



# CLIMATE CHANGE

CONSULTATION ON PROPOSALS FOR  
A SCOTTISH CLIMATE CHANGE BILL



## SCOTTISH GOVERNMENT RESPONSE

## **RESPONSE TO THE CONSULTATION ON PROPOSALS FOR A SCOTTISH CLIMATE CHANGE BILL**

### **Background**

1. Climate change is one of the most serious threats we face as a global community and we all need to play our part in tackling it. The Scottish Government is determined that Scotland will play a leading role in the international effort to reduce greenhouse gas emissions.
2. On June 21 2007, the Cabinet Secretary for Finance and Sustainable Growth, John Swinney, announced that the Scottish Government would consult on a Climate Change Bill to set a mandatory target of cutting emissions by 80% by 2050.
3. That consultation ran between 29 January and 23 April 2008 and a total of 21,046 responses were received. The Scottish Government was very pleased to receive this outstanding response.
4. The Scottish Government commissioned a consultancy company, Reid-Howie Associates, to carry out an analysis of the consultation. The analysis report, published on 20 August 2008, presents the themes and messages which came through in the consultation responses. It is available on the Scottish Government's website, along with the published consultation responses. <http://www.scotland.gov.uk/Topics/Environment/Climate-Change/16327/Climate-Change-Bill/SCCBConsultation>.
5. The responses to the consultation have helped the Scottish Government develop the policies which will be taken forward by the Scottish Climate Change Bill.
6. This document outlines the Scottish Government's response to the main points raised by the consultation and indicates the provisions to be included in the forthcoming Scottish Climate Change Bill.

### **2050 target**

7. The target to reduce Scotland's emissions by at least 80% by 2050 from the 1990 baseline set in the Kyoto Protocol, which the Scottish Government committed to in June 2007, is one of the most ambitious in the world. It will form the keystone of the Bill.
8. One of the most fundamental questions posed in the consultation on proposals for the Scottish Climate Change Bill was whether the 80% target should be based only on carbon dioxide or whether it should be based on the basket of six greenhouse gases defined in the Kyoto Protocol.

9. A large majority of consultation responses stated a preference for the target to cover the basket of six greenhouse gases, principally because each of these gases makes a contribution to climate change.

10. The Scottish Government is clear that emissions reductions should be achieved in the most cost effective way possible in support of its commitment to increasing sustainable economic growth in Scotland.

11. The Stern review of the economics of climate change reported that if the world does nothing to mitigate climate change, the impacts could cost the world the equivalent of 5 - 20% of global GDP each year<sup>1</sup>.

12. The Committee on Climate Change, in its interim advice to the UK Government, advised that the 2050 emissions reduction target for the UK Climate Change Bill should be increased from 60% to 80%, and that it should be extended to cover all greenhouse gases. This expert, independent Committee advises that this is challenging but achievable with the right policies and could cost between 1-2% of UK GDP in 2050<sup>2</sup>.

13. Scottish Ministers agree that strong action is needed to avoid dangerous climate change. They therefore commit Scotland to playing its part in addressing the global challenge presented by climate change and to Scotland leading the way by bringing forward a **Scottish Climate Change Bill with a target to reduce emissions of the basket of six greenhouse gases by at least 80% by 2050.**

## Annual targets

14. Setting an ambitious long-term emissions target will not be enough in isolation to drive the emissions reductions that are required. The Bill will therefore establish a robust framework to ensure action is taken continuously over the period up to 2050 .

15. A large number of consultation responses argued that annual targets would be better to ensure early and continuous progress. **The Scottish Government agrees and the Bill will incorporate a robust statutory framework based on annual targets.**

16. These annual targets will be based on expert advice from the UK Committee on Climate Change and will be set more than 10 years in advance so that private and public sector organisations can plan with certainty over the longer term.

