

Consultation QuestionsTargets

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

The Bill should focus on CO₂ initially but adopt a flexible approach that would allow future action to focus on other greenhouse gases when scientific and technological advances make this cost-effective. In the short term, one target for CO₂ and another/other targets for the rest of the greenhouse gases may be the best approach. A system that includes incentives to improve energy efficiency and increase renewable energy generation would be most effective. This would include interim point targets to stimulate early action and urgency, allow for adaptation as climate change impacts become more apparent and re-aligning of effort if targets look as if they will be missed. Local

	<p>authorities require robust guidance on baselines used, and guidance that ensures the local authority ‘sector’ target links directly with the national Scottish target as well as the national performance framework, national outcomes and Single Outcome Agreements. Targets set for Local Authorities must be kept within the parameters of their control – e.g. many agriculture and transport sector related emissions are out-with the control of a Council. Sector-specific targets – for transport, agriculture etc – may be worth considering. Cost implications to local authorities in achieving targets should be considered. Additional funding may be required to implement carbon/greenhouse gas reduction measures in local authorities.</p>
<p>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?</p>	<p>The Bill should contain provisions to alter which gases are included to reflect any changes in reliability of data and for improvements in scientific and technical knowledge. A flexible framework is required to allow for future developments.</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>Reserved powers surrounding regulation of energy supply could lead to confusion if separate targets were introduced. An end-user inventory approach would appear to be the most effective as it would measure electricity and fuel consumed in Scotland, reflect any reductions in demand and allow for the introduction of incentives.</p>
<p>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?</p>	<p>Yes.</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>Whilst it is important to consider emissions from consumption and production, emissions trading schemes can tend to shift the focus away from CO2 emission reduction and may cause the ‘problem’ to be shifted elsewhere. Including emissions trading schemes in the Scottish targets may mask the true picture of where we are and delay identification of potential problems. It may be wise to seek independent advice on this matter.</p>

<p>6. Do you agree that international credits should be counted towards Scottish targets? Should there be limits on credits counted towards Scottish targets?</p>	<p>Yes - international credits should be counted towards Scottish targets but independent advice should be sought on their appropriate usage including the need for any limits.</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>	<p>This matter should be considered carefully – the Scottish Government have set an ambitious target and go into great detail in explaining why the target to reduce emissions by 80% from 1990 levels by 2050 was adopted – having made their case, it is important that the target is met. If the level of the 2050 target is to be changed it should only be on the basis of independent, expert advice. A wide range of issues, developments and circumstances may lead us to require target revision in the future (e.g. impacts of climate change, budgetary issues, rate of scientific and/or technological development etc). All of these issues must have been considered prior to setting the current target, and will require consideration throughout the life of the Bill, but it should not be necessary to reduce the target in the future. Secondary legislation should be in place, so that in exceptional circumstances alterations can be made to the target in the future – only on the basis of independent advice.</p>

Supporting Framework

<p>8. What factors should be taken into account when setting the level of budgets?</p>	<p>A range of factors – including international agreements on shipping and aviation emissions – need to be taken into account when setting the level of budgets. Factors would include, but not be limited to, the following: impacts of climate change, economic growth, population growth, rate of scientific and technological progress, local and international circumstances, environmental impacts, impacts on sustainable development, impacts on business competitiveness etc</p>
<p>9. How long should interim budget periods be?</p>	<p>Interim budget periods should be set for every four years – to fit with the Scottish parliamentary cycle.</p>

<p>10. How many years in advance should emissions budget periods be set in order to provide sufficient time to develop infrastructure?</p>	<p>Careful consideration is required to ensure adequate levels of investment are in place so that the necessary infrastructure is developed. Momentum must be maintained through incentives that will ensure scientific and technological progress meets developing needs, Budget periods should be closely linked to recognised/accepted pay-back periods – typically between 3 and 7 years.</p>
<p>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?</p>	<p>Banking and borrowing should not be solely relied upon as extreme winter weather and/or other anomalies can skew data. Careful consideration to this issue is also required as banking and borrowing may create problems for subsequent administrations</p>
<p>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?</p>	<p>Interim point targets should be included to monitor progress – at least a mid-term target in 2025 is required so that corrective action can be taken if targets are not being met.</p>

Reporting Scrutiny and Framework

<p>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?</p>	<p>Reporting on the other possible options listed in the consultation document would provide for a more complete picture, however, a continuous assessment of reporting requirements should be built into the Bill to allow for the changing circumstances of climate change</p>
<p>14. Is a process of Parliamentary scrutiny the appropriate way of holding the Scottish Government to account if targets or budgets are not met?</p>	<p>An independent body should be appointed to provide additional scrutiny and ensure momentum is maintained. Climate Change should also be placed firmly within the remit of the First Minister.</p>
<p>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.</p>	<p>The primary source of advice should be the UK Committee on Climate Change – to facilitate consistency across the country. It may also be useful to form a Scottish Subcommittee to liaise with the UK Committee.</p>
<p>16. If it were to be an existing Scottish public body, which public body is most</p>	<p>The Sustainable Development Commission (Scotland) supported by SEPA (additional</p>

