses expressed support for the use of independent advice from bodies at the UK and devolved level, but did not clearly state whether or not they thought a Scottish Committee should be established immediately by the Bill.

Those who are content with the Bill as it stands tend to be of the view that the UK Committee on Climate Change represents the most appropriate repository of expertise and source of independent opinion on climate change matters, and that there is no immediate need for duplication of its role. Many responses offer a view similar to that from **East Lothian Council**, who state that:

“The UK Committee on Climate Change has considerable expertise which should be able to meet Scotland’s needs as well as provide a focus for the global challenge of climate change. Only if that does not work should a separate Scottish Committee be established.”

The response from SNH, who agree with the approach outlined in the Bill, gives detail on how the UK Committee on Climate Change should be expected to conduct work in the Scottish interest. They suggest that should it be necessary to establish a Scottish Climate Change Committee, it should be done either as an extension of the UK body or required to work with it in a complementary manner. **SNH** suggests that:

“The composition of any such body should reflect understanding of the impacts of climate change on the natural heritage, and also social aspects of climate change, including both the social impacts of climate change and issues such as facilitating behaviour change.”

A few responses, including that from Glasgow City Council, suggest that “*the use initially of the UK Committee on Climate Change is supported. If necessary in the longer term it would appear that the existing bodies, e.g. SEPA, SNH, could advise, monitor and scrutinise the implementation of the Bill*”. However several responses

directly oppose this viewpoint and consider that any body should be fully independent of government. For example, the views of the Energy Saving Trust on this matter are that it is “*vitally important that the provision of [advice] remains independent of Government*”, and if a Scottish body is deemed necessary they do not believe it is an appropriate role for any existing public body.

Many responses seek clarity in the Bill as to when and how any decision to establish a Scottish Committee will be taken. Several responses propose timescales in which the situation should be reviewed, ranging from three to ten years.

Those who support the immediate establishment of a new Committee specify the practical limits in the ability of the UK Committee on Climate Change to conduct detailed work specific to Scotland. The Association for the Conservation of Energy state that “*since the Scottish context is markedly different to elsewhere in the UK, we are unconvinced that the UK committee on climate change is sufficiently well resourced or has sufficient expertise to fulfil this role*”. The response from **Stop Climate Chaos Scotland** expands on this, and states that although any Scottish body would be expected to work closely with the UK Committee, there are so many differences between the Scottish and UK contexts – for example, differing mitigation and adaptation frameworks between the UK Act and Scottish Bill, different local authority structures, and distinct climate change impacts and adaptation needs – that “*a separate Scottish body is essential*”, and that it should be established immediately. They further state that:

“A Scottish Climate Change Commission is needed to provide that advice and support; advising Parliament on the global scientific picture; supporting them in the review of delivery or even plans in order to reach targets; monitoring progress in Scotland; and putting activity in Scotland into international context. Such a Commission could provide Scottish Government with advice and support, but as a body that is ‘owned’ by the Scottish Parliament rather than the Government it would remain independent from Government and therefore not compromised by being too close to Government.”

## PART 3

### REPORTING DUTIES

**There is strong support in the responses for statutory reporting requirements in the Bill. However, many responses suggest that the Bill as drafted is inadequate.**

**Many responses also call for Ministerial accountability or enforcement measures to be included in the Bill.**

Responses which gave a detailed opinion on the reporting duties in the Bill can be broadly separated into two groups: those who are content with the Bill as drafted, and those who are of the view that the reporting duties should be strengthened in some way. As well as these views, many responses expressed support for reporting measures in general, but did not give clear or detailed opinions on the requirements outlined in the Bill.

The main themes which emerge from the responses on this part of the Bill are:

- That there should be more detailed scrutiny of reports, with enforcement measures to ensure accountability;
- That there are issues surrounding the monitoring of emissions and publication of emissions data;
- That the reporting requirement should be more detailed or rigorous, perhaps including detailed consideration of different sectors of the economy;
- That an estimate of the overseas emissions involved in the production of goods and services consumed in Scotland is reported alongside the targeted emissions produced in Scotland.

Many responses raise issues around ministerial accountability for targets and scrutiny of the annual reports. More than a dozen responses, as well the 271 responses appearing to be generated from the WWF Scotland campaign, suggest that detailed enforcement, including some form of sanctions, should be included within the Bill. A small number of other responses, including Scottish and Southern Energy, suggest that public engagement and scrutiny are vital, and that these may be sufficient to hold Ministers to account based on credibility alone. Broadly speaking these issues, which are raised by a range of NGOs, individuals, business groups and local authorities, can be broken down as follows:

- **Ministerial accountability** for meeting targets: - Many responses suggest that it is a weakness of the Bill that there are not details of the way in which Ministers will be held to account for any failure to meet targets in the Bill. Responses from COSLA and the Association for Energy Conservation consider that these should be the responsibility of the First Minister, and that progress towards them should be made in an annual statement to the Parliament.
- **Parliamentary and public scrutiny** of progress towards targets: - several responses indicate that both parliamentary and public scrutiny should be used to follow the progress towards targets. It is suggested that in the Parliament this should be conducted through the Committees in a similar manner to the budget process, and that the Conveners Group is not an appropriate body as it does not meet in public. COSLA suggests that as well

as the parliamentary process, there should also be public scrutiny by a body such as Audit Scotland. Stop Climate Chaos Scotland, and others, further suggest that the progress towards targets should be reviewed by the Climate Change Committee or relevant body, and an annual report prepared by them in response to progress made.

- **Consequences and sanctions** towards Ministers and public bodies if targets are missed: - several responses suggest that some form of enforcement procedure should be included in the Bill. As mentioned above, many see their omission as a serious failing, and that Ministers must be able to be held to account for their actions. Although some responses note that setting financial sanctions may be not be appropriate, others suggest that some form of redistributive penalties may provide an incentive to meet targets. Stop Climate Chaos Scotland further suggest that the courts should have the ability to scrutinise progress towards targets, and that actions in relation to the Bill should be open to judicial review in line with the situation in England and Wales.

Several responses raise issues concerning the way in which emissions are monitored and reported across different sectors of the economy. For example, the response from NHS National Services Scotland states that, while the reporting arrangements are satisfactory, there must be “*a consistent method of collecting and reporting emissions*”. They suggest that the public sector could “*lead by example by using a common monitoring and reporting system to allow progress to the targets to be tracked and reported to ensure consistency and accuracy*”.

This theme is continued in around ten responses, including suggestions that the reporting requirements could include the performance of public bodies, or a sector-by-sector review of the economy, as well as a general overview. The City of Edinburgh Council suggests that the Carbon Reduction Commitment figures could be used as a basis for comparison.

Several responses note that the current timescale for producing emissions data could be problematic for assessing performance against annual targets. **SNH** note that there are issues concerning presentational differences that make like for like comparisons of data from different sectors difficult, and that:

“Improvements are required in both the timing and content of the Scottish inventory of greenhouse gas emissions. There is currently a lag of approximately 2 years between production of the UK emissions accounts and disaggregated accounts for the devolved administrations.”

The Royal Society of Edinburgh state that “*unless this can be improved, annual setting of targets will be flawed and the assessment of the trajectory of change will be uncertain*”. On this issue, **SEPA** suggest that:

“there is need to establish a more detailed, faster and more accurate picture of emissions of climate gases within Scotland in order to assist with planning, and meet increased demands for scrutiny. SEPA believes that this will need to involve both increased physical monitoring and assessment of some gases (e.g. nitrous oxides) and an increased capacity to assemble, verify and publish data.

This approach would also contribute to a more detailed understanding of the progress towards the targets and impacts of policies and other mitigation measures on greenhouse gas emissions. As a result this would lead to more robust and detailed reporting”.

