

WRITTEN SUBMISSION FROM SCOTTISH RURAL PROPERTY AND BUSINESS ASSOCIATION

The Scottish Rural Property and Business Association (SRPBA) welcomes the opportunity to provide comments on the Climate Change (Scotland) Bill to the Transport, Infrastructure and Climate Change Committee. The SRPBA represents land managers and rural businesses across Scotland with wide ranging interests including agriculture, forestry, moorland management and tourism. We acknowledge that climate change is a global issue and that ultimately all countries in the world must make a firm commitment to tackling the problem. However, some developing nations are continuing to produce phenomenal amounts of greenhouse gases without due regard to the consequences of their actions. The SRPBA believes that Scotland is capable of leading the way as an exemplar of how to be a clean, green nation. We see Scotland as potentially acting as a model to other countries of how to act effectively in tackling climate change.

The SRPBA recognises that the rural sector is a contributor to greenhouse gas emissions but we believe it also has considerable potential to help mitigate against climate change caused by human activity. It is important for the competitiveness of the rural sector that disproportionate or inappropriate mitigation measures, which result from pressures to reach targets set out in this Bill, do not have an adverse impact on the business activities of our members beyond that which might be considered reasonable to help address areas of significant climate impact. We strongly support measures that enable land managers to contribute positively to carbon sequestration and the development of renewable energy, particularly where these measures can contribute to sustainable rural development and economic growth. The SRPBA was particularly encouraged by research carried out by Scottish Agricultural College (SAC) economists last year who found that farming and forestry could make up to a 25% cut in greenhouse gas emissions by 2020 at very little cost, indeed, some options could actually save land managers money. We are strongly supportive of such win-win situations.

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 SRPBA recognises the seriousness of the threats posed by climate change at both a national and a global scale. At a national scale, Scotland has been experiencing rising temperatures and more frequent winter storms in recent years which have impacted on the Scottish population, the environment and the economy. At a global scale it has been predicted that climate change will lead to sea level rises, it will have regional effects on crop productivity (it could cause famine in some areas and it could alter the range of agricultural pests), it will potentially increase diseases in some areas and it may also change the composition and range of many ecosystems.

Scientists have warned that climate change is likely to result in sudden and dramatic changes to some of the major geophysical elements of the Earth if global average temperatures continue to rise as a result of the predicted increase in emissions of greenhouse gases. They have identified nine different ways in which the earth could be suddenly tipped into a potentially dangerous state that could last for many centuries, for example, melting of the Greenland ice sheet could result in the shut down of the North Atlantic thermohaline circulation causing dramatic cooling in North West Europe (Lenton and Schellnhuber, 2007). Therefore, the SRPBA is fully aware of the need to act now to tackle greenhouse gas emissions in order to prevent these 'tipping points' being reached.

Consequently, we agree that Scotland must take large steps to reduce greenhouse gas emissions. We consider the targets set in this Bill challenging but necessary if Scotland is to make a significant contribution to tackling climate change. Therefore, we agree with setting a 50% reduction target for 2030 and an 80% reduction target for 2050. We believe that the implementation of the Bill will have to be accompanied by a good communications strategy as the 80% target is so challenging that it may put some land managers off trying as it may be perceived as being unachievable.

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 SRPBA believes that it is imperative that a balance is found between setting emissions targets sufficiently far into the future but not so far that they become meaningless. We think that significant changes in emissions are likely to occur in steps rather than a gradual reduction over time. For example, large scale renewable energy projects may be allowed to proceed after several years going through the planning process. This may be the case with offshore wind and tidal/wave power. The SRPBA thinks that setting annual targets in batches will help focus government priorities within defined timescales. If this was not the case then successive governments might well put off making hard decisions on the basis that the target timescale is far into the future. Setting annual targets in batches will also help drive research and development into renewable technologies within defined timescales.

The SRPBA is encouraged to see in section 4.4 of the Bill that Scottish Ministers must, when setting annual targets, also have regard for a number of other criteria. We are particularly encouraged to see economic circumstances (Scottish economy, competitiveness of particular sectors of the Scottish economy and small and medium-sized enterprises) and the likely impact of the target on those living in remote and rural communities included in the list of criteria.

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?

Prior to 2020, the Scottish Ministers will be expected to set annual targets which build towards delivering emissions reductions of at least 3% each year. Cuts of 3% year on year are not statutorily provided for in the Bill until 2020. This signifies that the Scottish Government does not think that a 3% year on year target could be met before 2020. The Scottish Government has calculated that if emissions continued to reduce at 1.23% per year (the average fall between 1990 and 2006) until 2020, then an annual average reduction of 3.95% would be necessary after 2020 to achieve an 80% reduction by 2050. Therefore, the year on year reduction in greenhouse gas emissions after 2020 is closer to 4% than 3% (the percentage quoted in the Bill). The SRPBA believes that it is necessary for the Scottish Government to take action sooner rather than later based on the Stern Review conclusion that to carry on with business as usual would have 'catastrophic' financial consequences in the future. The SRPBA suggests that if a target of 3% year on year emissions reductions is not achievable before 2020, then perhaps a lower target of 2% each year should be set. We think that it is not acceptable to carry on for 10 years without having any specific targets in place. It is imperative that progress towards the 50% reduction target by 2030 and the 80% reduction target by 2050 is not compromised.

