

WRITTEN SUBMISSION FROM HIGHLAND COUNCIL

Q1 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 Highland Council is satisfied with the proposed end target of 80% reduction by 2050 and the interim target of 50% by 2030. This encourages greater reductions in the first 20 years of the Bill and is in line with the Council's response to the consultation on the Bill.

Q2 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?

Setting targets in batches will be helpful and enable authorities to plan emissions reductions projects in line with government targets. Highland Council would urge the Scottish government to produce the secondary legislation and associated targets as soon as possible in order that effective programmes of work can be planned.

Section 2, subsection (2) states only that targets for each year must be lower than the previous year. For example, in 2010 the target set would be for emission levels lower than 2009.

Highland Council welcomes Section 4 of the Bill, especially subsection 4(f) outlining the need to consider the impact of the target on remote and rural communities when setting budgets. Some consideration of preceding weather conditions should be included in this section also. In the north of Scotland, a particularly cold and long winter may result in increased energy demand and associated emissions. This could lead to a target being missed and result in difficulty reaching targets set the subsequent year. Targets set by the 1st of June 2010 outlining annual emissions reduction up until 2022 will need to be flexible to take account of such anomalies.

In the original consultation on the Climate Change Bill, many questions were about budget periods and the banking and borrowing between periods. No reference is made to this in the Bill. Is the period 2010-2022 considered to be one long budget period from which banking and borrowing could take place? If so, it is felt that this timescale is too long to ensure continued downward trends in emissions reductions. Clarification of the process is needed.

Are targets going to be uniform across sectors and within sectors? In terms of local authority areas it is clear that certain areas will be able to capitalise on renewables or the availability of land for carbon storage, making targets easily within reach while other authority areas may struggle. Rural and northern areas may see greater emissions due to transport, geography and prevailing climatic conditions.

From the perspective of a local authority interim budgets set far enough in advance could allow Capital programmes containing details of carbon emissions reductions to be prepared. Local Authorities carry out this work through their Carbon Management Plans which tend to run from 3-5 years as apposed to being updated annually. The budget periods proposed in the original consultation are preferable to the current proposed year on year targets included in the Bill.

The Bill contains within it the ability for Ministers to re-set any of the dates set in section 4, subsection 2. In order that early emissions reductions are achieved it is imperative that dates do not slip back, delaying action.

Q3 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?

It is difficult to comment on the effectiveness of such an approach without first knowing:

- A. The % emissions reduction anticipated through carbon removal
- B. The % of carbon offsets or international credits to be allocated
- C. The success in achieving emissions reduction at 2020

Due to changing society and technologies and the influencing factors outlined in section 4, subsection 2 of the Bill, it is felt that a similar approach to that leading up to 2020 should continue. Monitoring progress and seeking advice before setting targets would be best.

If targets leading up to 2020 are to be lower than 3% per annum then there is some confusion as to how the 80% reduction by 2050 can be achieved. In order to reduce cumulative emissions, early action is needed and higher targets should be set in the first half of the Bill. This seems to be reflected in the overall interim target of 50% by 2030 however a breakdown of annual targets does not make it clear how it should be achieved.

Q.4 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?

In the Highland Council response to the initial consultation on the Climate Change Bill it was stated that:

“Including international credits to help achieve the target by 2050 is not felt to convey the correct message; that the Scottish Government is a world leader in driving change. While it is accepted that developing countries need assistance to curb GHG emissions, as a wealthy nation, Scotland should be in a position to enable change within its society, rather than opt to reduce GHG levels by purchasing international credits (at a lower cost to the Scottish economy). There should, however, be scope to assist developing nations within the Bill, yet such assistance should not contribute towards our overall domestic target for 2050”.

Highland Council are therefore disappointed to see that international credits will be included towards Scotland’s net emissions. While it is accepted that such credits could enable Scotland to contribute a greater share of global GHG emissions reductions, it is not felt that such an approach adheres to the Sustainable Development Principles outlined in Question 19.

