

## Consultation QuestionsTargets

1. Should a Scottish target be based on carbon dioxide only or the basket of six greenhouse gases?

Drawing on examples from regional and state-level initiatives in the US, it may well be simpler and more straightforward (and thus ultimately more successful) to base a Scottish target on CO<sub>2</sub> emissions in the first instance. As an example we can look to the Regional Greenhouse Gas Initiative (RGGI) in northeastern US. Although still in its infancy it serves as a very useful model for initiatives elsewhere, including Scotland. It is the first cap and trade system in the US to cover CO<sub>2</sub> emission from regional power plants. It sets a cap on Co<sub>2</sub> only and will allow sources to trade emissions allowances

	<p>in 2009. The idea is to start with CO2 only - already complex enough- and to expand other greenhouse gases (and sectors) later.</p>
<p><b>2. Should the Bill contain provisions to alter which gases are included, for example if the reliability of data for a particular gas improves or if science changes in the future about which gases cause climate change?</b></p>	
<p>3. The Scottish Government wishes to ensure that the Bill gives sufficient incentives to invest in energy efficiency and renewable electricity. Should the targets be based on source emissions; an end-user inventory, or on individual targets for energy efficiency and renewable electricity? Do you have any other suggestions?</p>	
<p><b>4. Do you agree that the Bill should allow the means of measuring the target to be changed through secondary legislation to reflect international developments or unforeseen consequences of the Bill?</b></p>	
<p>5. Should the emissions reduction target take account of the abatement effort made by companies under emissions trading schemes? If so, how?</p>	<p>An assumption in this section of the Consultation Bill (see especially section 5.38) is that were Scotland to set reduction target stricter than those already imposed (on certain industries) by EU's ETS, the result would likely to be a) no overall gain and b) possibility of 'industry moving out of Scotland; (5.36; 38 and also 5.43 on competition) These assumptions need to be re-examined in light of comparative findings from study of regional and state initiatives in the US In US (more than in UK!) predictions of this type of economic pain are widespread and tap into the well of scepticism about emission trading schemes more generally. But the successful initiatives and legislation in California (especially California's Global Warming Solutions Act, AB32) or regional initiatives mentioned above, were able to overcome much of this scepticism by stressing the advantages and economic opportunities of trading scheme and emission reduction more generally. Research on California emissions policy (by range of scholars including David Vogel, Christopher</p>

	<p>Thornverg or Barry Rabe) demonstrated quite robustly that increased cost of complying with emission standards has NOT resulted in businesses leaving the state. (though note emissions caps may well result in raising of price of certain products) . Similarly, University of California (Berkeley) economics professor David Roland-Holst (an expert on emission trading) suggests market-based emission trading schemes will not result in massive unemployment or economic threat implied. Such schemes can act as kick for investment in green technologies. In short Californian incentives for emissions trading (and reduction initiatives) have been successful when they have been primarily economic and forward looking: companies that take lead in developing technologies to promote efficiency have opportunity to set standards the could make California a world leader in green technologies. Could Scotland (and Climate change bill) do the same? A related factor to consider, drawing on California’s role as ‘innovator’, is role of leadership. If, as suggested in Bill section5.42, Scottish emitters choose to buy allowances rather than reduce emissions, Scotland may lose the ability to play the innovative policy, political and moral ‘leadership role’ it professes as key (see as highlighted in introduction to Bill)</p>
<p><b><i>6. Do you agree that international credits should be counted towards Scottish targets? Should there be limits on credits counted towards Scottish targets?</i></b></p>	
<p>7. Should the Bill allow the level of the 2050 target to be changed through secondary legislation? If so, should this only be allowed on the basis of independent, expert advice, to reflect international developments or unforeseen consequences of the Bill? Should any changes to the target be limited to an increase in the target?</p>	

8. What factors should be taken into account when setting the level of budgets?	
<b>9. How long should interim budget periods be?</b>	
10. How many years in advance should emissions budget periods be set in order to provide sufficient time to develop infrastructure?	
<b>11. What should be the limit (in terms of absolute quantity or as a percentage of the budget period) on the amount of emissions which the Government can borrow from a following budget period?</b>	
12. Should the Bill include an interim point target? If so, what year (or years) should it be for (2020, 2025, 2030 etc)? How should the level be chosen?	

