Local Government and Regeneration Committee

6th Report, 2013 (Session 4)


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Local Government and Regeneration Committee

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CONTENTS

Remit and membership

Report

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>1</td>
</tr>
<tr>
<td>Local Government</td>
<td>2</td>
</tr>
<tr>
<td>Planning Policy, Building Standards and National Planning</td>
<td>3</td>
</tr>
<tr>
<td>Framework</td>
<td>4</td>
</tr>
<tr>
<td>Procurement Policy</td>
<td>5</td>
</tr>
<tr>
<td>Behavioural Change</td>
<td>6</td>
</tr>
<tr>
<td>Communities</td>
<td>6</td>
</tr>
<tr>
<td>2013-14 Budget Report recommendations</td>
<td>7</td>
</tr>
<tr>
<td>Role of Scottish Parliament and the Process for consideration of RPP2</td>
<td>7</td>
</tr>
</tbody>
</table>

Annexe A: Extracts of Minutes of the Local Government and Regeneration Committee

Annexe B: Oral Evidence and Associated Written Evidence

Annexe C: Other Written Evidence
Local Government and Regeneration Committee

Remit and membership

Remit:

To consider and report on a) the financing and delivery of local government and local services, and b) planning, and c) matters relating to regeneration falling within the responsibility of the Cabinet Secretary for Infrastructure and Capital Investment.

Membership:

Stuart McMillan
Anne McTaggart
Margaret Mitchell
John Pentland
Stewart Stevenson
Kevin Stewart (Convener)
John Wilson (Deputy Convener)

Committee Clerking Team:

Clerk to the Committee
David Cullum

Senior Assistant Clerk
Fiona Mullen

Assistant Clerk
Seán Wixted

Committee Assistant
Fiona Sinclair
Local Government and Regeneration Committee

6th Report, 2013 (Session 4)


The Committee reports to the Parliament as follows—

Introduction

1. The background and approach of the Scottish Parliament in considering the Draft Second Climate Change Report on Proposals and Policies (“RPP2”) is fully set out in reports by the Rural Affairs and Climate Change and Environment Committee and the Infrastructure and Capital Investment Committee. We were responsible for considering aspects of RPP2 relating to Local Government, Communities and Planning.

2. We issued a call for written evidence on 4 February 2013. That call sought views on the effectiveness of progress and the proposals and policies; how the proposals and policies are likely to contribute to the interim and final targets; and the appropriateness of the timescales over which RPP2 is expected to take effect. We received 9 responses; these greatly assisted and informed our consideration. However none directly answered the questions we asked relating to our areas of specific interest, probably as a consequence of the way that RPP2 is structured.

3. We took evidence from a round-table of six expert witnesses on 20 February and from the Minister for Local Government and Planning with his officials on 27 February. All of the evidence we received is available on the Parliament website.

4. In addition we have drawn upon the evidence we received during our scrutiny of the Scottish Government budget for 2013-14; which we reported upon on 10 December 2012. We are extremely grateful to all the witnesses who gave us evidence and all who provided written evidence, in what was a tight and restricted timescale.

5. We noted that there were polarised views on the totality of the draft report. Stop Climate Chaos in their written submission stated that “the current draft does not provide a credible plan for fulfilling the requirements of the Climate Change (Scotland) Act 2009”.¹ A contrary view was expressed by the UK Committee on

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¹ Stop Climate Chaos submission, page 1, paragraph 1.
Climate Change who in their report state “underlying progress towards targets to date appears on track in most areas”

6. Our report focusses on our findings and recommendations in the areas for which we were directly responsible. We have chosen to look forward, as RPP2 is an opportunity to set out the proposals and policies to facilitate delivering the second tranche of climate change targets, as well as revising the approach to meeting the first batch.

Local Government

7. Around 2% of emissions output is from the public sector and local authorities have a key role and statutory duties in tackling climate change. They have large estates and are responsible for a wide range of functions, both as consumers and suppliers of services. They also exercise influence across the communities they serve, as well as being substantial employers. In particular, local authorities and other public bodies are subject to the public duty, under the Climate Change (Scotland) Act 2009, which obliges them to take account of climate change objectives as an integral part of their decision making and actions. The actions of local government “will be central to the transition to a low carbon economy and in helping to deliver the associated social, environmental and economic benefits to our communities.”

