

Consultation QuestionsTargets

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

It is felt that a Scottish target would be better based on carbon dioxide only rather than the basket of six greenhouse gases. Carbon dioxide is the principal greenhouse gas and a challenging target for this gas would require addressing the key area of transport as well as energy supplies.

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?

It would be sensible to allow provision for the inclusion of other gases if the emissions of those gases increase, or the science suggests more attention should be given to such emissions. What is important is that there are links with other Government policies such as for waste management, agriculture and land management that include the aim of reducing emissions of methane and nitrous oxide.

<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>It is recommended that targets should be based on source emissions. In the case of transport this will hopefully encourage manufacturers to develop vehicles that produce lower or minimal carbon dioxide emissions (electric or hydrogen powered vehicles). Attention to source emissions should also encourage energy companies to reduce carbon dioxide emissions from generation. Energy efficiency targets will be important and will assist in reducing carbon dioxide emissions but while energy efficiency improvements will reduce such emissions, targets for energy efficiency should be part of legislation related to planning, building and transport (thereby supporting a reduction in carbon dioxide emissions) rather than in a Climate Change Bill.</p>
<p><i>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?</i></p>	<p>It would be wise to incorporate into the Bill the opportunity for implementation of secondary legislation to allow the means of measuring the target to be changed to reflect international developments or unforeseen consequences of the Bill.</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>The abatement effort made by companies should only be taken into account if the abatement takes place in Scotland and is based on good science. One example might be companies investing in restoration of degrading peat bogs but any abatement allowed should be based on a conservative scientific estimate of the impact of such actions.</p>
<p><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></p>	<p>International credits should not be counted towards Scottish targets as abatement should take place within Scotland where it will be possible to make a clear assessment of such abatement. The Scottish Government needs to have some oversight as to what is being done to gain credit as there has been some concern about what has been proposed to count as credits in some countries.</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</p>	<p>It would be sensible for the Bill to allow the level of the 2050 target to be changed through secondary legislation. Such a change</p>

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?

in target should be based on independent expert advice but given the relatively conservative approach taken by the IPCC, such a change should only be allowed if it is felt that there is a need to increase the target as even the current ambitious target likely to be set by the Scottish Government may prove to be too low already.

Supporting Framework

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

The Scottish Government notes a number of factors that need to be considered (Section 6.5 in the Consultation). All of those will impact on how and by how much carbon dioxide emissions are reduced but changes to energy production from fossil fuels, changes to the fuels used in transport and improved energy efficiency may actually lead to more economic growth, more competitive industry and have positive social impacts (better domestic energy efficiency will reduce energy use and move some families out of fuel poverty). What needs to be considered is that once technological changes are implemented (such as changes to transport and fuel use for electricity production and space heating) there will be step changes in the reduction of carbon dioxide emissions. It may therefore be important to recognise that more rapid changes may take place in later budgetary periods rather than in the first few years.

9. How long should interim budget periods be?

Given the variable nature of the Scottish climate which can lead to substantial year to year variations in energy demand, interim budget periods of at least five years should be set. Annual budgets would be counter-productive as some years would show substantial improvements while others would show substantial failures to meet the targets.

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

Ideally emission budget periods should be set well in advance to give an opportunity to develop appropriate infrastructure. However, if budgets are met early the Bill should allow for an opportunity to revise budgets to ensure

	they remain challenging rather than allow complacency if through luck (a long run of very mild years), or major changes (such as the a very large renewable energy project coming on stream in one budget period), there is a substantial fall in the level of carbon dioxide emissions in one budget period.
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?	Borrowing should only be allowed if there is an unforeseen impact on the level of carbon dioxide emissions (such a run of unexpectedly cold years), and the amount of borrowing should be limited to the minimum level that such an unforeseen impact could be expected to have. It will therefore be necessary to provide estimates of the impact before the amount of borrowing can be determined.
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?	It may be useful to have an interim point target as that might encourage the Government and other organisation to bring forward investments that will help reduce carbon dioxide emissions but if the interim budgets are ambitious they should provide the necessary encouragement to ensure the long term target is met.

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?	Scottish Ministers should also report on what progress is being made in improving energy efficiency in domestic, public, commercial and public buildings, what progress is being made on reducing carbon dioxide emissions from transport, what changes have been made or proposed to electricity generation and to fuel use for space heating to help reduce carbon dioxide emissions and what is the “Scottish element” of emissions from international aviation and shipping.
14. Is a process of Parliamentary scrutiny the appropriate way of holding the Scottish Government to account if targets or budgets are not met?	Parliamentary scrutiny should be the appropriate way of holding the Scottish Government to account if targets or budgets are not met.

