



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

INFRASTRUCTURE AND CAPITAL INVESTMENT COMMITTEE

Wednesday 27 February 2013

Session 4

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INFRASTRUCTURE AND CAPITAL INVESTMENT COMMITTEE
5th Meeting 2013, Session 4

CONVENER

*Maureen Watt (Aberdeen South and North Kincardine) (SNP)

DEPUTY CONVENER

*Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP)

COMMITTEE MEMBERS

*Jim Eadie (Edinburgh Southern) (SNP)

*Alex Johnstone (North East Scotland) (Con)

*Gordon MacDonald (Edinburgh Pentlands) (SNP)

*Margaret McCulloch (Central Scotland) (Lab)

*Elaine Murray (Dumfriesshire) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Peter Brown (Scottish Government)

Keith Brown (Minister for Transport and Veterans)

Margaret Burgess (Minister for Housing and Welfare)

Susan Conroy (Scottish Government)

Jonathan Dennis (Transport Scotland)

Nigel Don (Angus North and Mearns) (SNP)

Dr Katherine Falconer (Scottish Government)

David Fotheringham (Scottish Government)

Clare O'Neill (Clerk)

Graham Porteous (Transport Scotland)

Steven Scott (Scottish Government)

CLERK TO THE COMMITTEE

Steve Farrell

LOCATION

Committee Room 6

Scottish Parliament

Infrastructure and Capital Investment Committee

Wednesday 27 February 2013

[The Convener *opened the meeting at 09:36*]

Decision on Taking Business in Private

The Convener (Maureen Watt): Good morning and welcome to the fifth meeting in 2013 of the Infrastructure and Capital Investment Committee. I remind everyone to switch off their mobile phones and any other devices as they affect the broadcasting system.

We have a very full agenda today, so we will get started with item 1. I seek the committee's agreement to take agenda items 7 and 8 in private to allow us to consider the evidence that we will hear from the Minister for Transport and Veterans and the Minister for Housing and Welfare on the Forth Road Bridge Bill and the transport and housing aspects of the draft second report on proposals and policies, "Low Carbon Scotland: Meeting our Emissions Reduction Targets 2013-2027". Is that agreed?

Members *indicated agreement.*

Forth Road Bridge Bill: Stage 1

09:36

The Convener: Under agenda item 1 we will take evidence on the Forth Road Bridge Bill at stage 1 from Keith Brown, Minister for Transport and Veterans, and his officials: Susan Conroy, principal legal officer; Raymond Convill, bill team officer, Transport Scotland; and Graeme Porteous, head of special projects, Transport Scotland. I welcome you all and invite the minister to make some opening remarks.

The Minister for Transport and Veterans (Keith Brown): I am grateful to the committee for the opportunity to discuss the Forth Road Bridge Bill, which paves the way for new arrangements on one of the most prestigious routes in the Scottish trunk road network.

We believe that the bill is an important piece in the jigsaw that is emerging at the Forth, which includes the new Forth crossing, the Fife integrated transport system, the dedicated public transport corridor on the existing road bridge and of course the twin-bridge strategy. It reflects a new set of realities: the presence of a wholly new road bridge; the ageing condition of the existing road bridge; new road layouts on either side of the bridges; and new traffic management arrangements.

In looking at what we propose, it is worth considering what the alternatives were. One option would have been to have two separate bridge operators. Our view is that in all likelihood that would have meant redundancy or at least uncertainty for Forth Estuary Transport Authority staff. It was also judged to be uneconomic—potential operating savings of £6 million on a five-year contract cannot readily be ignored.

The new arrangements require the associated procurement of an operating contract providing an efficient, cost-effective twin-bridge strategy for the Forth corridor.

We have new road orders and traffic management to replace existing arrangements. They will be developed with FETA, which will have an essential role as the existing operator. It has experienced staff who are highly regarded and who will have a major role in the future success of the arrangements. We also have the involvement of the traffic sections of the new police service of Scotland, the Forth crossing bridge constructors and Transport Scotland.