8. All 32 of Scotland’s local authorities signed Scotland’s Climate Change Declaration in 2007 (“SCCD”). That Declaration commits signatories to act to cut their own emissions, promote adaptation and resilience and work in partnership with their communities to respond. An annual statement has been produced by each local authority for the last two years and, in February 2013, the Sustainable Scotland Network (“SSN”) produced an analysis of the declaration reports for year four.

9. Representatives from SSN formed part of the round table giving evidence to the Committee on 20 February. They spoke about the SCCD report and provided additional information around the development of SSN’s activities and support to local authorities. As a consequence of increased funding being provided by the Scottish Government to SSN for the period 2012-15, support is being enhanced to also cover the wider public sector.

10. We commend the work of SSN. We endorse and repeat their recommendations, and urge all local authorities and key stakeholders, particularly the Scottish Government, COSLA, SSN and the Carbon Trust to work together to address the following:

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6 The amount of funding and additional support was not provided in evidence.
• Improve the quality and consistency of SCCD reporting to aid performance improvement;

• Support [in relation to the reporting of carbon impact assessments with] the development and use of good practice impact and influence analysis;

• Develop the structure and content of SCCD reporting so that it is better aligned with the national strategies for emissions reduction and adapting to the impacts of a changing climate;

• Support and enhance capacity to analyse and feed-back on SCCD reports in future years;

• Continue to ensure the provision of well-targeted and trusted [national programmes for] support services which are informed by the experience and requirements of local authority officers and elected members.

11. The Minister for Local Government and Planning indicated that the Scottish Government will, later this year, be developing an action plan for maximising the contribution of the public sector to climate change mitigation. And that the Scottish Government are committed to working with local government alongside business, communities and others to map out what needs to be done to achieve the targets.

12. We acknowledge the views of the Minister for Local Government and Planning that any targets must relate only to what local authorities could achieve in their own right and not on issues outwith their control. The Minister in his evidence on 27 February invited us to comment on whether we thought it appropriate that Government exercise a formal inspection role and whether we thought mandatory reporting should be required.

13. Standing the work of SSN and given that all authorities have signed the Declaration, at this juncture we see no need to go further than our previous recommendations.

14. We were however hampered in our consideration of RPP2 by the absence of information directly attributable to the work of local authorities. Consequently we also recommend that future Scottish Government reports to Parliament include a section specifically on local authorities. To this end it would be useful to include milestones by which progress can be measured. We make other recommendations in relation to the approach to future RPP reports later.

15. We noted that the Scottish Government, to aid consideration of their proposed budget for 2013-14, prepared a summary document bringing together details of the budget lines across the current spending review period that support the delivery of measures to reduce greenhouse gas emissions. We refer to the suggestion in our budget report and recommend that future Local

Government Declarations include similar information in relation to Local Government spend.

16. We took limited evidence and heard only a few detailed examples of the work being undertaken by local government. One area that we did receive detail upon and see potential in the future is in relation to street lighting. Some authorities with non-compliant, out-of-date lights had taken the opportunity to replace them with more efficient and environmentally friendly components. Coupled with increasing energy costs, and significant increases in the distribution system charges from Scottish Power, payback periods on capital investment were very short. 8

17. The potential savings on energy costs are large. Street lighting and other unmetered electrical equipment such as traffic signals, illuminated traffic signs etc. accounts for approximately 18% of all local government energy costs, an annual figure of £43 million consuming 380GWhrs of electricity. Work by the Scottish Futures Trust for East Dunbartonshire Council suggests that installing LED technology, coupled with other measures such as “trimming and dimming” could reduce energy consumption by 63.5% and reduce carbon usage by 26,752 tonnes annually. 9

18. This is an example of a spend-to-save scheme requiring initial capital investment but with a relatively short pay-back period. Describing the schemes as a “no-brainer” the Government indicated that they had provided pilot funding to some authorities to take schemes forward.10 We look forward to this being rolled-out across all local authorities in early course.