<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>It would be useful to establish a Scottish Committee on Climate Change as existing bodies already have their own remit, the Scottish Government should not act as its own advisor and a UK Committee may not address Scottish specific issues in the detail required. Such a Committee should include representatives of industry and (possibly a majority) of scientists from the Scottish Universities and Research Institutes.</p>
<p>16. 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>It should not be an existing Scottish public body.</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>The Scottish Government itself should be responsible for monitoring the progress on reducing emissions.</p>
<p>18. 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>The task should be undertaken by the Scottish Government itself.</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>Parliamentary scrutiny should be sufficient to ensure there is an effective check of the effectiveness of the Government's policies.</p>
<p>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.</p>	<p>Parliamentary scrutiny should be used rather than any other public body. The Scottish Climate Change Committee should provide independent advice rather than having a scrutiny role. The majority of members of such a Committee should be representatives of the science and industrial community who are best placed to give advice rather than to act in any auditing role.</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>It should not be an existing Scottish public body (other than the Government itself).</p>
<p>22. Are there any other functions related to climate change, existing or new, which</p>	<p>If the Scottish Climate Change Committee acts in a proper advisory role it should be</p>

should be carried out at arms length from the Scottish Government and why?

allowed to co-opt members to bring specific expertise (for example in waste management or building design) to ensure that the advice given to the Scottish Government is wide-ranging and independent. Giving such a remit to the Committee should help ensure that the range of advice to the Government will not be constrained by any initial membership of the Committee.

Supporting Measures

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?

It would be appropriate to require local authorities and large public bodies to set their own targets to reduce emissions which should be in line with the interim budgets set for the country as a whole. There are two reasons why this is important. Firstly it is vital that given the scale of the public sector, that such bodies are clearly seen to contribute to meeting the overall Scottish target. Secondly, it would be inappropriate for the Scottish Government to be setting national targets to which industry would be expected to respond, if there was no clear duty on public bodies to at least meet and possibly aim to exceed the national targets.

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

The public bodies should be expected to monitor their carbon dioxide emissions (to include energy use, transport and contribution from waste management plus any other substantial source of emissions such as land use in some cases) and to set a strategy and plans to meet interim budgets for reducing emissions. This monitoring and implementation of planned reduction in emissions should be given interim budgets with the same timescale as those set for Scotland as a whole.

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?

If any duty or duties are set (as suggested in question 24), it would be appropriate to have enabling powers to introduce statutory guidance for public bodies included in the Bill.

<p>26. What should this guidance include?</p>	<p>The guidance could include the requirements for planning guidance to include improvements in energy efficiency as well as guidance on setting carbon dioxide emissions interim budgets to help progress towards an overall reduction by 2050.</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>Reporting should be related to the timescale set for the interim budgets as annual reporting could be distorted by an unusually cold year that would lead to a rise in emissions in that year. The reports should provide details of the monitoring of emissions, the success in meeting interim budgets, the plans to achieve future reductions in emissions and the justification for borrowing from a future interim budget if that was required.</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>It may be appropriate to consider amending Best Value guidance to ensure proper account is taken of the need to reduce energy use and carbon dioxide emissions.</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>Proposals for such amendments may best come from advice presented by the establishment of a Scottish Climate Change Committee who would be in a position to review whether once passed here was a need to make such changes. The Bill may therefore need to have enabling legislation within it to allow the Government to act on such advice.</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>There may be adaption to climate change that will be needed, particularly in coastal regions, the Scottish Islands and for agriculture. As adaption will take place over time a Scottish Climate Change Committee would be able to offer advice to the Scottish Government on this issue.</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>This should be considered by a Scottish Climate Change Committee.</p>
<p>32. What are the equalities implications of the measures in the proposals for the</p>	<p>There are unlikely to be any equalities implications of the measures within the</p>

<i>Scottish Climate Change Bill?</i>	Scottish Climate Change Bill. The only issue that may need to be addressed is whether poorer families, particularly the rural poor, may require additional support to enable them to make personal investment in energy savings.
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?	The establishment of a Scottish Climate Change Committee would be best placed to offer advice on this question.

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