My stated requirement is for the new operating contract to meet, if not surpass, existing levels of service. The contractual commitments currently being developed will provide for that. We fully

accept that the Forth road crossing and the Forth road bridge will be unique and demanding structures within the strategic road network. However, the operational challenges that are posed will be no less than those on our existing major network structures such as the Erskine and Kingston bridges and the busiest pressure points that we have on the network such as the Raith interchange and the Edinburgh city bypass, where, as things stand, operating companies already operate successfully.

I suspect that, by virtue of the operating company's role in respect of such high-profile structures, the reputational risk involved will generate high standards. However, there will be advice and support—for instance, from Traffic Scotland's new control centre, which will be right on the doorstep to help with the arrangements.

We note that the bill will impact on existing Forth Estuary Transport Authority staff and the local communities, and we appreciate that a well-respected employer will be dissolved under the proposals. Although councillors will not be involved in the management—which is the same anywhere else in the trunk road network—the public can still make representations to them, and the public and councillors can make representations to ministers.

Conversely, we welcome the securing of the pensions arrangement, which has been important to staff and to FETA in general. We are grateful to the Lothian Pension Fund for advice and on-going support in securing that commitment. We recognise that the Transfer of Undertakings (Protection of Employment) Regulations are not perfect, but they provide security for terms and conditions. Taken together, pensions and terms and conditions have been extremely important for staff.

Furthermore, safeguards for the staff and the communities will be stipulated in the contract through community benefit clauses and other requirements, most notably in the form of apprenticeships and training opportunities, ethical sourcing practices and regular community engagement. It is important that those arrangements are monitored through Transport Scotland's performance audit group.

The project team has continued to meet the FETA management fortnightly and has put itself at the disposal of FETA staff who may wish to ask questions or raise concerns. Further meetings with local community council representatives north and south of the river are still taking place and updates on the bill, the operating company procurement and the Forth bridges forum are being provided.

The forum, which I initiated, provides for the interests of local communities, as it is at the core

of the management and maintenance of the bridges. It can act as a valuable check if local community groups remain dissatisfied after engagement with any individual forum member on relevant matters.

I have to use the term “Forth replacement crossing” as we do not yet have a name for the bridge, but work on that is in progress. Incidentally, we have had around 8,000 suggested names, the most interesting of which is Kevin. The Forth replacement crossing contact and education centre was officially opened last month; it is an impressive facility and provides a unique focal point for education and on-going community engagement by the FRC project.

That is a quick overview, which I hope is helpful to the committee in outlining the context and beneficial impacts of the bill. I look forward to trying to answer any questions that you might have.

The Convener: Thank you very much. Margaret McCulloch will start the questioning.

Margaret McCulloch (Central Scotland) (Lab): I will ask you a few questions about the liabilities for the M9 spur extension and the A90 upgrading contract. The City of Edinburgh Council initially raised concerns that it may remain liable for some compensation costs associated with the project following the dissolution of FETA. Councillor Lesley Hinds indicated in her evidence on 20 February that discussions between the CEC and Transport Scotland on that issue were on-going and that the council hoped for an amicable outcome.

Can you assure the City of Edinburgh Council that it will not be liable for any compensation costs relating to the M9 spur and A90 upgrade project following the dissolution of FETA?

Keith Brown: I am aware of that discussion, which took place after I attended the committee last week. I made the situation plain in the committee meeting and to the City of Edinburgh Council. FETA currently has an obligation to the road that was previously constructed, and we are taking on all FETA's obligations, so I do not see what the council's continuing concern is.

However, we must ensure that proper procedures are followed. For example, if there is a claim and someone thinks, “Well, the Government stands behind this so we can be quite ambitious in our claim”, we will have to ensure that the proper procedures are followed, whether that involves district valuers taking valuations, or lands tribunal processes if necessary. However, we have said from the start that we would take on those obligations.

Discussions are on-going between us and FETA and between FETA and City of Edinburgh Council, but the council should take comfort from what I have said, as we have made plain before.