Other themes arising in this part of the Bill include a few responses that discuss the need for the Carbon Impact Assessment methodology to be developed by the Scottish Government, with SNH suggesting that this should help to remove discrepancies in reporting between sectors. SEPA also suggest that more detailed attention could be paid in the reporting requirements to climate change science with particular relevance to Scotland, such as emissions from peatland systems. The Steering Group to the Members Bill on Energy Efficiency and Microgeneration suggests that as well as reporting electricity production and consumption figures, there could also be a requirement to report on microgeneration capacity. Several responses discuss the importance of public engagement in all sections of the Bill, with the **Church of Scotland** suggesting that:

“The clauses on reporting duties need to be stronger to require the Scottish Government to set out how it has provided advice and information to the public, how effective that advice and information has been; and how it has promoted engagement and involvement in the delivery of targets. If the Government is not effective in this regard the Bill is likely to fail in its purpose.”

As discussed previously in relation to the Scottish Emissions Account, many responses also suggest that there should be a specific duty to report emissions estimated to be embedded in the goods and services we consume in Scotland as well as those emissions we produce directly. The Energy Saving Trust note that this parallel reporting is currently being considered by the Welsh Assembly.

## PART 4

### DUTIES OF PUBLIC BODIES RELATING TO CLIMATE CHANGE

**Most responses support the general intention in Part 4 of the Bill to impose “climate change duties” on public bodies.**

**Many responses call for Section 36 to be changed from an enabling power, and instead impose immediate duties on public bodies in the primary legislation.**

Around fifty unique responses, as well as the 271 individuals who submitted a response as a result of the WWF Scotland campaign, offered views on the sections in the Bill relating to climate change duties for public bodies. Almost all of these responses considered it appropriate that public bodies should be required to play a key role or set an example in responding to climate change.

However, amongst these responses, a large number offered opposing views on the nature of these duties and the way in which they should be written into the Bill. Broadly, these responses can be separated into two groups:

- those who are content with the enabling power as drafted in the Bill
- those who would prefer that specific duties are included in the primary legislation and subject to immediate effect.

Around fifteen responses fall into the first group, mostly represented by individual local authorities, other public bodies, and a few business groups including Scottish Renewables and The Association of British Insurers. These responses broadly welcome the enabling power in the Bill, and acknowledge that public bodies and local authorities have a role to play in showing leadership in tackling climate change and taking on a “fair share” of the national targets for emissions reduction.

Almost universally the local authority responses, including from COSLA, took the opportunity to emphasise the concern that any action required by them would need both clear guidance on a range of issues, and additional funding from central government.

The response from **Falkirk Council** is fairly representative of the views expressed by many local authorities and public bodies:

“Falkirk Council acknowledges the role that local authorities can and should play in reducing greenhouse gas emissions and also acknowledges that it is appropriate that national and international government commitments should be reflected by targets at local government level. The Council reiterates its request for additional funds to support such action.”

The submission from **COSLA** is one of several that suggest any duties for public bodies should be included in the system of Single Outcome Agreements. It states that:

“COSLA has no issue with the proposal to bring forward enabling powers so long as any duty imposed on the public sector to take specified actions on climate change or other specified environmental issues is backed up with the appropriate resources to enable those duties to be carried out and that reporting on any new duty be fully integrated into the Single Outcome Agreement process.”

**Fife Council**, in a proposal echoed by others including the Church of Scotland, suggests that:

“Local authorities’ climate change duties could be supported by strengthening and re-focusing the existing Best Value and Community Planning legislation, wherein local authorities are required to discharge their Best Value and Community Planning duties in ‘a way which contributes to the achievement of sustainable development’.”

The second significant group of responses on this section of the Bill consists of around twenty five views (plus the 271 responses seemingly generated through the WWF Scotland campaign), and representing a wide range of NGOs, businesses, trade unions, and members of the public. These responses generally consider that climate change duties on public bodies should be included in the primary legislation, with most stating that these should be effective immediately from the enactment of the Bill.

This requirement is one of the key demands from the NGOs and members of the public who responded, and is included in each of the responses which appear to be as a result of the **WWF Scotland campaign** as:

“All public bodies have a duty to deliver the targets set out in this Bill from the start. Public bodies have a critical role to play in delivering the necessary emissions reductions and a duty within the Climate Change Bill would ensure they take the appropriate action to deliver their fair share.”

The response from the **Steering Group to the Members Bill on Energy Efficiency and Microgeneration** states that holding public bodies accountable for meeting targets would strengthen the Bill and that without such a duty many would be unlikely to focus adequately on delivering them. They state that:

“Such duties are common in other legislation such as the Land Reform (Scotland) Act 2003, Nature Conservation (Scotland) Act 2004 and the Water Environment and Water Services (Scotland) Act. Duties on public bodies and reporting requirements were outlined in the proposals for the Members Bill.”

Drawing attention to the specific wording of the Bill, the response from Living Streets Scotland states that section 36 “*fails to place upon public bodies a duty to reduce climate change emissions, providing only that Ministers ‘may’ choose to do so at a later date*”.

Most responses suggest that a general duty should be imposed on public bodies to reduce their emissions in line with the national target, and the requirement to report annually on progress made. Others, including Scottish Water, suggest that “*it is unrealistic to expect all public bodies to default to the same trajectory as the proposed [national] targets*” and that the ability in subsection 36(3) to impose different duties on different bodies is appropriate.

Responses also raise a number of issues about the nature of any duties imposed, and ways in which this section of the Bill could be strengthened. These include:

- That there is a need to engage with the general public, the private sector, and the third sector;
  - The Salvation Army highlights that “*churches, congregations and other voluntary organisations could also play an important role and the legislation could helpfully embody a recommendation for public*

*bodies to engage with voluntary organisations in the delivery of this duty*”;

- The Crown Estate states that “*public bodies are in a position to provide advice and support to the private sector*”;
- Changeworks states that “*local authorities should promote measures that influence the behaviour of the public by rewarding actions that reduce carbon*”.
- The theme in several responses, including those from UNISON and the Climate Change Business Delivery Group, that specific targets are included in procurement and commissioning practices. The Association for the Conservation of Energy makes a specific suggestion that “*duties should include a duty for public bodies to procure only buildings in the top quartile of energy performance, and to ensure that all existing buildings reach an energy performance certificate banding of ‘B’ by 2016 at the latest*”.
- The view expressed by Stop Climate Chaos Scotland that existing duties on public bodies, such as the Carbon Reduction Commitment, are unlikely to result in emissions reductions in line with national targets.
- Suggestions for enhanced reporting and enforcement measures, such as the Public Sector Climate Fund proposed by **Friends of the Earth Scotland** and Oxfam, where “*the Bill divides up responsibility for all Scottish emissions between Government portfolios, local authorities and public bodies, and that Ministers establish a fund to create a mechanism for incentives and sanctions to reduce emissions*”.
- The views of, for example, UNISON and WWF Scotland, that duties should apply to adaptation work as well as emissions reduction targets.
- The suggestion from The Association of British Insurers that the statutory duty placed on local authorities to reduce flood risk is extended to also include a wider duty on adaptation.
- The suggestion from Consumer Focus Scotland and the Salvation Army that duties could be extended to all public bodies and all bodies delivering public services.
- The suggestion from East Ayrshire Council that Audit Scotland could be appointed the monitoring body to ensure compliance with reporting guidelines.