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<sup>1</sup> The Stern review of the economics of climate change is available from:  
[http://www.hm-treasury.gov.uk/stern\\_review\\_climate\\_change.htm](http://www.hm-treasury.gov.uk/stern_review_climate_change.htm)

<sup>2</sup> The interim advice from the Committee on Climate Change to the UK Government is available from:  
<http://www.theccc.org.uk/downloads/Interim%20report%20letter%20to%20DECC%20SofS.pdf>

17. We cannot predict exactly how the science and economics of climate change will develop between now and 2050 so the annual targets model in the Scottish Climate Change Bill will create a credible framework which is flexible enough to adapt to changing circumstances but strong enough to drive sustained emissions reductions over the coming decades.

#### Mid-point target

18. The consultation responses voiced considerable support for an interim target, with various dates and levels being suggested. The underlying theme to the responses was that a mid-point target would encourage earlier action and would increase the accountability of the Scottish Government to ensure its climate change commitments are delivered.

19. **The Scottish Government agrees that an interim target could be helpful and, accordingly, the Bill on introduction will set an interim target to reduce Scotland's greenhouse gas emissions by 50% by 2030.** This date is mid-way between 2010 and 2050. Achieving a 50% target by 2030 will require average annual emissions reductions of greater than 3% from 2010.

#### International aviation and shipping

20. The Scottish Government has noted the strong views expressed during the consultation on emissions from international aviation and shipping and whether these should be covered by the long term emissions reduction target. It recognises the significance of such emissions and, therefore, **Scottish Ministers have taken the bold decision to demonstrate international leadership in this important area by including emissions from international aviation and international shipping within the targets set by the Scottish Climate Change Bill.**

21. Scotland benefits greatly from international trade and travel. Ministers believe it is right to take responsibility for the Scottish share of these emissions and they will work closely with the UK Government in the development of measures to reduce them.

#### Reporting requirements

22. There was strong support amongst consultation respondents for robust reporting requirements for Scottish Ministers, to ensure transparency and accountability.

23. **The Scottish Climate Change Bill will place strong duties on Ministers to report progress towards meeting the emissions reduction targets set by the Bill. In addition, the Bill will also require regular**

**reporting of Ministers' plans and policies to help Scotland adapt to the effects of climate change.**

**Scottish Committee on Climate Change**

24. Climate change is a wide-ranging and complex subject. The consultation on proposals for a Scottish Climate Change Bill indicated that the Scottish Government was minded, initially, to utilise the expert, independent UK Committee on Climate Change for advice and to evaluate within three years the effectiveness of its advice for Scotland and its unique circumstances. This remains the case.

25. The Committee is the leading climate change advisory body in the UK, bringing together experts from climate science and policy, economics, business competitiveness and technology development. The Scottish Government contributes funding towards the Committee's running costs and is able, under the provisions of the UK Climate Change Bill, to request its advice.

26. A range of views were expressed in the consultation responses regarding the Committee, with the majority favouring the use of the UK Committee. However, the Scottish Government believes that it is sensible to include provisions within the Scottish Climate Change Bill to allow it the opportunity in the future, should circumstances change, to set up a Scottish Committee or to confer suitable powers on an existing body.

**Powers to allow duties to be placed on public sector bodies to take action on climate change**

27. All sections of Scottish society need to take action on climate change. In this context, the whole of the public sector in Scotland has a pivotal role to play, showing leadership on its own account and setting and delivering policies that encourage and enable action by others.

28. There was a high level of agreement amongst the consultation responses, including from many public bodies, that the Bill should contain enabling powers to introduce a duty on certain parts of the public sector to take specified actions on climate change.

29. The Scottish Government is committed to working in partnership with other parts of the public sector in responding to climate change. An example of this commitment is Scotland's Climate Change Declaration, a voluntary declaration signed by all Scottish local authorities committing them to contribute to the delivery of Scotland's and the UK's climate change programmes, including actions to address greenhouse gas emissions from their own operations and to encourage and work with others in the local community to take action to reduce emissions and to adapt to the impact of climate change. The Scottish Government supports the Sustainable Scotland

Network to provide assistance to local authorities in meeting their commitments in Scotland's Climate Change Declaration<sup>3</sup>.

