

## WRITTEN SUBMISSION FROM EAST LoTHIAN COUNCIL

Comments from East Lothian Council – February 2009

**The Bill creates a statutory framework for greenhouse gas emissions reductions in Scotland by setting a 50% reduction target for 2030 and an 80% reduction target for 2050.**

**What are your views on the 2050 target and a 2030 interim target proposed in the Bill?**

The targets reflect the current best advice on the minimum emissions reductions required to mitigate Climate Change effects.

**The Bill requires that the Scottish Government sets annual targets, in secondary legislation, for Scottish emissions from 2010 to 2050. It is proposed that these annual targets will be set in batches, the first being for the years 2010 to 2022 inclusive.**

**What are your views on the setting of targets in batches from 2010 to 2022?**

If Climate Change impacts are to be minimised then action is required now. So annual targets present a clear imperative to deliver. Setting these targets in batches seems sensible to allow both public and private sector organisations to include these targets in medium to long term plans.

**The Bill provides that from the year 2020, the annual emissions targets must be set so that each is at least 3% lower than the target for the previous year. Prior to 2020, the Scottish Government has indicated that it intends to set annual targets which build towards delivering emissions reductions of at least 3% each year.**

**What are your views on this approach or any possible alternative approaches?**

The “at least” 3% lower than previous year annual emissions target is supported if the Bill's overall objective of 80% GHG reductions by 2050 is to be achieved.

**The Bill introduces the concept of a “net Scottish emissions account” as a point of reference against which the target for reducing greenhouse gases can be measured. It is defined as the net Scottish emissions plus or minus any carbon units credited to or debited from the account. Any units purchased may be used to offset Scottish emissions. Any carbon units generated in Scotland and sold to customers outside Scotland, count as emissions made in Scotland.**

**What are your views on the proposals in the Bill relating to the net Scottish emissions account, and should there be a limit on the number of carbon units which Scotland can purchase?**

Having a net Scottish emissions account may help to deliver targets, but carbon (or other GHG) trading should have a limited role to play to assist in meeting targets in the short/medium term, and only where there are definite commitments to emissions reduction projects that will deliver on the targets in the medium/ longer term. Scotland should not seek to buy its way out of emissions reduction targets in lieu of delivering actual emissions reductions. There should be a limit on purchase of carbon units.

**The Bill defines “Scottish emissions”, in relation to a greenhouse gas, as being emissions of that gas which are attributable to Scotland. The policy memorandum states that “Scottish emissions” are defined as being those greenhouse gases which are emitted in Scotland or which represent the Scottish share of emissions of gases from international aviation and international shipping.**

**What are your views on this definition of Scottish emissions?**

This definition is supported.

**The Scottish Government has indicated that initially it intends to seek independent, expert advice on climate change from the UK Committee on Climate Change. The Scottish Government states in the policy memorandum that if it determines that the UK Committee on Climate Change does not meet all the advice needed for Scotland, the Bill contains provisions which will allow the Scottish Government to establish a Scottish Committee on Climate Change or to designate an existing body to exercise these advisory functions.**

**What are your views on the Scottish Government's approach to obtaining independent, expert advice on climate change?**

The Scottish Government approach is supported. 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 Bill places duties on the Scottish Government requiring that it reports regularly to the Scottish Parliament on Scotland's emissions and on the progress being made towards the emissions reduction targets set in the Bill. The Bill sets out details of these reporting requirements.**

**What are your views on these proposed reporting arrangements?**

These are satisfactory

**The Bill contains powers to allow the Scottish Government, by regulations, to impose duties on public bodies in relation to climate change, to issue guidance to those bodies relating to their climate change duties and to require that they report upon the discharge of those duties.**

**What are your views on this proposal?**

East Lothian Council recognises that there may be a need for Scottish Government to impose duties on public bodies, but would emphasise that the Council would wish to work in partnership to deliver the Bill objectives. It is noted that Scottish Government will issue guidance to public bodies, this is welcomed, but it is noted that there are considerable uncertainties in how targets will be met and paid for. The Council will be looking for a clear lead from Government in issuing such guidance.