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?

On the whole, the SRPBA is supportive of the concept of “net Scottish emissions account” outlined in the Bill. We are encouraged that the Bill allows the Scottish Ministers to modify the definition of Scottish removals to take account of potential additional types of removal which may be recognised in the future (Section 15.2).

However, we do have reservations about the provisions made for shipping and aviation outlined in the Bill. Section 14 states that “The Scottish Ministers may, by order, make provision regarding the emissions of greenhouse gases from international aviation and international shipping that are attributable to Scotland”. We acknowledge that aside from scientific issues, international aviation and shipping are difficult problems both politically and methodologically. This is because there has never previously been a need to attribute these greenhouse gas sources to a particular country and the difficulty of attempting this has resulted in international policy agreements such as the Kyoto Protocol ignoring the issue. However, the SRPBA believes that these are important and growing sectors which must be factored into mitigation policies. Therefore we believe that the wording of the Bill should be changed from “Scottish Minister may” to “Scottish Ministers must” take into account international aviation and shipping attributable to Scotland when calculating the net Scottish emissions account.

The SRPBA believes it is important that measures to balance the “net Scottish emissions account” in relation to reduction targets by carbon trading should not be pursued to the detriment of mitigation measures in Scotland. Consequently, there should be a limit on the number of carbon units which Scotland can purchase. We think that Scotland should be encouraged to generate and sell carbon units rather than buy and use them.

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 SRPBA agrees with the definition of Scottish emissions given in the Bill but we feel that emissions from international aviation and shipping attributable to Scotland must also be included in the total.

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 SRPBA believes that Scotland should establish a Climate Change Commission, not a Committee, in order to signify it is not controlled directly by the Scottish Government but is an independent think-tank. We feel that the UK Committee does not have sufficient expertise about what is happening in Scotland or about Scottish structures to give independent expert advice to Scotland on climate change. However, the SRPBA envisages that the UK Committee could provide additional useful advice to the Scottish Climate Change Commission.

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?

The SRPBA believes that the reporting process is crucial. Targets set in statute focus the minds of administrations by applying a degree of political, legal and moral pressure, even if financial or legal sanctions are not involved. We recognise that the issue of sanctions for not reaching targets is complicated because the government could end up fining itself.

The SRPBA is supportive of the reporting mechanisms outlined in the Bill which require Scottish Ministers to: (1) lay an annual report before the Parliament giving details of Scotland's emissions, (2) lay a report before the Parliament setting out proposals and policies for meeting current and future annual emissions targets, (3) if the net Scottish emissions account exceeds an emissions target they must lay a report setting out the proposals and policies by which they intend to compensate for the excess emissions and (4) final statements for 2030 and 2050.

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 SRPBA agrees that the Scottish Government must be able to impose duties on public bodies in relation to climate change, issue guidance to those bodies and require that they report upon the discharge of those duties. We feel that without clear defined duties, public bodies may fail to take appropriate action which might place them out of step with the government. Therefore, we are supportive of the proposals outlined.

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?

The SRPBA believes that if the Scottish Government is to produce a report about how Scotland can adapt to climate change it must avoid the use of buzz words and phrases as found in the "Adapting our ways: Managing Scotland's Climate Risk" consultation paper.

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 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. If the burning season was shortened this would inevitably result in a reduction in burning leading to an increased risk of unplanned fire in the summer months fuelled by larger quantities of old, dry vegetation remaining on the hill. Consequently, carbon storage within the peat would be threatened and this is at odds with the Scottish Government's desire to mitigate against climate change.

Based on current understanding of climate change and its effect on moorland there appears to be no strong evidence that the current dates for muirburn need to be varied. The SRPBA maintains that issues associated with changing weather patterns and concerns over controlling fires in difficult conditions or burning when the ground is too dry can be addressed through stricter adherence to The Muirburn Code. The SRPBA supports the view that not enough is known about how long-term trends in climate will affect muirburn and therefore we are not convinced that, at this stage, additional powers for Ministers are required. It is also difficult to see how changes in permitted dates on a Scotland wide basis would be appropriate given there is so much local variation in terms of weather conditions, fauna, vegetation and many other site-specific or environmental factors.

