

Climate Change Seminars: Supporting effective debate on the Scottish Climate Change Bill

Seminar Four: Scrutiny and Technical Challenges for the Scottish Climate Change Bill

Introduction

The final seminar considered the specific technical challenges facing MSPs in developing an effective Scottish Bill. Two presentations were made to the seminar – **Philip Wright** (Scottish Government) provided an overview of the UK Climate Change Bill and its links to the planned Scottish legislation. **Dr. Richard Dixon** (WWF Scotland) provided an NGO perspective on the Scottish Bill and the issues that WWF Scotland believes still need to be addressed by the Scottish legislation.

The UK Climate Change Bill and what it means for Scotland

The UK Climate Change Bill was given Royal Assent on the 26th November 2008. The UK Bill has targets that are in line with those in the draft Scottish Bill, namely for an 80% cut in emissions by 2050 with an interim target for a 26% cut by 2020.

The Bill commits the UK Government to 5 yearly 'budgets' for emissions and to consider the impact of international aviation and shipping. Central to the achievement of reduction targets is the **Committee on Climate Change (CCC)** which will advise the UK Government on carbon targets and carbon budgets and on other issues such as the proportion of GHG cuts that can be achieved by action abroad.

The UK Bill also sets out a Duty on the Secretary of State for Scotland to deliver the Bill's aspirations. Action taken by the Scottish Government will help contribute to overall UK targets and Scottish Ministers will be consulted on any amendment of targets and on the setting and amending of carbon budgets. It is the responsibility of the Scottish Government to set in place the mechanisms for devolved policy areas that will contribute to the overall UK target.

The CCC has a remit to advise all administrations in the UK on UK targets and carbon budgets. Scottish Ministers also have the right to seek advice from the Committee on their own targets.

With regard to adaptation the Scottish Government will participate in a UK wide risk assessment and will work with UK partners at a strategic level on adaptation but is not participating in the other related powers and duties.

Further issues for the Scottish Climate Change Bill: An NGO Perspective

The Scottish Climate Change Bill was introduced on the 4th December 2008. The Bill is in 5 parts:

Part 1 creates a statutory framework for GHG emissions reductions in Scotland

Part 2 contains provisions that will allow Scottish ministers to establish a Scottish Committee on Climate Change or to designate an existing body to exercise this function

Part 3 places duties on the Scottish Ministers requiring that they report regularly to the Parliament on Scotland's emissions

Part 4 contains powers to allow the Scottish Ministers to impose duties on public bodies in relation to climate change

Part 5 contains provisions relating to adaptation to climate change; allowing Forestry Commission Scotland to play a greater role in tackling climate change; to promote greater building energy efficiency and the use of heat from renewable sources; and to move Scotland towards a zero waste society

Non Governmental Organisations have in general welcomed the ambition of the Scottish Climate Change Bill, most importantly that it:

- Makes a commitment to an 80% emission cut by 2050 with a target of 50% cuts by 2030
- Sets annual targets
- Includes all greenhouse gases not just CO₂
- Includes international aviation and shipping

There are however areas of uncertainty that remain– scrutiny of the draft Bill in Parliament will require that these are addressed in order to maximise the effectiveness of the legislation. These relate both to the wider context and developing science and also to some specific aspects of the Bill.

With regard to the wider context, it is not just the total emission reduction that is important but also the speed with which cuts are achieved. The Bill does set a provision for at least 3% annual cuts from 2020 which might be expected to take Scotland close to achieving the 80% reduction required.

However the inclusion of international aviation and shipping requires cuts of more than 3% per annum – with predicted growth in aviation a reduction in domestic emissions of 3% per year will only deliver an overall cut of 68% by 2050. To look at it another way – if

aviation continues to grow as predicted the reduction in total domestic emissions will have to be 90% by 2050 if we are to achieve 80% overall – this will require an annual cut of 3.4% rather than 3%.

It is also important that reporting procedures and sanctions are robust and help ensure progress is maintained. A range of options are available from simple recording of failures to the imposition of fines. WWF would support a middle path with an annual statement from the First Minister on progress and plans for the coming year; robust scrutiny by the Audit Committee; and a full annual debate by Parliament.

Other issues of concern include:

- The need to limit the percentage of emission reductions achieved overseas – while expenditure overseas can be beneficial to developing nations it is important to ensure the majority of action is undertaken here as it will help Scotland lead the way to a low carbon future. WWF's view is that at least 75% of action should be domestic
- The need to report on consumption as well as production of emissions. While it is right that the Bill focuses on emissions produced here, Scotland is also responsible for a larger carbon footprint based on our imports. Action here should therefore be framed by data showing whether our overall footprint is reducing or whether we are simply exporting our emissions.