Planning Policy, Building Standards and National Planning Framework 3

19. A recurring theme throughout the evidence was the role that planning and building standards should play in reducing emissions. The Minister for Local Government and Planning stated that “it is actually quite a major part of the policy approach.”11 Witnesses were agreed that new planning guidance, building standards and the new National Planning Framework (“NPF3”) are key and that climate change requirements must be built into each following the conclusion of their respective ongoing consultations.

20. We agree with the Minister that it would be no more than “an arbitrary paper exercise to set an artificial target for what (individual) local authorities, which are planning authorities, should do in relation to a planning application.”12 We also agree that planning policies and building standards should address “the transformational changes required for RPP2”13. However, we consider that planning policies and building standards along with NPF3 have crucial roles to play in driving standards up and emissions down.

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21. An example of targeted support within the planning system relates to a Government bid fund available to support local authorities who apply to assist them in considering planning applications for wind farms. The purpose being to ensure that authorities have the necessary resourcing, policies and guidance in place to take some of the blockages out of the planning system when considering such applications.

22. **We recommend that the Government widen the scope of the bid fund to provide support for other climate change related planning issues.**

23. **We recommend that planning guidance, building standards, local development plans and the new National Planning Framework all contain, or be required to contain, explicit requirements on favouring lower carbon emission options, to aid the transition to a low carbon economy and low carbon lifestyles.**

24. **We also recommend that planning authorities should be required to produce a statement setting out how the implementation of development plans and planning consent for major planning applications would result in a net reduction in emissions in the development plan area and contribute to the reduction of emissions across Scotland.**

**Procurement Policy**

25. RPP2 states that:

“Scotland’s Procurement Reform Bill will establish a national legislative framework for sustainable public procurement that supports sustainable economic growth by delivering community benefits, supporting innovation and considering environmental requirements. The Bill will also promote public procurement processes and systems that are transparent, streamlined, standardised, proportionate, fair and business friendly”.  

The Procurement Reform Bill is expected to be introduced into Parliament later this year.

26. Similar to the previous section, the approach to procurement can heavily influence progress towards targets. We heard evidence about the cost of food miles and the benefits from purchasing local products that is being taken forward by some local authorities, as well as the use of electric or low emission cars. **We noted from the SSN report that there are few direct reports from local authorities covering their procurement activity and we would encourage all local authorities to cover procurement in their annual reports.**

27. **We recommend that the opportunity be taken within the forthcoming Procurement Bill to give procuring authorities as much scope as is possible within EU requirements to take into account environmental and climate change considerations when awarding contracts.** In the absence of proposals

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or policies relating to sustainable public procurement within the RPP2, and in light of the public duty requirements of the Climate Change Act, there is a case for the climate change objectives to be a significant element of the Procurement Reform Bill.

**Behavioural Change**

28. While infrastructural and technological measures are crucial in moving towards a low carbon Scotland, the impact of virtually all policies and proposals depends upon the extent to which people adopt and use them. As the Scottish Government indicated to us “integrating behaviours into our policies and proposals is key.”16 This approach is at the heart of the Government’s strategy in this area.

29. The Scottish Government published a Low Carbon Behaviours Framework on 4 March, some weeks after the publication of RPP2, and after we had concluded our evidence taking. The framework is welcomed although it is disappointing that we did not have any opportunity to scrutinise its contents as part of this work.

30. The Minister for Local Government and Planning in evidence indicated that local authorities, as leaders, have a significant role in influencing behavioural change. He referred to their role in relation to developments being in the right places, supporting town centres as well as educational and community-participation measures.17

31. We were given a good example of behavioural change in the approach in Glasgow to stalled spaces.18 The award winning initiative focusses on the temporary use of vacant or under-utilised land to deliver a range of projects, enabling physical renewal and fostering community empowerment throughout Glasgow. The benefits while perhaps negligible in relation to the targets, are to be applauded. Anything that empowers communities and can turn vacant environments into positive spaces is to be encouraged and welcomed.