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 SRPBA is supportive of joint ventures and believes that they represent an excellent opportunity for FCS to participate more fully in reducing greenhouse gas emissions in Scotland. The money raised from joint ventures would be invested in future tree planting to achieve the government's other target of 25% woodland cover by 2050. They would create new jobs which would come at an appropriate time given the current economic climate. FCS can provide land and management expertise while the other partner(s) can contribute their experience in overseeing renewable energy projects. Therefore, successful joint ventures are achievable.
- The leasing proposal is much more controversial. So little detail is given about the proposal that it is difficult to either support or reject it as it stands. We do not agree with the leasing proposal outlined in the consultation paper for a number of reasons:
 - It is understood that the most productive areas of forestry would be leased and therefore where will the money come from to fund the environmental, recreational, educational and research work currently carried out by FCS?
 - FCS has a long tradition of supporting processing industries by guaranteeing supplies and thus maintaining timber flows to the timber industry. It is not clear how this could be assured with a commercial operator.
 - We have reservations about one company leasing such a large proportion of forestry in Scotland. This could create an imbalance in the timber market and potentially cause problems for the timber trade.
 - There is no guarantee that the money raised from leasing would be put back into the forestry sector.
 - Any lease arrangement that attempts to ensure that the public's interest in the national forest estate is retained is likely to be very complex, possibly not 100% effective in the long run and very expensive overall.
 - A 75 year lease does not relate to rotation length and this may lead to the demand for a lease roll over or sale of land.
- The SRPBA has concerns about the proposed not-for profit trust competing head on with the private sector for afforestation sites. The trust could initially have a very large sum of money to play with depending on how the rent will be paid. It has not been clarified whether the rent would be paid upfront in a lump sum or if it will be paid annually. If the former is the case, this could represent a problem to other growers in Scotland. We also object to the transfer of the landlord's interest in leased national forest estate land to a not-for profit trust. Overall control must be maintained by Scottish Ministers to ensure all activities and their impacts remain in the national interest and are accountable to the Scottish people through parliament.

- We suggest that planting by the private sector would increase to meet government targets of 10,000ha/yr if changes were made to the Single Farm Payment. There are costs and risks involved with planting trees on bare land whereas one can let that land remain bare and receive money for doing so in the form of a Single Farm Payment. Reform of these rules would remove one barrier to increasing planting.
- Additionally, the SRDP needs to be simplified to make money more readily accessible to growers. Private owners and investors have not lost their appetite for planting, as demonstrated by the large oversubscription to the Ayrshire locational premia under the old SFGS. In short, if the incentive is present, the private sector will provide the forests.

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?

The SRPBA welcomes the production of such an action plan but it must be designed to take account of old rural properties, recognising that they are very difficult to make thermally efficient. We would particularly support an action plan that identifies support and incentives available for upgrading Scotland's housing stock.

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?

The SRPBA is supportive of owners of non-domestic buildings receiving guidance to improve energy efficiency. However, we do not agree that owners should be legally required to develop a programme of cost-effective improvements to reduce emissions and improve energy efficiency unless financial assistance is made available.

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?

The SRPBA agrees that measures should be put in place to incentivise the production of heat from renewable sources. We promote the use of woodfuel as a carbon neutral fuel which is more environmentally sustainable than fossil fuels. We recognise that woodfuel heat systems are more effective when they are located close to a wood supply, otherwise carbon emissions will be incurred during transport. Therefore, we encourage the use of local woodfuel supplies where this is possible.

However, the SRPBA believes that there seems to be a bias in the Bill by singling out renewable heat and not mentioning renewable electricity and transport. Emphasis needs to be placed across all three sectors in order to meet the ambitious 2050 target.

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 recyclate;
Reduction of packaging;
Deposit and return schemes;
Charges for carrier bags.**

What are your views on these proposals?

The SRPBA considers all of these areas vital to achieving the emissions reduction targets set in this Bill. We believe that the Scottish Government should make funds available to Local Authorities and/or private enterprises to capture and utilise methane from existing landfill sites and to build and operate anaerobic digestion plants or incineration plants to produce energy from food waste, fallen stock and other non-recyclable waste. Funds should also be made available to encourage the setting up of local ventures to deal with recycled materials including glass, plastic, electrical and other wastes. Incentives often prove more effective than regulation but enabling regulation should remain an option.

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

The consultation was adequate.

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.

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

No.

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

The SRPBA believes it is important that the measures to combat climate change in Scotland are proportionate to the impact they have on a global scale. While we acknowledge the importance of reducing Scotland's greenhouse gas emissions, we must stress that it is also necessary to ensure that Scotland's business competitiveness is not compromised disproportionately. It is essential that fragile economic activities are not adversely affected in the quest for greenhouse gas emission reductions, particularly in rural areas. The SRPBA believes it is imperative that efforts to reach reduction targets are backed up by support and initiatives which focus on the economic opportunities presented by climate change, rather than focusing on regulation.

Q20 Do you have any other comments on the Bill?

No.

References

Lenton TM and Schellnhuber HJ 2007, Tipping the Scales, Nature Reports Climate Change.