

DUNDEE CITY COUNCIL

RESPONSE TO SCOTTISH GOVERNMENT CONSULTATION ON: PROPOSALS FOR A SCOTTISH CLIMATE CHANGE BILL

Comments to questions asked in the consultation document.

TARGETS

Q1. *Should a Scottish target be based on carbon dioxide only or the basket of six greenhouse gases?*

Comment: The Scottish target should be based on emissions from a basket of six greenhouse gases (GHG's), measured in the form of 'carbon dioxide equivalent' (CO₂e), in line with the Kyoto Protocol targets.

Whilst CO₂ emissions make up a greater proportion of Scotland's GHG's (80% of GHG emissions in 2005) and the data relating to CO₂ emissions is more robust than those for the other GHG's, the basket approach give greater flexibility and range of measures available in reducing overall GHG's.

Particular emphasis should initially be given to reducing CO₂ emissions. Aviation and shipping emissions should also be included in any target set.

Q2. *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?*

Comment: The Bill should contain flexibility to include other gases in the future. It is essential however that any targets should incorporate all greenhouse gases from the outset in accordance with international climate change policies.

Q3. *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?*

Comment: A GHG End-user Inventory should be used to reflect the measure of electricity and fuel consumed in Scotland. It is important that this method is also robust enough to accurately reflect the amount of renewable energy generated as well as exported energy. The Inventory will be a key component in accurately reflecting progress on energy efficiency and renewable electricity efforts.

Q4. *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?*

Comment: Agree. The means of measuring the target should be subject to review if developments in scientific understanding on climate change make it clear there are more effective methods. Future international agreements may place additional requirements on the UK, and therefore Scotland, and it is right that the Bill should have flexibility to reflect such changes.

Q5. *Should the emissions reduction target take account of the abatement effort made by companies under emissions trading schemes? If so, how?*

Comment: The inclusion of abatement efforts made by companies under emissions trading schemes would seem to contradict the overall purpose of the Bill (to set a target that is seen as Scotland's contribution to reducing impact on global emissions).

Q6. *Do you agree that international credits should be counted towards Scottish targets? Should there be limits on credits counted towards Scottish targets?*

Comment: Agree in principle with conditions. The use of trading schemes should not be seen as a quick-fix for Scotland. The Bill aims to ensure Scotland plays a leading role internationally in tackling climate change and so strong leadership should be demonstrated in not using credits to "pay our way out of pollution". Where credits have been used, these should be clearly set out in the reporting process and distinguishable from actual reductions in emissions.

Q7. *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?*

Comment: Considering the scientific uncertainty relating to climate change it would be prudent to periodically review and revise the target on the basis of independent, expert advice. Any revisions of the target should reflect change in international developments or refinements to what is deemed Scotland's equitable contribution to reducing emissions.

SUPPORTING FRAMEWORK

Q8. *What factors should be taken into account when setting the level of budgets?*

Comment: The eight factors identified in the consultation document:

- likely economic growth.
- likely population growth.
- likely technological progress.
- social impacts including impact on rural areas.
- environmental impacts.
- impacts on the economy and business competitiveness.
- international circumstances.
- scientific knowledge about climate change;

are all relevant and should be taken into account when setting the level of budgets.

Q9. *How long should interim budget periods be?*

Comment: It is suggested that multi-year budgets of five years be adopted to fit with the UK Climate Change Bill periods, current EU ETS phase and the Kyoto period.

Q10. *How many years in advance should emissions budget periods be set in order to provide sufficient time to develop infrastructure?*

Comment: At least three budget periods (based on multi-year budgets of five years suggested above) should be set to provide necessary lead in time and incentive for local government to invest in capital replacement.

Q11. *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?*

Comment: No comment

Q12. *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?*

Comment: An interim point target of 2025 should be considered to enable time for corrective action if required.

REPORTING SCRUTINY AND FRAMEWORK

Q13. *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?*

Comment: It would be beneficial if data was collected for those options outlined in 7.7:

- Forecast emissions;
- An assessment of the impacts and risks of current emission levels;
- An assessment of the effectiveness (measured or projected) of current and/or planned policies;
- A measure of the energy efficiency of domestic and non-domestic buildings in the public and private sectors;
- The capacity of Scotland's renewable energy sector;
- Emissions produced by the 'Scottish element' of international aviation and shipping;
- A measure of energy/carbon consumption in Scotland such as carbon footprint;

whilst ensuring the data was robust and the process manageable.

