

## WRITTEN SUBMISSION FROM TRANSFORM SCOTLAND

### 1. Introduction

- 1.1 Transform Scotland is the national sustainable transport alliance. We campaign for a more sensible transport system, one less dependent on unsustainable modes such as the car, the plane and road freight, and more reliant on sustainable modes like walking, cycling, public transport, and freight by rail or sea. We are a membership organisation bringing together rail, bus and shipping operators; local authorities; national environment and conservation organisations; local environment and transport campaign groups; and individual supporters.
- 1.2 We wish to thank the Committee for the opportunity to submit views on this important piece of legislation.
- 1.3 We gave oral evidence to the Committee at its meeting held on 10th February 2009.<sup>1</sup> Our written views submitted in advance of that evidence session should also be read in conjunction with this submission.<sup>2</sup>
- 1.4 We are a member of Stop Climate Chaos Scotland and are happy to support its views that the Bill should:
1. Set out a framework that will achieve at least an 80% reduction in greenhouse gas emissions by 2050.
  2. Establish in statute annual emission reductions of at least 3% year-on-year from the start, not just from 2020, compatible with a fair and safe cumulative budget identified by the advisory body (see 4).
  3. Include all emissions in the framework and targets set out in the Bill, including those from international aviation and shipping, from the very start.
  4. Establish a Scottish advisory body, a Scottish Climate Change Commission, in the primary legislation to support delivery of the Bill when it is enacted.
  5. Ensure that at least 80% of the effort to cut emissions takes place in Scotland.
  6. Establish duties on all public bodies to reduce greenhouse gas emissions in line with the national target.
  7. Set in place robust, transparent reporting measures so the Scottish Parliament is well informed on progress in meeting targets and Government is held to account.
  8. Ensure that strong enforcement measures are set in place in statute.
  9. Ensure Scotland counts all its emissions and reports on those produced by products and services we consume as well as emissions produced domestically.
  10. Be explicit that sustainable development is core to the purpose and delivery of the statute in relation to mitigation and adaptation.
- 1.5 Our responses to the 20 questions set out by the Committee in its Call for Views are outlined in the following section. In our answer to question 20, we express the view that the Bill should be accompanied by sectoral targets and action plans for the principal emission sectors: e.g. heat, transport, and land use.

### **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?**

We support the 2050 target (80% reduction by 2050).

We do not support the proposed 2030 interim target (50% reduction by 2030). This target is inadequate as it is not on the required emissions reduction trajectory.

We note the recommendation of the UK Committee on Climate Change in its December 2008 report that UK emissions be cut by 42% by 2020.<sup>3</sup> Given Scotland's abundance of renewable energy potential and its tradition of compact cities, Scotland is in a good position to over-contribute towards meeting the UK target; as such, we support the proposal of Stop Climate Chaos Scotland that the interim target should be set at a 50% reduction by 2020 (instead of 50% by 2030).

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<sup>1</sup> See <http://www.scottish.parliament.uk/s3/committees/ticc/or-09/tr09-0601.htm>.

<sup>2</sup> Transform Scotland (2009): Climate Change (Scotland) Bill. Interim submission to Scottish Parliament Transport, Infrastructure and Climate Change Committee. Available at <http://www.transformscotland.org.uk/GetFile.aspx?ItemId=120> [PDF, 99 KB].

<sup>3</sup> Committee on Climate Change (2008) Building a low-carbon economy – the UK's contribution to tackling climate change. Available at <http://hmccc.s3.amazonaws.com/pdf/TSO-ClimateChange.pdf>.

**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 Bill should be amended to put in place reductions of at least 3% per annum from the start. This would effectively negate the requirement to set targets in batches.

**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 is not acceptable (because of volume of cumulative emissions that would be generated by following this emissions trajectory). The Bill should instead provide for annual reductions of at least 3% per annum from the start.

**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?**

We have concerns with the entire practice of carbon trading. The system is open to abuse at an international level and is difficult to monitor in practice. In particular, we have concern that the concept of purchasing units will be used as a mechanism by which the most polluting nations can put off reducing their carbon output. The recent collapse in the carbon price used in the EU ETS demonstrates the innate vulnerability of attempting to use carbon markets as a response to climate change.

There should be a strict limit on the extent to which Scotland can operate this mechanism, and we support the proposal made by Stop Climate Chaos Scotland that at least 80% of effort to reduce emissions be carried out in Scotland.

**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?**

We are content with the description used in the policy memorandum.

However, we are not content with the Bill's treatment of this matter. The Bill should include emissions from international aviation and shipping from the start - rather than only allow for them to be included at a later date. There is an established methodology for reporting on these emissions and there is no good reason why they should be excluded from the emissions covered in the Bill.

Indeed, the failure to include emissions from international aviation and shipping would deeply undermine the credibility of the Bill. It would certainly be difficult to sustain claims that the Scottish climate change bill was in any way a “world-leading” piece of legislation if it was to specifically exclude emissions from international aviation.

The Bill also fails to make provision for consumption reporting (e.g. for emissions arising from goods imported from overseas). We support the Stop Climate Chaos Scotland proposal on this topic.

**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?**

We support the proposal of Stop Climate Chaos Scotland that the Scottish Committee on Climate Change be established at the earliest opportunity.

**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?**

We are broadly content with the reporting framework proposed.

However, reporting is not in itself sufficient. We are very concerned that the Bill provides no financial incentives towards meeting the targets, or an enforcement framework to ensure that action is taken to meet the targets. We are in broad support of the approach set out by Oxfam and Friends of the Earth Scotland on this topic.

**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?**

Given the financial resources available to public bodies, we see no prospect of the emission reduction targets being met unless their efforts are directed towards acting in accordance with the national targets. Otherwise, we expect the 'free rider problem' to predominate - that is, individual local authorities (for example) will decide that they are a special case and that it is instead the responsibility of others to take action.