Two responses offer comment on the time that should elapse before duties are either considered or imposed. Scottish Renewables suggest that should the Scottish Government and COSLA not make substantial progress towards all local authorities taking action within three years, then “*early implementation of a duty on local authorities and/or other public bodies should be considered*”. The response from Tearfund notes that while the Scottish Government is expected to work in partnership with the wider public sector, the Bill should “*require statutory emissions reductions targets to be imposed on all public bodies at an early date, say within five years*”.

## PART 5

### OTHER CLIMATE CHANGE PROVISIONS

#### Chapter 1 Adaptation

##### Adaptation Programmes

**There is strong and widespread support for the requirement to address adaptation in the Bill, but many responses suggest that this be strengthened or broadened in various ways.**

As detailed in the Explanatory Notes that accompanying the Bill, section 45 applies when the Secretary of State lays a report before the UK Parliament on the impact of climate change on the United Kingdom under section 56 of the Climate Change Act 2008. Upon receipt of this report, Scottish Ministers are obliged to produce a report for the Scottish Parliament addressing the risks identified, and setting out their objectives, proposals and policies in relation to adaptation to climate change.

Around thirty five responses commented on section 45 of the Bill. Over thirty of these responses express support for the general principle requiring Scottish Ministers to produce a climate change adaptation programme. Many responses indicate that they have also responded in more detail to the Scottish Government consultation on “Adapting Our Ways”.

Many responses take the opportunity to highlight the importance of climate change adaptation measures. The **Royal Society of Chemistry** reminds us that:

“it is important to recognise that reducing global emissions of GHGs by 80% by 2050 still commits the Earth to significant global warming for hundreds of years. This highlights the importance of an adaptation strategy alongside measures to reduce emissions.”

There is also a general view in the responses that adaptation should be viewed alongside both mitigation measures and sustainable development. For example, SEPA conclude its submission on the issue by stating that it would like the section on adaptation to make specific reference to sustainable development “*so that social, economic and environmental factors are all considered*”.

Although there is strong general support for the inclusion of adaptation measures in the Bill, many of these responses suggest that the measures in the Bill are inadequate as drafted, and should be extended or strengthened in some way. The specific suggestions include:

- that a separate climate change impacts assessment is carried out specifically for Scotland;
- that the adaptation programme is produced more urgently, in a proactive manner, and that regular updates are required;
- that detailed reporting on adaptation is called for, with measures to ensure accountability;
- that the adaptation programme or powers be extended into further areas or sectors, or that enabling powers to do so are included in the Bill;

- several responses make specific reference to the role that planning and regulation can play in adaptation, with particular regard to flooding;
- that the impact of policy decisions on climate change be accounted for;
- the need for engagement with the public and all sectors of the economy.

Only one written response to the Committee, from the **City of Edinburgh Council Green Group** appears to be sceptical about the efficacy of adaptation measures, and instead suggests that efforts must be focussed on mitigation, stating:

“It will be impossible to ‘adapt’ to many of the predicted global impacts of climate change such as global food shortages or impacts on the Scottish economy such as from a collapse in tourism. This is why efforts must be focused on reducing our emissions and demanding that other countries to do the same.”

There are also three responses which appear to be ambiguous towards, or unsupportive of, the adaptation measures, citing objection to the bureaucracy implied in them.

### Detailed Comments on Adaptation

As mentioned above, the responses include a number of ideas and suggestions for how this section of the Bill could be changed. The broad themes contained in these suggestions are listed above.

Several responses, mostly from NGOs, suggest that the basis of the adaptation programme – the UK climate change impacts assessment – will not be an adequate source of information. The response from RSPB Scotland states that it does not feel this is sufficient for Scotland’s unique environment and population distribution, and that circumstances require an accurate assessment of risks for Scotland. It suggests that, while a **separate climate change impact report for Scotland** would be desirable, “*at the very least we would seek to ensure that SNH and SEPA play an active role in the UK risk assessment process*”. The overall view of **Stop Climate Chaos Scotland** is that:

“Scottish Ministers should be required to produce their own climate change impact assessment as well as reporting annually to Parliament on programmes of sustainable adaptation action.”

Several of the NGOs, including Friends of the Earth Scotland and Scottish Environment LINK, suggest that the climate change adaptation programme, including the Scottish climate change impact assessment, should be **produced every three years**; and that this programme should include both objectives and key indicators by which to measure progress. As well as suggesting that Ministers **report annually to the Parliament on progress**, it is also suggested that their progress should be independently assessed “*at least every two years*”.

This concept of using **key indicators, or specific targets**, is raised in several other responses. The **Association of British Insurers** offer strong support for the inclusion and immediate adoption of adaptation measures in the Bill, and suggest that:

“The [Bill] should include targets not just for mitigating our impact on the climate, but also for adapting to the changing climate: it should set a series of targets to reduce flood risk across Scotland, for example by setting a

maximum number of households and businesses at high risk of flooding from all sources, and the Scottish Government should be required to report on progress in achieving this target annually. Adaptation policy needs to be guided by clear objective - and target-setting.”

Other responses, such as from the Royal Society of Edinburgh and Highland Council, suggest that adaptation measures should be better integrated with mitigation measures and implemented in line with the Bill rather than after. The response from the Scotch Whisky Association raises the European White Paper on climate change adaptation, and asks that the Scottish Government ensures its actions are in line with this wherever possible.

The next major theme emerging from responses on adaptation measures is the issues of **reporting by Ministers and accountability for progress** made. Several responses, from public bodies, business groups and NGOs, made comments on these topics. As well as the suggestions for measurable targets or indicators mentioned previously and the suggestions that Scottish Ministers should be required to report to the Parliament annually on their progress in adaptation measures, there is also a call for these requirements to be placed on public bodies. The City of Edinburgh Council states that they believe the Scottish Government should have some form of regulatory power towards public bodies which fail to address adaptation issues. They suggest that “*a robust reporting and audit procedure needs to be adopted*”, and that the use of the Carbon Reduction Commitment reporting structure could reduce duplication. The Association of British Insurers highlights that specific reporting requirements for adaptation, alongside those for emissions reduction, would create the necessary accountability for adaptation.

Several responses from NGOs raise the issue that they believe the Bill does not contain sufficient **independent scrutiny of Scottish Minister’s progress** on adaptation. RSPB Scotland state that while the Bill only requires Ministers to review their own progress towards meeting the objectives of the adaptation programme, the Climate Change Act 2008 (s59) provides for the Climate Change Committee to assess progress at the UK level. They suggest that a similar level of independent assessment should apply in the Bill. This view is linked to the proposal from Scottish Environment LINK and others, mentioned previously, that there be independent assessment of progress at least every two years, alongside annual reporting to the Parliament of progress and developments in the strategy.

Several responses raise the issue that the Bill could make reference to further specific adaptation issues or sectors than it currently does. Many discuss the impact that climate change will have on specific sectors, or the importance of behavioural change and infrastructure on adaptation. Specifically referring to the powers contained in the Bill, the response from **SEPA** states that:

“SEPA note that there could be more pieces of legislation in addition to permitted times for muirburn that may require amendments in order to allow for adaptation to climate change impacts. A provision in the Bill recognising that as we develop our understanding and knowledge of climate change impacts we may need to amend other legislation would be useful.”

Several responses raise the specific issues of climate change adaptation with regard to **flooding and planning** procedures. The views of the Association of British Insurers with regard to flooding and the setting of targets have been discussed previously; other organisations, including local authorities and the NHS, also specifically suggest that changes to building and planning regulations may be

appropriate in light of changing climate impacts. Several responses highlight the importance of identifying areas at risk and targeting urgent action towards these.