Margaret McCulloch: Can you expand a wee bit on how you intend to formalise the position?

Keith Brown: The bill itself provides for us to take on all FETA's obligations. FETA has a legal agreement with City of Edinburgh Council whereby it pays for any compensation claims, and some of the claims—the second half—are not due in until September this year. I do not know what else is required to formalise the position. We have said that we will take on the obligations and we have made that plain to the council.

A potential £4.4 million liability made its way into the public domain, but the City of Edinburgh Council does not expect it to be that much. Its estimate is about £93,000. Many claims come in, and everyone knows that they are always much higher than the amounts that are eventually settled. The City of Edinburgh Council and FETA previously agreed the provision and I do not see how there can be any continuing confusion. The claims are still to come in, but FETA will stand behind them and the Government stands behind FETA. Under the bill, FETA will be dissolved and we will take on all its obligations.

The City of Edinburgh Council has all the comfort that it needs. When Lesley Hinds was here last week, she mentioned that discussions are on-going between Transport Scotland and FETA, so they have that comfort.

09:45

Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP): You mentioned in your opening remarks that the TUPE regulations will apply. For the record, can you give an assurance that the terms and conditions of FETA staff, including their pension entitlements, will receive the fullest legal protection when they transfer to any new bridge operating company?

Keith Brown: Yes. There will be the fullest legal protections under the TUPE provisions. That is a fairly standard procedure. For example, we ensured that it happened in relation to the ferry contracts. The pension arrangements are a bit different, and we have gone much further than the legal protection obliges us to go, by taking on the work that we have done with the Lothian Pension Fund. Staff terms and conditions are protected by TUPE, and the pensions are not enhanced but continuing along the lines that they were on previously. My understanding is that the outcome whereby we reached an agreement with the Lothian Pension Fund—the local government pension fund—is what the staff were seeking. We

have been mindful of the uncertainty that has existed for staff, and we have provided the fullest protection that we can.

The Convener: When your officials were here, they said that FETA could not bid to manage the Forth bridges due to procurement and state aid considerations, but in the 1990s local authorities did win road maintenance contracts. What legislation has been put in place since then that prevents a body such as FETA from making such a bid?

Keith Brown: There are a number of points to be made on that. It is not so much legislation that prevents that but the stance of and the possibility of action by the European Commission if it believes that proper process has not been followed. FETA does not have the ability to demonstrate value for money in what it does. I think that Barry Colford said that when he was before the committee. There would have been substantial risk in awarding the contract to an organisation that is unable to demonstrate value for money and has not market tested its services. It is a question of the risk that would be attached to making an award of that nature.

It is important to recognise that FETA has no Scottish Government representation on its board and the Scottish Government has no direct influence on how it is run. In that regard, it would probably be regarded as a separate economic entity, but the European Commission has the final competence in what is and is not classified as state aid and in what state aid is permissible. Different considerations will apply.

It is a question of considering the likelihood of a challenge from the European Commission. As you will know, convener, not least in relation to ferries, we never know until it happens whether the European Commission will decide that it will take action, whether or not it is provoked into taking action by somebody making representations or a complaint. The risks of awarding a contract to an organisation that, for reasons to do with its formation, has not been able to demonstrate value for money in the way in which we need it to would simply have been too much for us.

Alex Johnstone (North East Scotland) (Con): The cost of allowing FETA to maintain both bridges has never been calculated because it was not presumed to have been an option. How can we be sure that we are getting best value for money if we do not know what the comparative figures are?

Keith Brown: We can be sure of that by going through the tendering process, which, after all, is an effective way of getting value for money. Are you asking why we did not compare the cost of

simply going with FETA with the outcome of a tendering process?

Alex Johnstone: No one has ever calculated the cost of running the two bridges together under FETA. Is the fact that we do not know that comparative figure not a weakness in the overall process?