**The Bill places a duty on the Scottish Government to produce a report for Scotland, setting out its objectives in relation to adaptation to climate change, proposals and policies for meeting them and the timescales within which they will be introduced.**

**What are your views on this proposal?**

Supported

**Muirburn is the act of controlled burning of vegetation on open semi-natural habitats such as muir (Scottish word for moor) or moorland, and includes the burning of plants such as gorse, heather and grass. The Bill contains an enabling power to allow the Scottish Government to vary the permitted times during which muirburn may be made where they consider it necessary or expedient to do so in relation to climate change.**

**What are your views on this proposal?**

To protect moorland biodiversity, any future changes to muirburn operations should take place outwith the breeding seasons of moorland birds and animals.

**The Bill will allow modification by order of the functions of the Forestry Commissioners to enable the Forestry Commission in Scotland to play a greater role in tackling climate change. The immediate intent of the Scottish Government is to take forward proposals relating to renewable energy development on the National Forest Estate and the release of capital from the National Forest Estate for woodland creation.**

**What are your views on this proposal?**

Although East Lothian has very little National Forest Estate the Council recognises that the Forestry Commission locally and nationally has done much in recent years to encourage public access and recreation, as well as develop biodiversity. This work should be further advanced in any proposals to develop renewable energy and release of capital from the National Forest Estate for woodland creation.

**The Bill requires the Scottish Government to produce an action plan setting out current and proposed measures to improve the energy efficiency of buildings in Scotland, as well as measures to encourage behavioural change.**

**What are your views on this proposal?**

Supported. Improving energy efficiency in existing buildings will be a key measure in delivering GHG reductions. The action plan needs to clearly identify where the resources to implement the plan will come from, and where responsibility lies.

**The Bill confers powers on the Scottish Ministers to make regulations providing for the assessment of (a) the energy performance of non-domestic buildings; and (b) emissions of greenhouse gases produced or associated with such buildings. The provisions are enabling in nature and the Policy Memorandum provides further information on the Scottish Government's thinking in this area.**

**What are your views on this approach?**

The policy direction of requiring development of EPCs to improve energy efficiency, and inclusion of powers in the Bill is supported. There will clearly be resource implications for local authorities as many of the Council's own buildings would come under the enhanced EPC regime.

**The Bill places a duty on the Scottish Government to take such steps as it consider appropriate to promote the use of heat from renewable sources. The Scottish Government has indicated this provision will enable it to introduce measures it deems appropriate to incentivise the production of heat from renewable sources.**

**What are your views on this proposal?**

The proposal is supported.

**The Bill sets out measures aimed at improving waste and recycling. The Bill gives powers to the Scottish Government to make regulations in the following areas:**

**Waste prevention and management plans;**

**Waste data;**

**Deposit of recyclable waste;**

**Procurement of recyclate;**

**Reduction of packaging;**

**Deposit and return schemes;**

**Charges for carrier bags.**

**What are your views on these proposals?**

The policy direction behind these is supported and the provision of the various powers in the Bill. These measures will only be really successful if they have wide public support and are in many ways self policing / reported. Alternatively it will require an army of enforcement staff to implement with probably mixed success in achieving the bill objectives.

**What are your views on the adequacy of the Scottish Government's consultation in advance of publishing the Bill?**

There has been good opportunity to participate in the consultation process. The events run by Scottish government in 2008 appeared well supported.

**Do you have any comments on the impact of the Bill on sustainable development?**

Passing the Bill should help to raise the profile of the challenges of Climate Change and the need to develop more sustainable life styles, business practice etc. Meeting long term targets of 80% emissions reductions will be very challenging to the way we currently live and work, and will require in particular a reduction in our consumption patterns and dependence on fossil fuels.

**Do you have any other comments on the Bill?**

Delivering the targets will require a major awareness raising campaign of what these emission reductions will mean for the people's lives. (see above) There is a real risk of being overwhelmed by the challenges ahead.

Government in particular, but also LA s, public sector and business need to envision what a low carbon economy looks like and the opportunities that should come forward. Getting public support for these measures will be critical for their success.