

WRITTEN SUBMISSION FROM NORTH LANARKSHIRE 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 setting of an 80% reduction target is a challenging but necessary target. The setting of an interim target of 50% by 2030 is also welcome as this will help to ensure that actions are undertaken sooner rather than later (although, as the earlier carbon savings can be made the greater the overall savings perhaps a target of more than 50% by 2030 should be adopted). However, setting other additional interim targets for 2020 and 2040 would provide an additional incentive for action to be undertaken and progress to be maintained. There should be scope to raise the targets if scientific evidence required this to happen.

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?

The setting of targets in batches should support on-going action and reduce the risk of a lack of urgency or complacency. However, the first batch of targets is for a 12 year period, while all other periods to 2050 are for 5 year periods. While appreciating there may be a desire to allow gearing up to meet targets, perhaps 12 years is too long a period for this.

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?

This approach may be an easier approach to implement but as there are significant benefits to be gained from lowering emissions as quickly as possible thereby significantly reducing total emissions from the implementation date to 2050 perhaps greater encouragement can be given to encouraging faster reductions. If progress is quicker than anticipated it may be unrealistic to expect an annual 3% reduction in the latter years leading up to 2050.

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?

If carbon units are to be used at all their use should be limited. The goal should be for Scotland and other countries to reduce their overall emissions from source. Further details are required with regards the provisions to be made for the use of carbon units.

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?

Whilst this approach seems fair in principle how will international aviation and international shipping actually be disaggregated in practice e.g. if a foreign airline carries a full load of Scottish passengers from a Scottish airport to a Spanish airport (and back) what proportion of carbon emissions would be placed against Scotland and what would be placed against Spain? (And, if the airline came from a third country what proportion of carbon emissions, if any, would be placed against the third country?) The issue of carbon emitted in the manufacture and transportation of goods made out with Scotland but consumed in Scotland (and vice-versa) also needs to be addressed. Again, when provisions are made for use of carbon units, it should be made explicit that those sold to outside Scotland will still be included as Scottish emissions and not double counted elsewhere.

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?

The key objective should be to obtain accurate, relevant and impartial advice on an on-going basis regardless of this advice coming from a UK or a Scottish body. The expertise of the UK Committee on Climate Change should not be ignored nor should the need for sufficient and suitable Scottish information. A UK level organisation may be seen to be more impartial with regards Scotland but the dependence on a body that is appointed by the UK Government may be an issue. It may be advantageous for a body to provide tailored advice for Scotland and serve as a dedicated resource. Options could be to provide additional resources to the UK committee to enable them to provide dedicated advice for Scotland or establish an additional Scottish committee which can work in tandem with the UK committee for UK-level issues.

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?

Regular reporting is necessary to measure progress, identify issues and help ensure accountability. The suggested reporting timescale (three years after the year ends) seems to be excessively long (and could result in targets being missed due to a lack of early warning). It may also be worthwhile identifying where carbon units have been sold and how/where it is proposed to direct revenue that is generated in the coming year to further reduce emissions.

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?

Whilst the need to place duties on public bodies is recognised there will also need to be recognition of the additional resources that will be required to address these duties effectively. The potential of placing reporting duties on medium and large scale private organisations should also be investigated.

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?

It is to be welcomed that the need for monitoring and reporting of adaptation to climate change is recognised, however, timescales need to be workable for those involved and relevant in terms of ensuring progress is being made.

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?

The timing of Muirburn may well need to be altered due to changing climatic conditions and, as such, the enabling power is to be supported.

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 use of the National Forest Estate for renewable energy will help ensure a sustainable, climate friendly, secure energy source that also provides significant local and national economic benefits. Safeguards will, however, be required, with regards biodiversity, land use and water courses and with retaining the primary function of the Forestry Commission i.e. managing and promoting this land.

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?

Increasing the energy efficiency of the building stock will make a significant reduction in greenhouse gas emissions as will efforts to change people's behaviour. The requirements for energy efficiency of buildings should be justifiable in terms of the targets set out for emission reductions for each of the relevant periods identified. The Planning and Building Standards Systems would provide a good mechanism for energy efficiency measures in new buildings and subsequent ramping up of requirements in relevant legislation and guidance for these would be appropriate. For improvements in existing building stock and in terms of enforcement there will be an issue of resources for the enforcing authority and there is also an issue of what enforcement powers will be available. More information on exactly what is proposed is required before more detailed comment can be given.

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?

See response to Q12 (above).

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?

A significant effort will be required to encourage space heating from renewables and the introduction of measures to bring this about is welcomed. Scotland has a large woodland resource with potential for an even larger resource to be created and managed sustainably. This could be used to provide large amounts of biomass fuel which, as previously stated above, could potentially provide climate friendly, secure energy in a manner that would have significant local and national economic benefits. Steps to encourage renewable heat could help "kick-start" the development of a large scale biomass industry in Scotland and help tackle any issues relating to local wood-fuel supplies. Any Government steps to encourage use of biomass require strong guidance and direction in support as many concerns exist as to legality of fuels within smoke control areas (which may require revisiting the relevant legislation), emissions of particulates, etc. This direction requires to be coupled with appropriate resources being made available to enable this. The requirement for a strong direction and provision of resources is applicable across the range of renewable sources as well as biomass.

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 minimisation of waste production combined with mechanisms and incentives to recycle should help develop a “low waste” culture. There will, however, be a need to clearly define responsibilities between all concerned in the waste process including those concerned with monitoring and enforcement. The potential for enforcement authorities to recover reasonable costs through the levying of charges is welcome as this will ensure that regulation and enforcement is adequately funded. Measures to develop a market for recycle are also welcomed as this will help overcome the lack of end users for recycle. Support for “deposit and return” schemes and carrier bag recycling are also welcome as this will reduce waste but also encourage a recycling culture both with producers and consumers.

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

No comment.

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

No comment.

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

No comment.

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

The development of a low carbon economy that seeks to embrace both energy efficiency and renewable energy will significantly assist in enhancing sustainable development within Scotland. With Scotland’s vast but under-utilised renewable energy sources the Bill’s focus on renewables, including renewable heat, should help in the development of these resources and provide greater energy security and sustainable economic growth. The measures that are detailed in relation to waste minimisation and recycling should also assist sustainable development by developing a “low waste” culture and encouraging markets to develop for recycle. The positive sustainable development benefits should, however, not be taken for granted as sufficient resourcing of various measures will be required to help ensure benefits are maximised.

Q20 Do you have any other comments on the Bill?

No comment.