Responses from SNH and RSPB Scotland raise the importance of **land use and habitat management**, both in light of climate change impacts, but also as adaptation measures in themselves. The response from RSPB Scotland provides the example of “managed realignment” projects, where saltmarsh and mudflat habitats have been reinstated to provide both natural heritage and flood management benefits. **SNH** state that:

“The natural heritage has an important role to play by making sure that ecosystems retain sufficient integrity so that they continue to provide essential services, such as flood mitigation, productive land capacity and water supply. This requires that approaches to adaptation allow the natural heritage to adapt to changing climate so that it can continue to support the ecosystem functions that help society to adapt.”

The next group of themes relating to adaptation surround the effect of adaptation requirements and other policies on each other. These include a request from the City of Edinburgh Council that the climate change adaptation programme “*should include the impact that introduced regulations on energy performance of non-domestic buildings, waste reduction and recycling may have on SMEs*”, and a call from several local authorities for guidance, and resources, from the Scottish Government. The response from East Ayrshire Council Department of Neighbourhood Services states that they anticipate clear national guidelines to be issued upon completion of the Adapting Our Ways consultation.

There is also a recurring theme throughout the responses from different sectors that community engagement and education will play a key role in the adaptation process, and that Government and local authorities must be seen to take the lead. The response from **COSLA** states that:

“If we are going to succeed in changing the way we live in order to mitigate against future climate change we need to adapt not only to changing weather patterns but to the need to reduce emissions wherever possible. This means adapting to sustainable methods of transport and reducing the amount we travel; adapting to the need to skill up Scotland’s workforce to grow the renewables industry and other green businesses; and adapting to new ways of daily living, including energy efficiency and waste minimisation – as a behavioural change and as part of the way we build and repair homes and other buildings, and the way we buy, deliver and dispose of products and services.

Along the way, as we adapt to inevitable environmental changes and to a lower carbon economy it is imperative that we effectively educate, inform and reassure communities about the plans and decisions that are being made to manage the impacts of climate change.”

## Muirburn

**There is widespread support for the inclusion of the powers in the Bill enabling Scottish Ministers to vary the permitted times for muirburn.**

As well as the responses received by the Transport, Infrastructure and Climate Change Committee, a further three submissions were made to the Rural Affairs and Environment Committee concerning section 46 in the Bill concerning “*variation of permitted times for making muirburn*”. The views in responses to both committees are considered here.

Of the responses that gave a clear opinion on these proposals, sixteen support the enabling powers conferred by the Bill to vary the permitted times for muirburn in response to climate change impacts. Of those who oppose the proposals, two do so with specific and detailed consideration of the issue, one advocates the complete cessation of muirburn in Scotland, and one opposes the bureaucracy implied by the Bill.

Many responses in support of these powers include the condition that any use of them should be under independent advice and with due consideration for biodiversity, protection of peatlands, and other natural heritage concerns. For example, the support for the proposals from **SNH** includes the statement that:

“The Muirburn Code sets out the constraints to limit the potential [...] risk of damage to agricultural, forestry, game, biodiversity, landscape, and archaeological assets. Consequently, we recommend that there is a requirement for Ministers to consult with relevant authorities, including SNH, before varying the permitted times during which muirburn may be made. Consideration of changes to the dates of the muirburn season should not be in isolation, on the basis of one possible driver of change. In some cases it may be difficult to disentangle changes attributed to climate change from other factors including land management. Decisions would also need to take into account the extent to which restricting muirburn season would reduce the amount of muirburn undertaken. This may have detrimental impacts on some habitats, including Natura and Biodiversity Action Plan habitats that are maintained by rotational muirburn.”

This view is echoed in the responses from several local authorities and NGOs. The response from **Scottish Environment Link** states that:

“Key stakeholders of the Moorland Forum, a consortium of organisations with an interest in moorland management issues have responded to a Scottish Government request for an agreed position and provided a statement in support of the Bills proposals.”

Several responses highlight that these powers are required to bring Scotland into line with England and Wales, where there is provision to vary the permitted time for muirburn under the Hill Farming Act 1946.

However, support for these powers is not universal, with some stakeholders voicing concerns. The response from the **Scottish Rural Property and Business Association** considered that:

“No clear indication is given about whether Scottish Ministers will be inclined to make the muirburn season begin earlier/later or finish earlier/later and

whether the season will be longer or shorter and the SRPBA cannot support such an open ended proposal.”

This response, along with that from the Crown Estate also specifically note concerns about any shortening of the season, suggesting that these may be counterproductive by forcing land managers to burn in less than optimal conditions. The Crown Estate, whose response states that they do not believe these powers are necessary at present, notes that variations in weather, flora and fauna mean that sites-specific, rather than Scotland-wide, factors are more important when considering dates. This view ties in to some extent with response from the **Game and Wildlife Conservation Trust** which states that:

“Ministers should be given powers to extend the muirburn season into September or powers to allow for license applications for muirburn season extensions. Consideration could be also given to a range of practical tools such as amending the Muirburn Code, supporting capital and fuel costs associated with the muirburn equipment which brings wildfire protection capability and the funding of work to establish reliable water supplies for firefighting activities on moorland and woodland areas.”

The suggestion to add the power to issue licences for out of season burning is also raised in the response from Stop Climate Chaos Scotland, and from some of its members such as RSPB Scotland. The response from **Stop Climate Chaos Scotland** suggests:

“We would add that we also support the idea of making provision through a licensing system for out of season burning, to allow flexibility of approach, [...] administered by Scottish Natural Heritage as the Scottish Government’s advisors on nature conservation.”

## Chapter 2 - Forestry

### Leasing of Forestry Commission Land

**Among written responses to Transport, Infrastructure and Climate Change and Rural Affairs and Environment committees there is near unanimous opposition to the leasing proposals drafted in the Bill.**

The forestry provisions in the Bill were consulted on by the Rural Affairs and Environment Committee as part of their Stage 1 consideration. The Rural Affairs and Environment Committee call for evidence received thirty four responses. A question on the forestry provisions was also included in the general call for views from the Transport, Infrastructure and Climate Change Committee, and around fifteen responses considered this issue, with several others indicating that they had responded in more detail to the Rural Affairs and Environment Committee.

During the preparation of this paper, the Stage 1 report from Rural Affairs and Environment Committee<sup>3</sup> was submitted to the Transport, Infrastructure and Climate Change Committee. Based on all of the responses which they received either opposing the leasing proposal or raising concerns about it, the **conclusion of Rural Affairs and Environment Committee** was that:

“The Committee recommends that the Government does not progress this leasing proposal and amends the enabling section in the Bill.”

On Friday 13 March 2009 the Minister for Environment announced that the leasing proposals would be removed from the Bill<sup>4</sup>. Consequently, the responses to the Transport, Infrastructure and Climate Change Committee and Rural Affairs and Environment Committee are not considered here in detail.

Most of the responses to Transport, Infrastructure and Climate Change Committee which considered the issue agreed with the positions expressed to the Rural Affairs and Environment Committee that they opposed the leasing proposals or had concerns about them. While many responses indicate that they are supportive of the overall strategy to increase forest cover in Scotland, no detailed response gave unreserved support for the leasing arrangements.

### Joint Ventures

**Among responses to the Transport, Infrastructure and Climate Change Committee and the Rural Affairs and Environment Committee there is universal support for the idea of Forestry Commission Scotland entering into joint ventures to develop renewable energy projects.**

The responses to the Transport, Infrastructure and Climate Change followed the position noted in the Stage 1 report from the Rural Affairs and Environment Committee that written submissions supported the idea of Forestry Commission Scotland entering into joint ventures with private companies to develop renewable energy projects such as wind farms and hydroelectric systems. Most responses agree that Forestry Commission Scotland can and should play a greater role in climate change adaptation and mitigation efforts, and that such joint ventures could be an effective way to increase investment, employment, and revenue in the

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<sup>3</sup> Stage 1 report on the Climate Change (Scotland) Bill. Available at: <http://www.scottish.parliament.uk/s3/committees/ticc/papers-09/trp09-09.pdf>

<sup>4</sup> Scottish Government news release, “Forestry and climate change”. Available at: <http://www.scotland.gov.uk/News/Releases/2009/03/13100641>

forestry sector. Several responses note that these powers are designed to replicate existing provisions in England and Wales.