Keith Brown: I think that it is but, as I pointed out, FETA could not produce that information for the existing bridge. As a result, it would be pretty hard for us to come up with a worked-out and credible figure for running the two bridges. Given that, in any case, the second bridge is something of an unknown quantity in that respect, we need to take it to the market and see what its experts think, while using—and giving a guarantee that we will use—FETA's expertise. Everyone in the authority will continue to work and bring their expertise to bear, not just on the existing bridge but on the new one.

That approach gives us the best of both worlds: we use existing expertise and, at the same time, go to the market for the best possible and most efficient price.

Alex Johnstone: It was indicated in previous oral evidence that FETA could not take responsibility for the new bridge without legislative change. What sort of change would have been required—primary legislation or simply some tinkering with regulation?

Keith Brown: The option of delegating responsibility for the new bridge to FETA was identified and considered as one of three options, another of which I mentioned in my opening statement and all of which are set out in the policy memorandum. Legislation would be needed to expand FETA's functions because it was set up exclusively to maintain the existing bridge. Although some consideration was given to the form that such legislation might take, we did not reach a concluded view on the matter and, in any case, the option was ruled out for other reasons, primarily the value for money factor that I mentioned earlier. We considered the option and, although we did not follow it through to the nth degree, we understood that FETA was set up for reasons particular to that bridge and that we would have had to change its constitution, which relates only to that bridge. We did not go into any more detail about the legislative changes that would have been required.

Alex Johnstone: So you do not know whether primary legislation would have been required.

Keith Brown: Legal experts will be able to answer that question better than I can, but I would imagine that, as FETA was established under primary legislation, primary legislation would be

needed to change it. Perhaps we can get a legal view on the matter.

Susan Conroy (Scottish Government): The 2002 order setting out FETA's functions does not allow for it to manage and maintain a second bridge, but that could have been amended through primary legislation extending the order. Consideration was given to whether that could be achieved by other means but, as the minister has pointed out, no concluded view was reached on whether primary or secondary legislation would be sufficient.

Alex Johnstone: Thank you.

Gordon MacDonald (Edinburgh Pentlands) (SNP): Transport Scotland officials have indicated that the bridge maintenance contract is likely to be let for an initial five-year period, with possible extensions. However, FETA has expressed concern about the length of the contract and has recommended a minimum contract length of 10 years. Given Transport Scotland's experience of maintaining other bridges, what is your view on the right length of such a contract?

Keith Brown: Although we have said that the contract will run for five years, we have also made it clear that there could be extensions. Apart from anything else, a large number of companies in Scotland are interested in trunk roads maintenance contracts and having longer-term or very long-term contracts can exclude others who might have developed new processes or efficiencies that we might want to tap into. As a result, that length of contract is not necessarily a bad thing.

I think that I am right in saying that, by and large, the companies that bid for the contract will not have to make a large-scale investment, such as a ferry company would by investing in vessels. They would have to invest in plant and so on, but such companies would tend to have that in place anyway. The normal reason for having a longer contract is to allow bidders to invest over a longer period and get a return on their investment, but that does not apply to the same extent in this case.

Five years seems to be a good length for the contract, but we reserve the option to extend it, which could occur for a number of reasons. We have done that with the trunk roads contracts that we have already let. The best outcome is for the contract to run for five years and for us to give ourselves the option of extending it if we want to.

Gordon MacDonald: Are the contracts for the Kessock bridge and the Kingston bridge the normal length for which such a contract would run?

Keith Brown: The Forth crossing situation is unique. There is no separate transport authority for the bridges that you mention; they are all part of Transport Scotland and the trunk road network.

That would be the usual length for a contract, although—as I said—we have extended the trunk roads contracts. We are about to move into the fourth generation of those contracts, and we are looking at similar lengths for them.

Gordon MacDonald: FETA was also concerned about the membership of international bridge associations. Do you intend that the new operator will maintain membership of those groups?

Keith Brown: That is an interesting issue, and it is very important, especially to the bridgemaster, who gets a great deal from those associations. The issue will come to the fore later this year when FETA has a chance to welcome other members of the International Cable Supported Bridge Operators Association—that is a long title—to Edinburgh.