#### Reporting Scrutiny and Framework

13. Should the Scottish Ministers be required to report on any other issues related to climate change in addition to the requirements already set out. If so, what and how often?	
<b>14. Is a process of Parliamentary scrutiny the appropriate way of holding the Scottish Government to account if targets or budgets are not met?</b>	
15. What should be the primary source of advice to the Scottish Government for setting emissions targets or budgets and why? Options include: the proposed UK Committee on Climate Change, a new Scottish Committee on Climate Change, an existing public body in Scotland, or the Scottish Government itself.	The successful state-level or regional initiatives in the US have independent bodies or committees. Most regional schemes (e.g. RGGI mentioned above) have their own independent advisory committee or body. The Western Governors Association of Clean and Diversified Energy Initiative (comprising 18 western states) has its own ‘model’ advisory committee which appoints technical task forces to develop specific recommendations. In California, the State Air Resources Board (CARB) is mandated with GHG reporting, monitoring and enforcing compliance with legislation. The aim is to

	<p>'de-politicise' the advice and monitoring, but also to provide information independent of (or supplementary to) national advice and information (which is still inconsistent and spotty). The latter is not main concern for Scotland, but the attraction of 'de-politicised' body may be.</p>
<p><b>16. If it were to be an existing Scottish public body, which public body is most suited to carrying out this task and why?</b></p>	
<p>17. Which organisation should be tasked with monitoring the progress of the Scottish Government on reducing emissions and why? Options include: the proposed UK Committee on Climate Change, a new Scottish Committee on Climate Change, an existing public body in Scotland, or the Scottish Government itself.</p>	<p>see question 15 above</p>
<p><b>18. If it were to be an existing Scottish public body, which public body is most suited to carrying out this task and why?</b></p>	
<p>19. Should additional independent mechanisms for scrutinising the effectiveness of the Scottish Government's policies in reducing emissions be created by the Bill (in addition to any scrutiny already provided by the Scottish Parliament)?</p>	
<p><b>20. If so, which organisation is best placed to carry out this function and why? Options include a new Scottish Committee on Climate Change or an existing public body in Scotland.</b></p>	
<p>21. If it were to be an existing Scottish public body, which public body is most suited to carrying out this task and why?</p>	
<p><b>22. Are there any other functions related to climate change, existing or new, which should be carried out at arms length from the Scottish Government and why?</b></p>	

<p>23. Should the Bill contain enabling powers to introduce a duty on certain parts of the public sector (i.e. local authorities and large public bodies) to take specified actions on climate change or other specified environmental issues? Why?</p>	
<p><b>24. What should such a duty (or duties) include?</b></p>	
<p>25. Should the Bill contain enabling powers to introduce statutory guidance for certain public sector bodies (i.e. local authorities and large public bodies) on specified climate change or other environmental measures? Why? Are there gaps in any existing guidance?</p>	
<p><b>26. What should this guidance include?</b></p>	
<p>27. Should the Bill contain enabling powers to create a requirement for certain public sector bodies (i.e. local authorities and large public bodies) to make regular reports on specific measures they are taking to tackle climate change (whether mitigation or adaptation) or other environmental issues? Why? What should be included in such reports?</p>	
<p><b>28. As a potential non-legislative measure, should current Best Value guidance be amended to take specific account of climate change mitigation and adaptation? If so, how should Best Value guidance be amended?</b></p>	
<p>29. Are there any amendments to existing legislation or any enabling powers needed to allow for variable charging (for example by local authorities) to incentivise action or eliminate perverse incentives?</p>	
<p><b>30. Are there any provisions to help Scotland adapt to the impacts of climate change which should be included in the Scottish Climate Change Bill?</b></p>	
<p>31. Should provisions within the Environmental Assessment (Scotland) Act 2005, be amended in order to provide clearer links with emissions reduction? If so, how</p>	

should this be done?	
<b>32. What are the equalities implications of the measures in the proposals for the Scottish Climate Change Bill?</b>	
33. Is there any existing legislation within the competence of the Scottish Parliament (devolved) which needs to be amended so that appropriate action can be taken on climate change by sectors in society?	

This email was received from the INTERNET and scanned by the Government Secure Intranet anti-virus service supplied by Cable&Wireless in partnership with MessageLabs. (CCTM Certificate Number 2007/11/0032.) In case of problems, please call your organisation ♦s IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.