Several responses offer only reserved support for the proposal, stating that there is a lack of detail in the Bill. One of the most common reservations comes in responses which highlight that one consequence of constructing renewable energy infrastructure on Forestry Commission land is the felling of forests. Several responses suggest that **any area of forestry lost due to joint ventures must be replaced**. The other key theme that arises from many of the responses is a suggestion that any **income from joint ventures must be directly reinvested in the forestry sector**.

While a few responses indicate that they would be happy for wood fuelled power stations to be established by joint ventures, Scottish Renewables suggest that joint ventures *“should be limited ‘to generate power from wind, hydro and micro power’ and that there is no suggestion that the Forestry Commission would form joint ventures to develop bioenergy projects of any scale”*. It explains that while wood fuelled projects would generally be a welcome development, there could be serious market distortions if Forestry Enterprise Services were to effectively sell timber to itself.

## Chapter 3 - Energy Efficiency

### Promotion of Energy Efficiency

**Most responses support the inclusion of energy efficiency measures relating to domestic buildings in the Bill. However, many responses suggest that the measures in the Bill are inadequate as drafted.**

**One key concern expressed in many responses surrounding this section is that it inadvertently weakens the requirement in the Housing (Scotland) Act 2006 for Scottish Ministers to “improve” energy efficiency in domestic housing.**

Most responses which considered this section of the Bill agreed that improving energy efficiency in domestic, as well as non-domestic, building stock represented an opportunity to achieve significant emissions reductions over a short period of time. Many responses suggested that insulation and energy efficient technology could enable rapid reductions in emissions, while several others included discussion of micro-renewables as critical in reducing emissions from energy supply, as well as reducing energy demand.

One key concern expressed in many responses surrounding this section of the Bill is that it may be **inadvertently weakening existing legislation** due to the way it is worded. Several responses point out that while section 179 of the Housing (Scotland) Act 2006 requires Ministers to “improve” the energy efficiency in domestic housing, the Bill as drafted requires them to “promote” it. These responses suggest that the Bill should be amended to at least match the requirements of the Housing (Scotland) Act 2006.

The responses include a number of other recurring themes surrounding this section of the Bill. Several responses suggest that changes could be made to, or targets set, through Building Standards (Scotland) Regulations, or by use of energy performance certificates, to regulate the **energy efficiency of new buildings**. However, it is also suggested that any plan dealing with energy efficiency must concentrate on **existing building stock**, as well as new buildings, as most of the building stock in existence by 2050 will already have been constructed. Similarly, several responses raise the specific issue of older or **historic buildings** which may have practical limits on the energy efficiency measures that can be installed, or may be prohibitively expensive to upgrade. It is suggested by some, including the Historic Housing Association for Scotland, that any action in the energy efficiency plan must be sympathetic towards the needs of particular building types or sectors.

The issue of **fuel poverty** is raised by several respondents who see it as intrinsically linked to the topic of energy efficiency. For example, the response from the Church of Scotland suggests that it may be appropriate for the Bill to include a more specific duty on the Government which sets targets relating to improving housing stock and reducing the proportion of the population living in fuel poverty. A few responses raise the issue that although fuel poverty and energy efficiency are linked, there can be a conflict between reducing the emissions associated with energy use and reducing the cost of energy. The response from Fife Council states that they “*seek clarity from the Government on how differentiations between carbon saving energy efficiency and fuel poverty energy efficiency will be made*”.

A number of responses raise the issue of wider energy policies, and in particular the role that **micro-renewables** can play in reducing emissions. The response

from the Microgeneration and Energy Efficiency Bill Steering Group suggests that the Scottish Government and local authorities be required to set targets for energy efficiency and microgeneration, that tax or business rate discounts be offered to encourage the take-up of such technology, and that all new buildings should be required to incorporate renewable technologies.

### **Energy performance of non-domestic buildings**

All responses which considered the issue welcome the inclusion of powers enabling Scottish Ministers to address the issue of energy performance in non-domestic buildings.

There are a number of opinions expressed on this section, with no strong key themes emerging. However, there are several recurring themes from several respondents.

The strongest of these, suggested by, among others, the Association for the Conservation of Energy and Stop Climate Chaos Scotland, is that **Energy Performance Certificates (EPC) are not sufficient by themselves**, and that voluntary measures will fail to deliver the level of emissions reductions required. Instead, mandatory improvements – in both domestic and non-domestic buildings – are advocated. Friends of the Earth Scotland suggest that the “recommended improvements” on EPCs could be made mandatory before any sale or lease of a building. The issue of historic or protected buildings again arises with this section, with a few responses specifically mentioning that any regulations should be sympathetic towards them.

Several responses, such as from Falkirk Council and the Scottish Rural Property Business Association, suggest that **incentive based schemes or financial assistance** will be required to ensure that necessary changes are made; and that this could be more effective than enforcement measures or regulation alone. Several local authorities suggest that any action should be administered through local authorities, and note that adequate funding and resources would have to be made available to enable this.

### **Renewable Heat**

**All responses which considered the issue were generally supportive of including efforts to improve the provision of heat from renewable sources. However, several responses suggest that the Bill as drafted could be strengthened, or that more specific powers are included.**

Among the detailed views on this section, the Association for the Conservation of Energy suggest that “**promotion**” of renewable heat is insufficient by itself, and that they “*believe a duty must be placed on Scottish Ministers to deliver a renewable heat strategy and action plan, which should include specific targets for renewable heat*”. The response from Scottish Renewables suggests that there should be specific targets to reduce emissions due to both domestic and commercial/industrial heat, and that there should be powers to assist these targets. Several responses raise the issue of incentives, with **Diageo** suggesting that:

“It is encouraging that the Bill focuses on renewable heat, and in this context we would highlight the need for **Heat Renewables Obligation Certificates** which are an essential mechanism to the reduction of energy usage and greenhouse gases - currently the use of ROC's is a proven mechanism for the development of renewable energy projects producing electricity.”

Several responses, from public bodies, industry, and other groups, discuss the issue of **waste heat from industry**, electricity generation, and from biomass in landfill. It is suggested that such energy could be utilised to provide district or community level space and water heating for both homes and businesses. The other main renewable heat source considered is **biomass in the form of wood fuel**. Several responses, from local authorities, the Crown Estate, and the Scottish Rural Property and Business Association, discuss the importance of improving the biomass supply chain, and of sourcing locally produced fuel.

The issue of **heat from waste** is considered in several responses, with particular mention of both incineration and anaerobic digestion. Friends of the Earth Scotland note concern that waste materials are excluded from the specific definitions of fossil fuels in Section 48, which could result in, for example, plastics, being regarded as a renewable source for energy production.

## Chapter 4

### Waste Reduction And Recycling

**While there is broad support for most sections relating to waste reduction and recycling, there is very strong opposition to inclusion of section 59 on carrier bag charges. Several responses are also opposed to, or have strong reservations about, section 58 on deposit and return schemes.**

The waste reduction and recycling provisions in the Bill were consulted on in the calls for evidence of the Transport, Infrastructure and Climate Change Committee and the Rural Affairs and Environment Committee. Around thirty five responses to the Transport, Infrastructure and Climate Change Committee gave general consideration of this chapter of the Bill, and eighty two specific responses were received by the Rural Affairs and Environment Committee.