There could well be some added value in maintaining contact with the operators of similar bridges, and one option might be for membership to pass to Transport Scotland rather than to the Forth bridge operating company. I have asked officials to consider that issue further in consultation with FETA and, in particular, with Barry Colford.

Adam Ingram: Minister, you will be aware of the recent controversies over the insidious practice of blacklisting in the construction industry. We have also heard negative publicity around aggressive tax avoidance schemes that involve using payroll companies. Can you give an assurance that the bridge maintenance contract will not be awarded to a company that has been found to engage in employee blacklisting or that uses aggressive tax avoidance measures?

Keith Brown: As you would expect, the Scottish Government deplores such behaviour. The contract that we intend to enter will contain provision for ethical sourcing practices, which is important. That will mean that freedom of association and the right to collective bargaining, which have been the source of some of the blacklisting allegations, will be respected.

The contract will guarantee that workers will have the right to join or form trade unions of their own choosing and to bargain collectively. The employer will be required to adopt an open attitude towards trade unions, and the contract will require that workers' representatives are not discriminated against. Given that those issues have been the source of the blacklisting allegations, the contract will ensure that such practices do not happen. There are investigations and inquiries into those

companies that have been accused of such practices, in which we are taking a keen interest.

Adam Ingram: And on the tax avoidance practices?

Keith Brown: I am not sure of the full extent of the clause on ethical sourcing practices that will be in the contract—my officials might want to say more about tax avoidance.

Graham Porteous (Transport Scotland): The contract will take the stance that companies that have not fulfilled their tax obligations may be barred from competing, but we will take advice from the Scottish Government legal department and from whichever policies are in place at the time.

Elaine Murray (Dumfriesshire) (Lab): Minister, you said in your opening statement that the reason that councillors were not involved in the new body was because there were no councillors involved in any similar bodies. However, the City of Edinburgh Council's concern is that, although councillors are involved in FETA, the new Forth bridges forum will involve only officials.

Would you be prepared to consider the involvement of transport conveners from the affected local authority areas, or councillors with transport responsibilities, or possibly ward members from the affected community areas in order to enable community concerns to be raised directly?

10:00

Keith Brown: I listened to the evidence that was given, but it was unclear to me what was being asked for. Would the council's transport spokesperson or the local member be involved? Which councils would be represented? That was left very unclear in my mind.

I gave the matter some consideration, especially at the start of the process. Coming from a local authority background, I am always keen to see councillors have as much influence as possible. However, it would be unique if we had elected representatives at that level involved in looking after an operating contract that is wholly the responsibility of the Scottish ministers. That would be not dissimilar to asking for the Scottish ministers to be involved in a local roads management project. I think that that would be wrong, because there is a line of accountability about who is responsible for taking the decisions on the operating contract and who is responsible for the expenditure. That proposal would substantially muddy the waters.

However, we need local representation, because the bridges are in a unique situation. The two different communities on either side will be

linked by three different bridges built in three different centuries. That is unique in Scotland, so I understand the point that has been made. For that reason, we have established the forum to deal with not only those issues that might arise after the bridge is completed, but those that might be raised by the community during the process of building the new bridge. It is important that we ensure that local community representatives have their say on the forum, but I do not think that that would be added to by putting in a level of elected member representation.

FETA was a completely different body from the forum that has been established. Transport Scotland and the Government will stand behind the contract, so there will be democratic accountability. We should not complicate that further by putting in elected representatives who would not be responsible for the spending decisions.

Elaine Murray: Can you say a few words about how local communities will be represented in the operation of the forum?

Keith Brown: Sure. As you will know already, community councils and businesses are represented. Transport Scotland and the bridge operating companies go along to speak at the forum and I receive regular updates on issues that are raised there. Perhaps Graham Porteous can say more about that.