The longer-term reporting requirements outlined in 7.4 also seem beneficial, as well as those in Section 7.6 relating to international emissions and embedded emissions required to produce and transport products to Scotland e.g. wood for biomass boilers.

Q14. *Is a process of Parliamentary scrutiny the appropriate way of holding the Scottish Government to account if targets or budgets are not met?*

Comment: Parliamentary scrutiny is the appropriate mechanism for holding the Government to account on targets and budgets. This process must be informed by detailed analysis, involving scientific, scrutiny, policy and regulatory bodies. Audit Scotland and/or the Sustainable Development Commission Scotland should be part of this process.

Q15. *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.*

Comment: It is suggested that the UK Committee on Climate Change be used as a primary source of advice in the short-term. It would be beneficial if a Scottish Committee on Climate Change be established.

Q16. *If it were to be an existing Scottish public body, which public body is most suited to carrying out this task and why?*

Comment: The Sustainable Development Commission Scotland would be an appropriate existing public body to lead on advising and scrutinising. Input from other bodies would be required to provide relevant data expertise (E.g. the Tyndall Centre for Climate Change Research).

Q17. *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.*

Comment: It is suggested that the UK Committee on Climate Change be used as a primary source of advice in the short-term. It would be beneficial if a Scottish Committee on Climate Change be established.

Q18. *If it were to be an existing Scottish public body, which public body is most suited to carrying out this task and why?*

Comment: The Sustainable Development Commission Scotland would be an appropriate existing public body to lead on advising and scrutinising. Input from other bodies would be required to provide relevant data expertise (E.g. the Tyndall Centre for Climate Change Research).

Q19. *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)?*

Comment: It is suggested that an additional independent method of scrutinising the effectiveness of policies should be created by the Bill.

Q20. *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.*

Comment: The Sustainable Development Commission Scotland would be an appropriate existing public body to carry out this function.

Q21. *If it were to be an existing Scottish public body, which public body is most suited to carrying out this task and why?*

Comment: The Sustainable Development Commission Scotland would be the most suitable public body to carry out this function.

Q22. *Are there any other functions related to climate change, existing or new, which should be carried out at arm's length from the Scottish Government and why?*

Comment: No comment

SUPPORTING MEASURES

Q23. *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?*

Comment: Any duties imposed on public sector bodies to take specified actions on climate change or other specified environmental issues should be fully resourced from central government to enable those duties to be carried out.

Q24. *What should such a duty (or duties) include?*

Comment: It is suggested that a duty should be based on the principles and commitments in Scotland's Climate Change Declaration, which is supported by all of Scotland's 32 local authorities. A hierarchy of measures should include:

- **A duty to reduce the local authority's own-estate emissions, over which the local authority has direct control.**
- **A duty to measure, monitor and report area-wide emissions, using a combination of the AEA inventories and the REAP tool.**
- **A duty to collaborate with others (especially Community Planning Partnerships) to contribute to the reduction of area-wide emissions.**

Any duties should be initially focused on efforts to reduce carbon emissions.

Q25. *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?*

Comment: It is suggested that such guidance be introduced to ensure the public sector fully considers climate change and environmental impacts.

Q26. *What should this guidance include?*

Comment: Procurement guidance to ensure that climate change and sustainability are at the forefront of purchasing decisions.

Q27. *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?*

Comment: Reports on specific measures local authorities are taking to tackle climate change should be reported through the existing (voluntary) requirements of Scotland's Climate Change Declaration. The Declaration should be extended to all public sector bodies. This would help to formalise reporting requirements and enable a standardised reporting format across all public sector bodies. Exact reporting processes will need to be developed mutually by Scottish Government and COSLA, in-line with the principles of the Concordat and Single Outcome Agreements.

Q28. *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?*

Comment: Current Best Value Guidance should be strengthened to take account of climate change. This should sit within the sustainable development section. Further training would also be required for both auditors and organisation being audited on sustainable development and climate change.

Q29. *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?*

Comment: The Bill should enable local authorities to introduce actions to create incentives for positive behaviour change. These should include win-win options for climate change and air quality as described in the AQEG Report on Air quality and Climate Change: A UK Perspective¹.