<i>suited to carrying out this task and why?</i>	technical input) may be an option.
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.	The UK Committee on Climate Change should monitor progress if possible, as that team have the necessary expertise. A Scottish Sub-committee may be required to liaise with the UK Committee.
18. If it were to be an existing Scottish public body, which public body is most suited to carrying out this task and why?	The Sustainable Development Commission (Scotland) supported by SEPA (additional technical input) may be an option – ensuring climate change and sustainable development are considered together.
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)?	Yes – Independent scrutiny is required. The Scottish Government may also wish to consider options to develop a more robust, accurate and timely Scotland-specific greenhouse gas inventory – it may be possible to improve the service provided by producers of the current (UK wide) greenhouse gas inventory
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.	The Sustainable Development Commission (Scotland) supported by SEPA may be an option to consider
21. If it were to be an existing Scottish public body, which public body is most suited to carrying out this task and why?	The Sustainable Development Commission (Scotland) – ensuring climate change and sustainable development are considered together, with supporting/technical input provided by SEPA
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?	Setting policy on nuclear power generation may benefit from an ‘arm’s length’ approach as difficult decisions/choices may have to be made in the future. Integrating energy/resource-efficiency incentives into plans for a Local Income Tax to replace Council Tax may benefit from a more ‘arm’s length’ approach.

Supporting Measures

<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>The Bill should contain enabling powers to introduce a duty on public sector bodies, notably local authorities and their Community Planning Partners. Local authorities and large public bodies should lead by example, however if certain duties to take specified actions were introduced then appropriate resources must be made available to enable those duties to be carried out.</p>
<p>24. What should such a duty (or duties) include?</p>	<p>Duties imposed should be linked closely to the requirements set out within Scotland's Climate Change Declaration and/or the existing (Carbon Trust led) Local Authority Carbon Management Programme. Many local authorities have produced a bespoke Strategy & Implementation Plan (SIP) specifically designed to reduce carbon emissions from Council controlled activities.</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>Should duties be imposed then guidance and funding to enable local authorities to deliver reductions would be welcomed.</p>
<p>26. What should this guidance include?</p>	<p>Guidance is required to ensure approaches to measuring, monitoring, quantification and reporting are standardised across the board and align with national and international requirements. Other guidance may be required in the following areas: Transport and transport planning Building standards and low carbon development of the public sector estate Waste management and zero waste objectives Planning and the National Planning Framework Procurement Life-cycle costing Risk management Investment planning Carbon management and standardised reporting – production and consumption Mapping of climate change relevant policy/initiatives and guidance</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</p>	<p>Reporting is necessary to measure/monitor progress and enabling powers should be included in the Bill. Reports should be issued from local authority Chief Executives, to CoSLA, and from there to central</p>

<p>climate change (whether mitigation or adaptation) or other environmental issues? Why? What should be included in such reports?</p>	<p>Government. If local authorities and large public bodies are to be expected to deliver a share of the Scottish savings then a clearly defined reporting mechanism is required. At present it is not clear if this would fit within the Single Outcome Agreement structure, the Local Authority Carbon Management Programme or as part of the reporting requirements included in the Climate Change Declaration. Also, see response to Q26.</p>
<p>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?</p>	<p>Amending Best Value guidance to take specific account of climate change mitigation and adaptation could help to raise the ‘profile’ of climate change. However, Climate change should not be placed above or before the wider need for sustainable development in Scotland. Additional training would also be required for Best Value auditors and the audited, and a standardised approach to measuring, monitoring, quantification and reporting would be required.</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>As an incentive to integrating energy/resource-efficiency measures, it may be useful to provide for secondary legislation – subject to consultation - to allow for introduction of variable charging in the future if targets are not being met (e.g. congestion charging). Careful consideration should also be given to introduction of incentives for development, manufacture and installation of renewable energy devices/systems – it is important that momentum is maintained, progress made and opportunities remain in Scotland.</p>
<p>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?</p>	<p>Adaptation to climate change will be addressed in the forthcoming Scottish Adaptation Strategy and consultation exercise.</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 should this be done?</p>	<p>Clarification of ‘significant effects’ and ‘climatic factors’ within the Environmental Assessment (Scotland) Act 2005 is required. Perhaps clear guidance rather than an amendment to the Act would suffice. Strategic Environmental assessment could potentially create resource issues for local</p>

	authorities, in terms of staff and financial requirements, additional funding for this activity may be required.
32. What are the equalities implications of the measures in the proposals for the Scottish Climate Change Bill?	No constructive comments at this stage – the final content of the Bill would need to be available before equalities issues can be effectively gauged.
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?	No Comment.

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