Most responses to the Transport, Infrastructure and Climate Change Committee, and most of those to the Rural Affairs and Environment Committee which consider all parts of Chapter 4, are broadly supportive of measures in the Bill or the intentions behind them. Only a few responses explicitly state that they oppose certain measures, or that they do not believe that legislation is required in a particular area; voluntary action is proposed to be sufficient.

However, two sections in Chapter 4 – section 58 on deposit and return, and section 59 on carrier bag charges – attracted a number of detailed responses opposing their inclusion in the Bill or subsequent implementation. In particular almost all of the responses submitted by individuals were concerned with section 59 and expressed opposition to the provision. A number of these responses contained similar or identical statements opposing section 59.

The comments on sections 58 and 59 are considered in detail below.

#### Deposit and Return

While a few responses offer general support for deposit and return schemes for products and packaging, there are several responses which offer strong opposition, or at least strong reservations, to their implementation. Among those who support their use, **Consumer Focus Scotland** state that they:

“support deposit and return schemes in principle, because they emphasise clearly to consumers the (financial) value of ‘waste’; this is particularly relevant to those for whom the environmental arguments are not currently sufficient to encourage participation”.

However, they have concerns about the impact that any scheme could have on the price of goods, and any impacts that a scheme could have on other forms of recycling or waste collections. Consumer Focus Scotland, and others including the Federation of Small Businesses, state that they would welcome further information, and analysis or trial of voluntary deposit and return schemes, before any mandatory schemes were introduced.

There is strong opposition to deposit and return schemes intended to re-use packaging. This comes in particular from producers of alcoholic and soft drinks. For example, the response from the **Scotch Whisky Association** states that:

“The Scotch Whisky industry does not support a ‘Deposit and Return’ scheme for its containers. It would create significant additional business

costs but more importantly it is highly likely (if bottles were required to be refitted) to have major impacts on the quality and branding of our products. The benefit to the environment of the proposal for Scotch Whisky is questionable.”

The response from **Scottish Alcoholic Drinks Producers** further suggests that the inclusion of this section in the Bill is not sensible, and that:

“While the Bill will not introduce such a scheme in itself, we would suggest this approach, of introducing such a major policy change by regulation, rather than by primary legislation will inevitably mean any future development in this area could be introduced with far less scrutiny by the Scottish Parliament.”

The response from **SEPA** suggests that deposit and return schemes would be practical for items to be recycled rather than re-used, and that this could extend beyond food and drink containers to items such as batteries and small electrical items. They conclude that:

“Careful consideration would need to be given to the structure of any deposit refund system. This requires a central collection agency to hold deposit funds and allocate funds based on returned products. This could prove costly to administer. However a number of working models exist that could form the basis of an options assessment.”

### **Carrier Bag Charges**

There is very strong opposition to the inclusion of section 59 in the Bill, which enables the creation of schemes to charge for the use of plastic carrier bags. This view is included in seventy responses to the Rural Affairs and Environment Committee, including sixty three individual responses which dealt almost solely with this specific matter. There is some support for the proposal in some responses, including from Stop Climate Chaos Scotland, while others advocate voluntary measures without making explicit comment on section 59. Many responses indicate that they feel the issue of plastic bags has been given undue weight, and that this has distracted from discussion of other parts of the Bill.

The strongest opposition to including a section on carrier bag charges in the Bill comes from carrier bag manufacturers and suppliers, and from food suppliers. The principal reasons for the opposition to carrier bag charging are that respondents suggest that such a scheme would be environmentally counterproductive, leading to increases in both waste and greenhouse gas emissions (from manufacturing and transport). The issue of hygiene, particularly in regard to food supply, is also raised in several responses.

Responses also highlight that legislation on carrier bag charging has been rejected by the Scottish Parliament in recent years. The response from **Simpac** states:

“The Scottish Parliament has already in 2004 – 2006 spend an estimated £2,000,000 of taxpayers money investigating a proposed Environmental Levy on Plastic Bags Bill and unanimously rejected that Bill for very clear unambiguous reasons that to do so would create substitution of lightweight plastic bags by heavier bulkier and more inefficient carriers which was clearly and quantifiably proved to be counterproductive in reducing waste.”

While **Baggit** make a similar point, and include that an independent report commissioned by the Scottish Executive found that:

“the introduction of a charge for carrier bags would lead to an increase in Scotland's waste arisings by some 4,500 tonnes annually due to other types of carrier bags, such as paper carrier bags, being used as alternatives to conventional plastic carrier bags. [Later] the figure of 4,500 tonnes, in agreement with the Executive, was revised upwards to 13,700 tonnes per annum.”

Several responses state that the voluntary reduction policies that have been adopted in recent years have had considerable impact on the use of carrier bags, by reducing demand and encouraging re-use. **The Carrier Bag Consortium** concludes their response by stating that:

“The Government should be far more proactively encouraging the public to reuse their lightweight plastic carrier bags where hygienically possible, and to recycle them in the plethora of disposal units now visible in the forecourts of most major supermarkets.”

# ANNEX

List of other written submissions in response to the call for views from the Transport, Infrastructure and Climate Change Committee and the Rural Affairs and Environment Committee.

## Section 1

Transport, Infrastructure and Climate Change Committee responses which focussed primarily on the main provisions of the Bill as set out in parts 1-4:

### Organisations

#### A

[Aberdeen City council](#)  
[Aberdeenshire Council](#)  
[Association of British Insurers](#)  
[Association for the Conservation of Energy](#)

#### B

[Baggit Limited](#)

#### C

[Chamber of Shipping](#)  
[Changeworks](#)  
[Children's Climate Change Project](#)  
[Christian Aid](#)  
[Church of Scotland](#)  
[City of Edinburgh Council](#)  
[Climate Change Business Delivery Group](#)  
[Confederation of Passenger Transport UK](#)  
[Consumer Focus Scotland](#)  
[COSLA](#)  
[Crown Estate](#)

#### D

[Diageo](#)

#### E

[East Ayrshire Council Department of Neighbourhood Services](#)  
[East Lothian Council](#)  
[Eco Renovation Network](#)  
[Energy Saving Trust](#)

#### F

[Falkirk Council](#)  
[Fife Council](#)  
[First Group](#)  
[Friends of the Earth Scotland](#)

#### G

[Glasgow City Council](#)  
[Green Group City of Edinburgh Council](#)

## **H**

[Highland Council](#)

[Historic Houses Association for Scotland](#)

[Holyrood 350](#)

## **L**

[Living Streets Scotland](#)

## **M**

[Microgeneration and Energy Efficiency Bill Steering Committee](#)

## **N**

[National Library for Scotland](#)

[NHS Dumfries and Galloway](#)

[NHS Greater Glasgow and Clyde](#)

[NHS National Services Scotland](#)

[NHS Tayside Estates Department](#)

[North Lanarkshire Council](#)

## **O**

[Oxfam Scotland](#)

## **R**

[Renfrewshire Council](#)

[Royal Society of Chemistry](#)

[Royal Society of Edinburgh](#)

[Royal Society for the Protection of Birds](#)

## **S**

[Salvation Army](#)

[Scotch Whisky Association](#)

[Scottish Association for Public Transport](#)

[Scottish Building Federation](#)

[Scottish Catholic International Aid Fund](#)

[Scottish Environment Link](#)

[Scottish Environment Protection Agency](#)

[Scottish Food and Drink Federation](#)

[Scottish Natural Heritage](#)

[Scottish Qualifications Authority](#)

[Scottish Renewables](#)

[Scottish Rural Property and Business Association](#)

[Scottish and Southern Energy](#)