32. This links to the views of SEPA with which we agree and we recommend that “behavioural change should find expression in all sections of the RPP2 report and should not be stand alone as change is needed across all sectors of the economy and society.” Without a significant change in behaviour the targets will not be met.

**Communities**

33. Chapter 5 of the draft RPP2 report is entitled “Homes and Communities”. It details “policies and proposals that are driving the decarbonisation of our homes” covering a variety of initiatives, packages and assistance schemes. What we could not see were any policies or proposals to involve communities in the development of plans and initiatives.

34. During our evidence taking we asked the Minister for Local Government and Planning about the approach to engagement. The Minister explained engagement

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16 Scottish Government, supplementary written evidence, page 15.
to date was through departments engaging with key stakeholders and the Parliament.\textsuperscript{19} He indicated that “sometimes policy documents, as opposed to what the policies achieve on the ground, feel a bit dry to the population at large.”\textsuperscript{20} He envisaged more contact and participation at the implementation stage.

35. In answer to a question seeking examples of bottom-up approaches taken by local authorities to improve emissions reductions, the Minister referred us to consultation with local communities on local development plans. Although it was also recognised that some of those plans are out of date.\textsuperscript{21}

36. We are disappointed that the approach of Government in relation to the preparation of RPP2 has not, to date, involved consultation or engagement with communities. Having recognised that behavioural change is essential in meeting the targets, we are concerned at the lack of attempts to secure community involvement. We are clear that behavioural change will not follow if communities feel that climate targets policies and proposals are simply done to them and not done with them. Delivery will have to be done by communities if the targets are to be met. \textbf{We recommend that consultation on proposed future plans be undertaken with a wide a range of stakeholders to specifically include communities and community representatives.}

\textbf{2013-14 Budget Report recommendations}

37. As part of our scrutiny of the Scottish Government budget 2013-14 we looked at whether there is any role that regeneration can, or is playing that would assist towards the delivery of sustainable climate change targets. We received a number of responses and made two recommendations in our report. The second is covered at paragraph 14 of this report. We reiterate our first recommendation and \textbf{bring to the attention of the Scottish Government that a change of approach for climate change/energy efficient projects should be considered, by accepting that projects taken forward on an asset-based approach will likely have lower returns and require higher grant aid.}

\textbf{Role of Scottish Parliament and the process for consideration of RPP2}

38. We note that the Government has listened to the views of the Parliament\textsuperscript{22} expressed when considering RPP1 in late 2010 on the scrutiny process. There are still difficulties with the scrutiny process and we do not consider there was adequate time for us to give full consideration to the draft RPP2. The procedural requirements are such that, until the last minute, the timing of consideration is not set and evidence sessions cannot be organised. It is impossible to commence scrutiny until the draft is published.

39. As indicated the timetable is not satisfactory. **We recommend that the Government consider whether it would be possible to involve Parliament and its Committees in the work it undertakes in preparing the draft RPP report which is laid for the 60 day formal consultation now taking place.** We note that preparing the draft has involved sharing early drafts with a wide range of bodies’ outwith Parliament, and considers that early involvement would benefit both Parliament and Government.

**Equality Impact Assessment**

40. We questioned whether RPP2 had been subject to an Equality Impact Assessment (EQIA). The Minister agreed that such assessments should be undertaken at the introduction of specific proposals. As the Scottish Government or local authorities were not responsible for every project the RPP itself has not been subject to impact assessment. We also understand that where appropriate, individual measures set out in RPP2 have undergone Strategic Environmental Assessment (SEA), Business and Regulatory Impact Assessment (BRIA, or its predecessor RIA) and Equality Impact Assessment. Others have been assessed previously (for example, as part of the Energy Efficiency Action Plan or Zero Waste Plan).

41. **We recommend that a statement be included within RPP2 that an EQIA must be completed prior to the introduction of all specific proposals.**
ANNEXE A: EXTRACTS OF MINUTES OF THE LOCAL GOVERNMENT AND REGENERATION COMMITTEE

2nd Meeting, 2013 (Session 4) - Wednesday 23 January 2013

Decision on taking business in private: The Committee agreed to take item 8 in private.