Q30. *Are there any provisions to help Scotland adapt to the impacts of climate change which should be included in the Scottish Climate Change Bill?*

Comment: It is suggested that a requirement to report on a climate change adaptation indicator could be included. Local Climate Impacts Profiles and the use of UKCIP08 tools will be key factors in any local 'due process' on climate change adaptation. This should relate less to the number of adaptation measures taken, but rather to the *process* of developing and taking action on adaptation.

The Sustainable Scotland Network 'Best Value and Sustainable Development Toolkit' could be assist local authorities to ensure adaptation measures are being integrated into policy and development decisions. An update of the Toolkit to ensure that local authorities can report on a 'process indicator' would be required initially.

Q31. *Should provisions within the Environmental Assessment (Scotland) Act 2005, be amended in order to provide clearer links with emissions reduction? If so, how should this be done?*

Comment: Dundee City Council does not see the need to amend the Act. The existing Scottish Government SEA guidance toolkit should be updated to demonstrate clearer links with the emissions reduction target and a requirement for cumulative effects to be quantified.

Q32. *What are the equalities implications of the measures in the proposals for the Scottish Climate Change Bill?*

Comment: Potential adverse effects could be created for those living on low incomes if green taxes or levies were to be introduced. It is therefore suggested an equality impact assessment be undertaken for the proposed policies.

Q33. *Is there any existing legislation within the competence of the Scottish Parliament (devolved) which needs to be amended so that appropriate action on climate change can be taken by sectors in society?*

Comment: Several organisations have been set up to promote the use of renewable energy including biomass burning, and have been calling for the abolition of smoke control areas to facilitate market penetration into urban areas. Biomass burning leads to increases in air quality pollutants such as NO₂, and fine particulates (PM₁₀ and PM_{2.5}). It is important that current legislation, such as the Air Quality Standards and Smoke Control Areas are not compromised to the detriment of air quality and health.

ADDITIONAL GENERAL COMMENTS

1. The Glossary description of N₂O does not mention agriculture or forestry as potentially significant sources.
2. The main consultation document makes no reference to the AQEG Report on Air quality and Climate Change: A UK Perspective² and its recommendations.

For example: Recommendation 1:

"analysis of the impact of policies or specific developments, whether for industry, transport, housing etc., should take account of the inter-linkages of emissions of air quality and climate change pollutants. In particular, measures at the national level designed to improve local air quality or to abate greenhouse warming should not be implemented without prior consideration of all types of impact on the atmosphere and other parts of the environment"

3. Local authorities have different local environmental issues to account for, e.g. there are 14 Air Quality Management Areas in Scotland - created largely for pollutants associated with traffic and combustion.

Moreover changes made to the policy framework of the National Air Quality Strategy (published in July 2007) introduced an "exposure reduction" approach for fine particulate matter (PM_{2.5}), on the grounds of its public health significance. This will have implications for urban authorities many of which already have high particulate levels and may necessarily constrain their choices of GHG emission reduction options. Although the location of emissions GHG has little influence on their climate impact, this is not the case for air quality pollutants which impact on the health of local communities.

Local authorities should not be penalised for not adopting certain approaches to GHG emission reduction (e.g. choosing biomass or certain biofuels). This is accepted by the Royal Commission on Environmental Pollution in respect of the choice of "Biomass as a Renewable Energy Source" in which they say:

" 4.36 We accept that there will be areas of the UK where one or more of the limiting factors will be present; these areas will not be suited to biomass generation. This is not a cause for concern. As stated in chapter 1, biomass is not being proposed as the sole energy solution for the UK (paragraph 1.15). The overall contribution from biomass will be a small but significant and valuable proportion of UK energy generation and it should be seen as a part of a diverse, integrated energy portfolio. We do stress however that the possibility of biomass generation should be investigated at every opportunity to ensure that it is given thorough consideration wherever applicable."

¹ AQEG The Air Quality Expert Group provide independent scientific advice on air quality to DEFRA and the Devolved Administrations. The AQEG Report on Air quality and Climate Change: A UK Perspective Summary, page 25

² AQEG The Air Quality Expert Group provide independent scientific advice on air quality to DEFRA and the Devolved Administrations. The AQEG Report on Air quality and Climate Change: A UK Perspective Summary, page 22