Graham Porteous: We have had several meetings with representatives from the north and south sides of the bridge. The forum provides people with ample opportunity to explain their concerns and how they would like us to take things forward. The contractor is required to meet community groups regularly, and one purpose of the forum is that, if community groups are unhappy with what the contractor is doing, they have the avenue of the forum to make representations on their behalf.

The Convener: As there are no further questions on the Forth Road Bridge Bill, I thank all the witnesses for their evidence.

That concludes the committee's evidence gathering at stage 1. We hope to consider a draft report on the bill at our meeting on 13 March.

10:03

Meeting suspended.

10:07

On resuming—

“Low Carbon Scotland: Meeting our Emissions Reduction Targets 2013-2027”

The Convener: We move on to agenda item 3—ministerial evidence on RPP2—which will be split into two sessions. The first session, which is on transport, will be with Keith Brown, who is the Minister for Transport and Veterans, and the second, which is on housing and procurement, will be with Margaret Burgess, who is the Minister for Housing and Welfare. I welcome, with Keith Brown, Jonathan Dennis, who is economic adviser to Transport Scotland, and Dr Katherine Falconer, who is head of the sustainable transport team at Transport Scotland. I invite the minister to make some opening remarks.

Keith Brown: I thank you for the invitation to talk to the committee about the transport element of the draft second report on proposals and policies for meeting Scotland's climate change targets.

As members know, in 2009 the Parliament voted unanimously to pass the Climate Change (Scotland) Act 2009. Since then, we have been working together to lay the foundations for what we all hope will be a genuine and sustainable transition to a low-carbon economy and society.

The draft RPP2 sets out options and recognises the uncertainties that are inherent in looking forward across the next two decades. Our ambition is that, by 2050, Scotland will have a largely decarbonised transport sector, and that significant progress will have been made towards that by 2030.

To achieve that, we need to develop a long-term strategy in the context of steadily evolving technologies and behaviours. That is why it is appropriate that the transport chapter focuses on the broad approach of how we want to reduce emissions from transport. It sets out four core packages of proposals; they relate to decarbonising vehicles, encouraging behaviour change and promoting sustainable communities, engaging with businesses on sustainable transport, and ensuring efficient use of the road network. That builds on the approach that was set out in RPP1 and ensures consistency across the two documents. We are using all the levers that are available under our devolved powers and resources to tackle the challenge of transport emissions abatement. It is a highly ambitious agenda and we are building momentum—laying the foundations, as it were—in the early years.

Rightly, the report builds in flexibility in deciding which proposals should be adopted and which options should be held in reserve. We need flexibility. The Scottish Government's resource budget for the period between 2010-11 and 2014-15 has been cut by 7.7 per cent in real terms, and the capital budget has been cut by 26 per cent. The challenge of finding ways of funding action on climate change is considerable.

As far as the transport contribution to the low-carbon agenda is concerned, we are continuing to invest in sustainable transport and to support climate change action. Considerable work is under way on a broad range of fronts, in line with what is set out in RPP1. Work is being done on modal shift to active and public transport and to rail and water transport for freight, as well as on new technologies such as low-carbon vehicles and hybrid buses.

In the current spending review period, we have committed substantial funding to reducing the carbon impact of transport; more than £200 million is being spent between 2012-13 and 2014-15. The Scottish Government funding is only part of the story. There is a shared agenda, and collective action across the public and private sectors is needed.

To that end, we are working in partnership with a range of organisations and are pulling in matched funding from local authorities and the private sector to increase leverage. A highly significant example of that is the E-cosse partnership, which we established to develop and support the strategic direction in relation to our core aim of decarbonising vehicles in the coming decades. That work is also about getting economic benefit from such developments, by producing or developing things in Scotland.

We are actively supporting the Aberdeen hydrogen project in a partnership that involves Scottish Enterprise and industry, and the cycling action plan for Scotland is very much a partnership endeavour, which relies on local authorities and others playing their part.