[Scottish Water](#)

[SIMPAC Ltd](#)

[Spokes](#)

[Stop Climate Chaos Scotland](#)

[Strathclyde Partnership for Transport](#)

## **T**

[Tayside Foundation for the Conservation of Resources Ltd](#)

[Tearfund](#)

[Transform Scotland](#)

## **U**

[Unison Scotland](#)

[Unite the Union Scotland](#)

## **W**

[Waterwatch Scotland](#)

[World Development Movement](#)

[WWF Scotland](#)

## **Individuals**

### **A**

[Patricia Abel](#)

[Dr Thorsten Ackermann](#)

[Amanda Addison](#)

[Regina Alcock](#)

[Jim Affleck](#)

[Graeme Allan](#)

[Alexa Allen](#)

[Dr Lesley Alton](#)

[Kirstie Anderson \(16.8 kb\)](#)

[Clare Andrews](#)

[Eric Annandale](#)

[Linda Ashera](#)

[Ruth Atkinson](#)

[Dr Elizabeth Auty](#)

### **B**

[Nigel Bagshaw](#)

[Katie Nicoll Baines](#)

[Anne Bankier](#)

[Lang Banks](#)

[Rodrigo Barnes](#)

[Sara Barry](#)

[Reade Beaudoin](#)

[Julian Begg](#)

[Cameron Bell](#)

[Kenneth Bell](#)

[Paula Bell](#)

[Nadia Bessos](#)

[Alexandra Birch](#)

[Tim Birley](#)

[Victoria Bowdidge](#)

[Michael Black](#)

[Callum Blackburn](#)

[James Blake](#)

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[Robert Boath](#)

[Susan Bonar](#)

[Dr Susan Bowie](#)

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[Anthony Brightman](#)  
[Jennifer Broadhurst](#)  
[Annabel Bromley](#)  
[Clive Brown](#)  
[Elaine Burns](#)  
[Rachael Burns](#)

## **C**

[Ewen Cameron](#)  
[Johanna Carrie](#)  
[Mandy Carter](#)  
[C Childe](#)  
[Georgie Christie](#)  
[Dr Sally Clark](#)  
[Sarah Clark](#)  
[Charlotte Clarke](#)  
[Victor Clements](#)  
[Morag Cloughley](#)  
[Alexander Cook](#)  
[Emma Copland](#)  
[Andrew Cow](#)  
[Colin Crabbie](#)  
[Clark Cross](#)  
[Nikki Currie](#)

## **D**

[Neil Dawson](#)  
[Dr Robert Dawson](#)  
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[Deborah Dent](#)  
[Victoria Deschampsneufs](#)  
[Laura Digan](#)  
[Fred Dinning](#)  
[Dr Richard Dixon](#)  
[Kelly Doig](#)  
[Mike Donaghy](#)  
[Dr Julia Dorin](#)  
[Griselda Dow](#)

## **E**

[Penny Edwards](#)  
[Larry Egar](#)

## **F**

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[Vince Fitzpatrick](#)

[Gina Ford](#)  
[Dr Irene Fortune](#)  
[Mary Fraser](#)  
[Jamie Fry](#)

## **G**

[Stephanie Gardiner](#)  
[Jonathan Geary](#)  
[Cara Geddes](#)  
[John Gordon](#)  
[Anna Goss](#)  
[Harry Goudie](#)  
[Stephanie Graf](#)  
[Ross Graham](#)  
[Amy Gray](#)  
[Claire Green](#)  
[Hugh Green](#)

## **H**

[Oriole Hall](#)  
[Colin Hamilton](#)  
[Antosa Hamilton-Isherwood](#)  
[Iain Hannah](#)  
[Carol Harley](#)  
[Adam Harrison](#)  
[Sally harrower](#)  
[Dr Piers Hart](#)  
[Stuart Hay](#)  
[Nick Haycock](#)  
[Michael Hellicar](#)  
[Rosalind Henderson](#)  
[Judy Hills](#)  
[Kenny Hogg](#)  
[Christina Hollinshead](#)  
[Erica Hollis](#)  
[Laura Hopkins](#)  
[Tim Hughes](#)  
[Michael Hui](#)  
[Roger Humphry](#)  
[Sandra Hutton](#)

## **J**

[Tim Jacobs](#)  
[Mark James](#)  
[Gayle Jamieson](#)  
[Bryan Jeanes](#)  
[Pauline Jewett](#)  
[Dr guy Johnson](#)  
[Alan Jones](#)  
[Dr Gus Jones](#)  
[Tessa Jones](#)

## **K**

[Robert Kay](#)  
[Fiona Kelly](#)  
[Laura Kelly](#)  
[Laura Kemp](#)  
[Daniel Kirby](#)  
[Clare Kirtley](#)

## **L**

[Claire Laing](#)  
[Dianne Laing](#)  
[Tamara Lang](#)  
[Paul Latham](#)  
[Lukas Lehmann](#)  
[Elizabeth Leighton](#)  
[Emma Levy](#)  
[David Liddell](#)  
[Dr George Lindsay](#)  
[Katy Littler](#)  
[Justin Littlewood](#)  
[Charlotte Longmuir](#)  
[Adean Lutton](#)  
[Rebecca Lyon](#)

## **Mc and Mac**

[Louise McCafferty](#)  
[Graeme McDermott](#)  
[Claire MacDonald](#)  
[Fiona Macdonald](#)  
[James MacGillivray](#)  
[Dr Donald Macintyre](#)  
[Jilly McKay](#)  
[Gillian Mackie](#)  
[John McKinlay](#)  
[Cameron McLatchie](#)  
[Gillian McLean](#)  
[Linda Macniven](#)  
[Charles Macpherson](#)  
[Marilyn Ann Mcpherson](#)  
[Betsy MacQueen](#)

## **M**

[Nkiruka Maduekwe](#)  
[Paul and Ana-Maria Maguire](#)  
[Sandy Main](#)  
[David Mansfield](#)  
[Aidan Marshall](#)  
[Kirsteen Marshall](#)  
[Susan Martin](#)  
[Eileen Mauchline](#)  
[Ross Meikle](#)  
[Colleen Middleton](#)

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[Clark Mitchell](#)  
[Vivienne Moir](#)  
[Miguel Molina](#)  
[Dr Paul Graham Morris](#)  
[Alexa Morrison](#)  
[Jonathan Morton](#)  
[Shona Munro](#)

## **N**

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[Iona Nelson](#)  
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[Eric Nisbet](#)  
[Elsa Nutt](#)  
[Margaret Nutter](#)

## **O**

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[Lissa Orr](#)  
[Rebecca Osborn](#)

## **P**

[Jonathan Pacitti](#)  
[Elsa Panciroli](#)  
[Richard Pascal](#)  
[Jan Paterson](#)  
[George and Heather Paul](#)  
[Margaret Peacock](#)  
[Aimee Penman](#)  
[Ute Penny](#)  
[Catherine Peters](#)  
[Allan Price](#)  
[Bob Pringle](#)  
[Sarah Pritchard](#)

## **R**

[Gideon Rathinaraj](#)  
[David Rennie](#)  
[Euan Renton](#)  
[Dr Philip Revell](#)  
[Ruairi Revell](#)  
[Kirstin Reynolds](#)  
[Sally Richards](#)  
[Kelly Richardson](#)  
[Peter Rickard](#)  
[Trevor Rigg](#)  
[Mari-Claire Riley](#)  
[Kerry Roberts](#)

[Catriona Robertson](#)  
[Angela Rose](#)  
[Andrew Ross](#)  
[Jayne Russell](#)  
[Jonathan Russell](#)  
[Gill Ryan](#)