Scottish Government's second draft climate change report on proposals and policies 2023-2027 (in private): The Committee considered its approach to the Scottish Government's second draft climate change report on proposals and policies 2023-2027 (“RPP2”).

The Committee agreed its approach to written and oral evidence taking, as well as to a timetable for scrutinising the RPP2 publication (subject to it being published by the end of January 2013). The Committee agreed a media approach to its scrutiny, along with a call for written evidence. The Committee further agreed to invite a panel of key witnesses to provide oral evidence. The Committee also agreed to delegate authority to the Convener to seek approval for the payment of any witness expenses, and to consider any witness expenses, in private, at future meetings. Finally, the Committee agreed to consider any further approach, and any draft reports on the inquiry, in private at future meetings.

5th Meeting, 2013 (Session 4) - Wednesday 20 February 2013

Decision on taking business in private: The Committee agreed to take item 3 in private.

The Draft Second Climate Change Report on Proposals and Policies (RPP2)
The Committee took evidence, in round-table format, from—

- David McCall, Chair, Comrie Development Trust;
- Dave Watson, Stop Climate Chaos Scotland;
- Alistair MacDonald, Convenor, RTPI Scotland, and Member of Heads of Planning Scotland;
- Janice Pauwels, Low Carbon & Green Projects Manager, City of Edinburgh Council, and Vice-Chair of Sustainable Scotland Network;
- Sylvia Gray, Sustainability & Energy Officer, Sustainable Scotland Network;
- George Eckton, Chief Officer – Development, Economy and Sustainability Team, COSLA.

The Draft Second Climate Change Report on Proposals and Policies (RPP2) (in private): The Committee considered the evidence received.
6th Meeting, 2013 (Session 4) - Wednesday 27 February 2013

Decision on taking business in private: The Committee agreed to take item 6 in private.

The Draft Second Climate Change Report on Proposals and Policies (RPP2)

The Committee took evidence from—

Derek Mackay, Minister for Local Government and Planning;
Angus Macleod, Policy Manager, Housing Sustainability and Innovation Funding Division, Scottish Government;
Judith Young, Team Leader, Climate Change Public Bodies Duties Team, Scottish Government;
Graeme Purves, Assistant Chief Planner for National and Territorial Planning, Scottish Government;
Donald Carmichael, Director Transport Policy, Transport Scotland, Scottish Government.

7th Meeting, 2013 (Session 4) - Wednesday 6 March 2013

The Draft Second Climate Change Report on Proposals and Policies (RPP2) (in private): The Committee considered a draft report. Certain revisions were agreed to and the Committee agreed to consider a revised draft report at its next meeting.

8th Meeting, 2013 (Session 4) - Wednesday 13 March 2013

The Draft Second Climate Change Report on Proposals and Policies (RPP2) (in private): The Committee considered and agreed a revised draft report.
ANNEXE B: ORAL EVIDENCE AND ASSOCIATED WRITTEN EVIDENCE

5th Meeting, 2013 (Session 4) - Wednesday 20 February 2013

Written Evidence

- RTPI Scotland
- Stop Climate Chaos Scotland
- Sustainable Scotland Network

Oral Evidence

Supplementary Written Evidence

- COSLA
- Sustainable Scotland Network

6th Meeting, 2013 (Session 4) - Wednesday 27 February 2013

Oral Evidence

Supplementary Written Evidence

- Scottish Government
- Scottish Government
- Scottish Government
- Scottish Government
- Scottish Government
ANNEXE C: OTHER WRITTEN EVIDENCE

The following submissions were received in response to the Committee’s call for evidence on The Draft Second Report on Proposals and Policies (RPP2).

Burcote Wind (38 KB pdf)
Dr Louise Maythorne, University of Edinburgh (23KB pdf)
Glass and Glazing Federation (14KB pdf)
RTPI Scotland (33KB pdf)
Stop Climate Chaos Scotland (122KB pdf)
SCVO (61KB pdf)
SEPA (38KB pdf)
Scottish Natural Heritage (9KB pdf)
Sustainable Scotland Network (22KB pdf)
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