Beyond our specific work on low-carbon transport, we are of course continuing to implement a programme of wider infrastructure investment that is geared towards supporting sustainable economic growth in Scotland, which will encourage modal shift to public transport and active travel. We are investing £1 billion annually in public transport, which will support modal shift from cars.

We are committed to fastlink in Glasgow—we will provide up to £40 million over the life of the project—to supporting the modernisation of the Glasgow subway, the figure for which I think is around £300 million, and to supporting the

Edinburgh trams, as well as to work to do with park and ride and dedicated busways, which is linked to the Forth replacement crossing.

Last June, I announced a £5 billion package of funding and investment in Scotland's railways between 2014 and 2019, which includes a commitment to further electrification of the rail network. Work has already started on the Edinburgh to Glasgow rail improvements programme and on enhancements to the Highland main line between Perth and Inverness and to the line between Aberdeen and Inverness. The Borders railway is scheduled to open in 2014-15 and is expected to take 60,000 peak trips off roads in the Scottish Borders and Midlothian every year. It is worth pointing out that that project will increase emissions in the short term, as many construction projects do, but it will achieve that reduction in peak trips on the roads.

Achieving significant emissions abatement from transport is a very long-term agenda. We are setting out the foundations for far-reaching transitions to low-carbon transport over the coming decades. In the meantime, we will continue to track and appraise progress, and to develop interventions accordingly.

The Convener: Thank you very much.

You mentioned a wide range of projects. Can you measure how much reduction in carbon emissions they have resulted in since the publication of RPP1?

Keith Brown: RPP1 was published in March 2011. Emissions data for transport and for the other sectors in Scotland is available only up to 2010. That shows that emissions from transport fell for the third year in a row and are 1.4 megatonnes below the 2007 peak of 14.65 megatonnes, which represents a fall of around 10 per cent from that peak.

It is important to remember that the figures that were set out in RPP1 were abatement estimates—not targets. The only targets are the annual targets for emissions reductions that are set by Scottish ministers under the Climate Change (Scotland) Act 2009, and we monitor progress against them. Those are not sector-specific targets—they apply to the whole economy.

It is worth reiterating that it is an extremely long-term agenda and that transport's contribution to emissions reduction will be more pronounced in future decades, not least because we are trying to change behaviours, as I have described. Transport is a highly significant area, but we are at the stage of laying the foundations for the future changes that we want. Given that it is less than two years since RPP1 was published, many of the proposals and policies that it set out remain in RPP2, as you would expect. Each chapter

includes a summary of the highlights of progress to date. I mentioned the setting up of the E-cosse network to support the transition to low-carbon vehicles, but I did not mention the setting up of the Scottish green bus fund, which is a key part of that. We have also engaged in a partnership with Scottish Enterprise on the Aberdeen hydrogen project.

10:15

At the early stages, when we are looking to back the right new technology to produce the maximum dividends, there is an element of simply having to see how things develop. For example, hydrogen could be hugely significant in carbon reduction. I am aware of one development in the south-west of England—in Bristol, I think—where a ferry has been converted to hydrogen power. It was so successful in reducing the weight of the vessel that further ballast had to be put in, following the removal of the traditional diesel engine. That brings a huge benefit for climate change targets.

The point is that there is no regulatory framework at this stage for that kind of development—for testing and regulating hydrogen-powered ferries, for example. The purpose of that project was as a pipe-cleaner, as it is called—going through one process to help establish a future process. I mention that to underline the fact that we are at the very early stages of some developments.

The received wisdom on hydrogen tends to be that it is more suitable for larger vehicles or vessels, which is why the mainstay of the Aberdeen project is buses. I have seen video footage of a hydrogen-powered car. One of the fears that people might have is about what would happen if there was a fire. When we see what happens to a hydrogen-powered car in a fire, it is far less damaging. In fact, the car is virtually unscathed—the fire comes out in a kind of stream. We have to get beyond the perceptions about hydrogen.

I mention that to illustrate the fact that we will simply have to see how the technologies develop over time. We have invested substantially in electric vehicles, but we will have to see how they develop over time. We must retain the flexibility to move investment and proposals around to reflect how the technologies are developing.