However, as credits are included towards Scotland’s net emissions, Highland Council would urge that a limit is put on the number of such credits purchased and that tight regulation ensures that units purchased result in sustainable carbon emissions savings projects elsewhere with no adverse social, economic or environmental impacts.

Q5 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?

The Highland Council welcomes the inclusion of aviation and shipping in the Climate Change Bill. The Highland Council is also pleased to note that land-use and its effect on climate change have been scoped into the Bill. Although Scotland’s net emissions will give a baseline from which to measure change, it should be noted that levels of emissions and removals will not be uniform across the country and vary greatly between Local Authority areas. Care must be taken when reporting removals and emissions on a regional basis. Clarification is sought on the reporting requirements of public bodies in relation to the Bill. (See Question 8). As highlighted in the response to questions 2, care should be given in setting targets to ensure that each region in Scotland is contributing its “fair share” towards emissions reductions. This also adheres to the Sustainable Development Principles (Question 19).

Highland Council believes that in order to achieve a move towards a low-carbon society the greatest emphasis should be on emissions reductions and not removals. Utilising forestry and land-use as potential carbon storage will form a useful role in tackling climate change but is treating only the symptoms of the problem and not the cause. Although future technologies such as Carbon Capture and Storage are not mentioned in the definition of “removals”, section 15, sub-section 2 of the Bill allows Ministers to alter the definition of removals in the future. Highland Council would have concerns should CCS be included and request that any amendments to the definition be consulted upon.

The Highland Council also has concerns over the regulation of such land-use and the effects carbon storage will have on existing land-users.

There is no scope within the Bill to take account of the emissions from the products Scotland consumes or the effects transient populations and tourism may have on Scotland’s emissions. Areas with transient populations will have large fluctuations in GHG’s. This is touched upon further in Question 9.

Q6 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?

To allow comparisons and provide for consistency advice should come from the same body that is advising the UK Government on the UK Climate Change Bill – the UK Committee on Climate Change.

As the UK Government is the first to pass a Climate Change Bill and has a committee in place using world leaders in Climate Change Science from the Met Office and Hadley Centre, it is unclear what added value Scotland could gain from setting up an independent committee. There would inevitably be some cross over where Scotland has no devolved powers. However, the

Highland Council are content with the provision in Scotland's Climate Change Bill that would allow a Scottish committee to be set up if deemed necessary.

Q7 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?

No submission.

Q8 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?

The Highland Council would welcome such duties as it would ensure that each area in Scotland was contributing its "fair share" towards tackling climate change. However these duties must carry with them the necessary budgets to perform the re-alignments that will be required to deliver GHG reductions. As well as duties, incentives should be provided to promote change.

There is a need for partnership working between local authorities and other public/private bodies, to maximise the overall emissions reductions.

The Highland Council welcomes the powers to issue guidance to public bodies. Clear guidance on measuring techniques, conversion factors and timescales is needed. The government could also produce "Best Practice" guidance on the methods and measures to be used to achieve GHG reductions. This is particularly relevant for those public bodies captured under the Carbon Reduction Commitment.

Methods for measuring footprint data can vary and public bodies currently have large differences in the scope and timescale of their Carbon Management Plans. A uniform methodology could enable public bodies to benchmark progress against one another and monitor collective success.

In terms of reporting, there are concerns at present over the responsibility of local authorities in reporting community emissions and in particular emissions from the basket of green-house gases. Currently data is gathered on CO₂ and Methane only. In terms of monitoring and reporting annually on targets, the preferred option would have been to use CO₂ emissions only, taking into consideration that CO₂ makes up 80% of Scotland's equivalent emissions, and that the level of uncertainty around figures is lower for CO₂ than for the other greenhouse gases. It is suggested that the producer of the F-gases (Hydrofluorocarbons and perfluorocarbons) monitors emissions rather than the consumer.