## **S**

[Claire Samuel](#)  
[Paula Sankelo](#)  
[Mike Schilling](#)  
[Lesley Scott](#)  
[Linda Scott](#)  
[Sharon Scragg](#)  
[Jan Semotam](#)  
[Gina Sergent](#)  
[Judith Shakespeare](#)  
[Fraser Shand](#)  
[Jacqueline Sharp](#)  
[Gordon Shaw](#)  
[Lee Shelton](#)  
[Ben Shepherd](#)  
[Peter Sheridan](#)  
[Martin Sherring](#)  
[Lorraine Simpson](#)  
[Steven Sinclair](#)  
[Mairi Skinner](#)  
[Jennifer Smith](#)  
[Katrina Smith](#)  
[Michelle Smith](#)  
[Margaret Sparkes](#)  
[Robert Sparkes](#)  
[Rachel Steele](#)  
[Catherine Stevens](#)  
[Barbra Stewart](#)  
[Dani Stewart](#)  
[Julie Stoneman](#)  
[Francis Stuart](#)  
[Ninian Stuart](#)  
[Cosmo Sutherland](#)

## **T**

[Stuart Tait](#)  
[James Taylor](#)  
[Margaret Tayor](#)  
[Yvonne Taylor-Robertson](#)  
[Yann Tessier](#)  
[Paul Tetlaw](#)  
[Anne-Marie Tierney](#)  
[Dr Barbara Tinto](#)  
[Fiona Tinto](#)  
[T Tung](#)

## V

[Margo Van Greta](#)

## W

[Sue Walker](#)

[Alice Walsh](#)

[Morag Watson](#)

[Susan Watt](#)

[Barbara Weir](#)

[Eric White](#)

[Gillian White](#)

[Adam Whyte](#)

[Tharindu Wijetunga](#)

[Gregg Wilkie](#)

[Jaimi Williamson](#)

[Sarah Williamson](#)

[Gordon Wilson](#)

[Janet Wilson](#)

[Laura Wilson](#)

[Marion Wilson](#)

[Scott Wilson](#)

[Sheila Wiseman](#)

[Monica Wojcieszek](#)

[Stephanie Wolfe-Murray](#)

[Fiona Wolfenden](#)

[Katy Wright](#)

## Y

[Angus Yarwood](#)

[Laura Young](#)

[Hilary Yule](#)

## Z

[Kunemoemi Zacchaeus](#)

[Anne Zuill](#)

## Section 2

Rural Affairs and Environment Committee responses which focussed primarily on three areas of the Bill – the role of the Forestry Commission (section 47), Waste Reduction and recycling (sections 52 to 61) and Muirburn (section 46):

## Waste Reduction and Recycling

### A

[Ahmed, Ali Raza](#)

[Ahmed, Munir](#)

[Association of Charity Shops](#)

### B

[Baggit Ltd](#)

[Barnes, Graham](#)

[Barnes, Linda](#)

[Barnett, Mark](#)  
[Becker, B](#)  
[Bell, Willie](#)  
[Berrie, S](#)  
[Beverage Can Makers Europe](#)  
[Boyle, Paul](#)  
[British Polythene Industries PLC](#)  
[British Soft Drinks Association](#)

## **C**

[Carrier Bag Consortium](#)  
[Calder, Lauren](#)  
[Calder, Marion](#)  
[Calder, Tracey](#)  
[Carrs, Fred J](#)  
[Clarkson, Hugh](#)  
[Collins, Stewart](#)  
[Cunningham, John](#)  
[Community Recycling Network Scotland](#)

## **D**

[Deeks, Marlene](#)  
[Dick, William](#)  
[Douglas, Archie](#)  
[Douglas, Scott](#)  
[Douglas, Yvonne](#)  
[Dowds, Louise](#)  
[Doyle, J](#)  
[Dunbar, Susan](#)  
[Dunsley, Yvonne](#)

## **E**

[Edwards, Anne](#)  
[Elliott, Hazel](#)

## **F**

[Federation of Small Businesses Scotland](#)  
[Fleming, Kerry](#)

## **G**

[Galisdien, Amanda](#)  
[Giddy, Sandra](#)

## **H**

[Hendry, Grant James](#)  
[Hamilton, William](#)  
[Houston, David](#)

## **J**

[Jervis, B](#)

[John Lewis Partnership](#)

**L**

[Lammie, L](#)  
[Lammie, Lynda](#)  
[Lamont, Claire](#)  
[Lee, Donna](#)

**Mc and mac**

[MacDonald, J](#)  
[MacDonald, V](#)  
[Martin, Derek](#)  
[McCann, Craig](#)

**M**

[Millar, D](#)  
[Miller, Roseanne](#)  
[Monteith, Alastair](#)  
[Murdoch Brothers Butchers](#)  
[Murdoch, J](#)  
[Murdoch, Sandi](#)

**N**

[Nicolson, Jim](#)  
[Robson, Lynne](#)

**S**

[Saunders, Colin](#)  
[Saunders, David](#)  
[Scott, Douglas](#)  
[Scott, L](#)  
[Scott, Mary](#)  
[Scottish Alcoholic Drinks Producers](#)  
[Scottish Environment Services Association](#)  
[Scottish Food and Drink Federation](#)  
[Scottish Grocers' Federation](#)  
[SEPA](#)  
[SIMPAC](#)  
[SIMPAC Appendix A](#)  
[SIMPAC Appendix B](#)  
[SIMPAC Appendix C](#)  
[Shaws Fine Meats](#)  
[Smeaton, Margaret](#)  
[Sutcliff D, McArthur K, Smith S](#)

**T**

[Tierney, A](#)  
[Timmins, P](#)  
[Tough, Alastair](#)

**W**

[Walker, Carri-Anne](#)

[Walker, Dr Robert B](#)  
[Walker, P](#)  
[Wallace, Christine](#)  
[WRAP Scotland](#)

## **Y**

[Young, Ailsa](#)  
[Young, Nairn James](#)

## **Forestry**

### **A**

[Aberdeenshire Council](#)  
[Archaeology Scotland](#)

### **B**

[Balfour, Dr Jean](#)  
[Blow, Stephen](#)

### **C**

[Confederation of Forest Industries](#)

### **F**

[Fairweather, Peter M](#)  
[Forestry Commission Trade Unions](#)

### **H**

[Highland Council](#)

### **I**

[Institute of Chartered Foresters](#)  
[Ireland, Duncan](#)

### **J**

[James Jones and Sons Ltd](#)

### **K**

[Kennedy, Gordon](#)

### **L**

[Loch Lomond and The Trossachs National Park Authority](#)

### **M**

[Mulgrew, John](#)  
[Mackie, Stewart](#)  
[Munro Sawmills Ltd](#)

### **N**

[National Farmers' Union Scotland](#)  
[National Trust for Scotland](#)

## **R**

[Ross, Chris](#)

[Royal Society for the Protection of Birds](#)

## **S**

[Saunders, Colin](#)

[Scottish Environment LINK](#)

[Scottish Natural Heritage](#)

[Scottish Renewables](#)

[Scottish Rural Property and Business Association](#)

[Scottish Tourism Forum](#)

[Stewart, Emma](#)

## **T**

[Taylor, John](#)

[Thomas, Ian](#)

[Thorfinn, Simon](#)

[Tweed Valley Tourist Consortium](#)

## **U**

[UK Forest Products Association](#)

## **W**

[Woodland Trust Scotland](#)

[Wood Panel Industries Federation](#)

## **Muirburn**

[BASC Scotland, GWCT Scotland and RSPB Scotland](#)

[Game & Wildlife Conservation Trust](#)

[Royal Society for the Protection of Bird](#)