30. The Scottish Government has also entered into Single Outcome Agreements with each local authority which are aligned with the National Performance Framework and has issued guidance to public bodies to ensure that they too are aligned with the National Performance Framework, which includes targets to reduce emissions over the period to 2011 and by 80% by 2050.

**31. However, as emissions reduction targets become more challenging in the future we may need powers to ensure consistent and fair contributions to delivery. The Scottish Climate Change Bill will therefore include enabling provisions to allow duties to be placed on public bodies to take action on climate change. Any application of these provisions will be in full consultation with the bodies concerned.**

#### **Additional Bill Topics**

32. In addition to the key features of the greenhouse gas emission targets, the Scottish Climate Change Bill will include further provisions on a number of topics which will contribute to action on climate change.

##### Energy efficiency action plan

33. The importance of helping people to consume less energy, thereby reducing emissions and saving money, was repeated frequently in the responses made to the consultation. The Scottish Climate Change Bill will require Scottish Ministers to produce an energy efficiency action plan which is regularly reported upon, reviewed and updated.

##### Waste reduction and recycling

34. Helping Scotland to become a zero waste society is one of the Scottish Government's priorities and the potential for the Scottish Climate Change Bill to include legislative provisions to implement zero waste measures was highlighted in the Bill consultation. A separate consultation was carried out on specific waste policy proposals and the Scottish Climate Change Bill will include enabling powers to allow Scottish Ministers to make regulations to reduce waste and encourage recycling.

##### Power to vary dates on which muirburn can be carried out

35. The making of muirburn is an essential land management tool used by upland managers as a means of preventing uncontrolled wildfires and to facilitate habitat management.

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<sup>3</sup> Scotland's Climate Change Declaration is available from:  
<http://www.sustainable-scotland.net/climatechange>

36. Muirburn is governed in legislation by the Hill Farming Act 1946, which prescribes certain times of the year at which it can be carried out.

37. A number of responses to the Scottish Climate Change Bill consultation raised the need to provide greater flexibility in the timing of the muirburn season in order to adapt to changing weather patterns. This coincided with ongoing work within the Scottish Government and, as a result, a public consultation is underway to seek the views of stakeholders. This consultation will inform the development of powers proposed for the Scottish Climate Change Bill to allow secondary legislation to be used to vary the dates on which muirburn can be carried out.

#### Improving the energy performance of existing non-domestic buildings

38. Many existing non-domestic buildings in Scotland have inadequate levels of thermal insulation, and inefficient heating and cooling systems. Scottish Ministers want to encourage building owners to carry out improvement work which increases the energy performance of their buildings. This will not only save money on future energy costs but will help to reduce the emissions that these buildings produce.

39. A consultation on specific proposals for improving the energy performance of existing non-domestic buildings will conclude shortly. If any legislative measures are needed to take forward the policies which result from this consultation it is anticipated that these will be incorporated in the Scottish Climate Change Bill.

#### Renewable heat

40. The Scottish Ministers aim to build a commercially viable, diverse, renewable heat industry in Scotland in support of meeting the Scottish Government's proposed 2020 renewable energy target of 11% of heat demand to come from renewable sources.

41. The Bill will contain enabling powers to allow the creation of regulations to promote and incentivise the generation of heat from renewable sources.

#### Maximising the potential of Scotland's forest estate to support the Scottish Government's climate change objectives

42. We will be consulting shortly on how forestry could make a greater contribution to the Scottish Government's climate change objectives, and whether this would need legislation as part of the Scottish Climate Change Bill.



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This document is also available on the Scottish Government website:

[www.scotland.gov.uk/climatechangebill](http://www.scotland.gov.uk/climatechangebill)

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