Q9 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?

Firstly, the need to adapt will be greatly reduced (although never eliminated) if the Scottish Government opts for a cumulative measurement and promotes higher emissions budget targets in the early parts of the target period.

Certain aspects of mitigation interlink with climate change impacts and as such should be considered together in the Bill and not segregated in a separate strategy. In addition to adapting to the changing climate, Scotland will have to adapt to a changing society. The effects of changing weather systems may lead to increases in carbon emissions in some regions, both through natural release of carbon storage but also from transient populations as more people migrate away from areas worst affected by Climate Change and head North. This demonstrates why linkages must be made between mitigation and adaptation.

It is understood that work is underway to develop an adaptation framework for Scotland and this is welcomed. However proposals, policies and timescales should be implemented in line with the climate Change Bill and not after.

Q10 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?

No comment.

Q11 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?

The Highland Council have submitted a response to Forestry Commission Scotland with regards to the proposal. This can be found appended.

Q12 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?

No comment

Q13 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?

No Comment

Q14 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?

No comment

Q15 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 recycle;

Reduction of packaging;

Deposit and return schemes;

Charges for carrier bags.

What are your views on these proposals?

The Highland Council welcome the provisions for reduced packaging and the charging for carrier bags.

A full response to the consultation on the Scottish Governments zero waste policy has been produced by the Council and can be found in Appendix 2.

Q16 What are your views on the adequacy of the Scottish Government's consultation in advance of publishing the Bill?

It is felt that local authorities were given adequate timescales to consult on the proposals for the Climate Change bill with opportunity to attend several workshops on the matter.

Q17 Do you have any views on the Strategic Environmental Assessment which was carried out by the Scottish Government out on the consultation proposals?

Only that at the time of the original consultation the Environmental Report was not ready for comment. Through the Environmental Assessment (Scotland) Act 2005 the environmental report should be released for consultation alongside the draft programme Plan and Strategy. Stakeholders should be made aware when the Environmental Report is available for review but Highland Council were not aware of the Environmental Report until this call for evidence. So the Scottish Government should adhere to the legislation it puts in place and expects others to follow and also could do more to publicise and be transparent about it's procedures with all stakeholder.

Q18 Does the Bill raise any equalities issues you would wish to highlight?

None

Q19 Do you have any comments on the impact of the Bill on sustainable development?

In general, the Climate Change Bill aims, objectives and targets fulfil one of the key principles of Sustainable Development:

"development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

The Bill is trying to correct the detrimental impact we have had on our global environment and so aims to make society more sustainable as a result.

However, for sustainable development to be successful it is important that each individual, community, organisation and region takes responsibility for their greenhouse gas emissions and acts to reduce them. Through the use of “removals” and the purchase of international carbon units it is felt that the Bill fails to embed sustainable development principles across all sectors. As it stands it appears that the ability to buy your way out of action remains an option for the wealthy. The Bill also does not address the need for action throughout all regions of Scotland and it could be that some regions are working hard towards tackling climate change but “carrying” poorer performing areas. It will be important to address this in the secondary legislation.

The bill will require a massive shift in society and it should be accepted that, in order to achieve an 80% target by 2050 in a sustainable manner, the rate of economic growth and development will have to slow in the short term. If done correctly however, through careful investment in renewable energy projects, and a move towards sustainable transport, local food networks and more resilient communities, society could be in a better place in 2050 than it is today. Yet the transition to this point is going to be a difficult one.

Finally, climate change is a global issue and as we all share the one Earth, there still appears to be gaps in the Bill as to the role Scotland will play in encouraging and supporting other nations to mitigate and adapt to climate change (other than purchasing carbon units).

Q20 Do you have any other comments on the Bill?

None.

Appendices

Highland Council appendices on [Forestry](#) and [Waste](#) have been reproduced on the [Rural Affairs and Environment](#) part of the Scottish Parliament's web site. Click on the link.