Public bodies should be expected, from the start, to contribute to emission reduction in line with the national targets. Public bodies should be expected to be responsible for emissions across their areas of operations (e.g. for local authorities, emissions across their local authority areas) rather than just from their own estate.

**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?**

Because of the long delays in implementing measures to reduce greenhouse gas emissions, we are now faced with the impacts of climate change - irrespective of the measures that are now taken to decarbonise society. As such, it is important that plans now be put in place to introduce adaptation mitigation measures against the most obvious risks. We made our views on this topic available in our response to the Scottish Government's consultation on the its proposed climate change adaptation strategy.<sup>4</sup>

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<sup>4</sup> Transform Scotland (2008): Response to 'Adapting Our Ways: Managing Scotland's Climate Risk - Consultation to inform Scotland's Climate Change Adaptation Framework'. Available at <<http://www.transformscotland.org.uk/GetFile.aspx?ItemId=100>>.

**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?**

We have no views on this proposal.

**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?**

We have no views on this proposal.

**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?**

We have no views on this proposal.

**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?**

We have no views on this proposal.

**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?**

We have no views on this proposal.

**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?**

We have no views on this proposal.

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

We are content with the consultation carried out.

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

We have no views on this topic.

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

We have no views on this topic.

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

We have no views on this topic.

**Q20 Do you have any other comments on the Bill?**

1. Absence of provisions on transport

We note that the Bill highlights several areas where measures are to be taken, such as building insulation, renewable heat, waste reduction and plastic carrier bags, yet it makes no mention of transport, despite this being the second largest source of greenhouse gas emissions. (Indeed, the only specific mention of transport in the Bill is to propose an exemption for international aviation and shipping - despite the former being widely acknowledged as one of the most swiftly growing source of greenhouse gas emissions.)

2. Requirement for sectoral targets and action plans

We have severe doubts regarding the likelihood of the Scottish Government to meet the targets set out in the Bill given its current priorities in transport. There is a fundamental mismatch between Scottish local authority and Scottish Government priorities and the comprehensive decarbonisation of society that the Bill in effect calls for. As such, we consider it important that the Bill be accompanied by sectoral targets and action plans for the principal emission sectors: e.g. heat, transport, and land use.<sup>5</sup>

We note that the Sustainable Development Commission Scotland, in its November 2008 second assessment report, stated that:<sup>6</sup>

"[T]he continued growth of road transport will make achievement of proposed greenhouse gas emission reduction targets difficult unless there is a considerable reduction in these emissions from other sectors of the economy. Government transport policy and spend does not yet demonstrate a strong commitment to progressively "decarbonise" Scotland's transport sector."

Yet in the three months since the publication of the SDC's report, we have seen the publication of the Strategic Transport Projects Review and the final version of the revised National Planning Framework. Amongst other things, the former set out a new £9 billion programme of spending on trunk roads, while the latter aims to legislate for airport expansion and a new motorway bridge over the Firth of Forth. Furthermore, the past months have also seen the Parliament reject the proposal of the TICC Committee that the Scottish Budget be amended to provide for an increase in expenditure on the active travel modes, the most sustainable modes of transport.

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<sup>5</sup> We would note that the setting of sectoral targets was a specific recommendation of the Scottish Parliament Environment and Rural Development Committee's report on its climate change inquiry (paragraph 29): "The Committee recommends that the Executive should set robust and challenging sectoral targets where adequate data is available. It should set out an urgent plan for how it will develop targets in other sectors, and from there produce a national target in due course." Available at <http://www.scottish.parliament.uk/business/committees/environment/reports-05/rar05-05-vol01-01.htm>.

<sup>6</sup> Sustainable Development Commission Scotland (2008: 8) Sustainable Development: A Review of Progress by the Scottish Government. Available at [http://www.sd-commission.org.uk/publications/downloads/SDC\\_Scottish\\_Second\\_Assessment.pdf](http://www.sd-commission.org.uk/publications/downloads/SDC_Scottish_Second_Assessment.pdf).

In the absence of major changes in policy and implementation in the areas of land use planning and transport, we have no confidence that the transport sector will contribute to the (at least) 80% reduction in greenhouse gas emissions required over the forty-one years. Under current policies, and given the size of emissions from the transport sector, there appears little prospect of meeting the UK Committee on Climate Change's recommendation that emissions be cut by 42% by 2020.

The Scottish Government will require to be proactive in providing a framework for local authorities so that they will achieve significant reduction in emissions over time, whilst at the same time improving the look and ambience of our towns and cities and improving public health. This could include measures such as:

- Implementing road user charging - a policy which remains within the powers of the Scottish local authorities and the Scottish Parliament.<sup>7</sup>
- Converting the car and public transport fleet from fossil fuels to renewable power sources.
- Increasing commuter cycling to continental levels (20-30% of all trips).
- Reducing urban congestion by a combination of the above measures plus prioritising road space in favour of walkers and cyclists and reductions in inner city parking.

Recent developments in Denmark show the sort of initiatives that must be taken if reductions are to be achieved in a reasonable timescale. The Danes have just concluded a deal that will see the installation of battery recharging stations throughout the country. This will allow the gradual replacement of the car fleet by electrically-powered vehicles. It is initiatives of this sort that are needed in Scotland if we are to have any hope of meeting the challenging target set in the Bill. We still wait for similar boldness to emanate from the Scottish political classes.

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<sup>7</sup>

This was also a specific recommendation of the Scottish Parliament Environment and Rural Development Committee's Report on Inquiry into Climate Change. Available at <<http://www.scottish.parliament.uk/business/committees/environment/reports-05/rar05-05-vol01-01.htm>>.