The Convener: If I understand you correctly, we do not have enough up-to-date data to see how emissions reductions are faring against RPP1. I am not clear about what procedures are in place to monitor emissions reductions that are a direct result of the policies that you have mentioned.

Keith Brown: There is a lag between getting the information and seeing what the impact is—I

think that that is the point that you are making. For example, the figures that are available now cover the period up to 2010. Other data exist—albeit that they do not yet have the status of official figures—and they give us an idea of how things are progressing. The figures that are available up to 2010 show a reduction from the peak.

We also have carbon accounts for many of the big projects that we do, which give us an idea of the carbon impact of those projects.

Elaine Murray: Last week, witnesses raised the point that the transport chapter of RPP2 has a lot less detail on predicted emissions reductions for individual policies and proposals than RPP1 did. Could you explain why?

Keith Brown: That is because of some of the reasons that I have already mentioned. One of the ways in which we want to effect carbon emissions reduction is to back new technologies; another is to change behaviours. Those things take time and are less easy to measure at the early stages. Whether it is a change to eco-driving or a modal shift, it takes time to effect changes to behaviour, which perhaps accounts for why things are more generalised at this stage. The timescale that RPP2 covers—up to 2027—is very long, and there is a high level of uncertainty about what will be the most effective policy interventions.

Across the world, we are moving into new areas in climate change in general. We in Scotland have set the most ambitious targets, and others have started to catch up by setting similar targets. It is a huge challenge, and the process lasts a long time.

We have concentrated on broad packages of interventions rather than more detailed accounts, not least because we do not at this stage know how quickly things will develop; for example, one could invest in a particular electric vehicle and find that is superseded by another within six or 12 months.

It is right to concentrate on the broad packages and to put in place the foundations to ensure that the behavioural change and any benefits from technological change can be maximised. However, we cannot always specify that at the start.

Elaine Murray: Are you saying that there was more detail in RPP1 because the timescale was shorter and more immediate so you felt more able to predict whether you could achieve the targets?

Keith Brown: We obviously know more than we did then. The best approach for us to take is to develop broad packages and say what areas we should concentrate on—which are the four areas that I mentioned.

However, we must allow ourselves flexibility. That does not represent, and should not be taken

as representing, any reduction in our commitment to achieve the targets. It simply seems to us from the work that we have done to try to change behaviours, to effect cultural change and to back the right technologies that we need such flexibility.

Elaine Murray: One of the other concerns that was raised with us was that the two policies in RPP2 are both delivered by the European Union and the elements that will be delivered by the Scottish Government are only proposals. Will you comment on that? Would you be prepared to consider upgrading some of your proposals—possibly, eco-driving training or the smarter choices, smarter places project—to policies?

Keith Brown: The fact that the two policies are based on the EU vehicle emissions standards directives simply recognises the fact that the directives will play a substantial role, not least because of the international context of vehicle production. We support the EU's efforts to create levers on that.

However, we are taking substantial action ourselves. There is on the market an electric car, much of which can be manufactured, or at least assembled, in any country in the world that chooses to produce it—indeed, the batteries for it are produced in Scotland. It complies with all the EU directives, and we think that it is a good thing to have those directives as the mainstay. The bias towards proposals reflects the fact that the scale and nature of the programme will depend, as it unfolds, on spending decisions that will be made in future spending rounds.

We are developing policies and proposals in an adaptive way that sets out a clear direction. It also allows us to be responsive to a fairly fast-changing technological environment.

The draft RPP2 attempts to balance the need for a long-term credible plan to meet our emissions targets, with the need to remain flexible. It is perfectly appropriate to have that mix of policies and proposals; the Climate Change (Scotland) Act 2009 provides for that mix. It is also important to have flexibility. However, the scale and nature of the programme will depend on spending decisions.

Many of the proposals contribute to continuing Scottish Government policy work. For example, on cycling, we are approaching about £20 million of Scottish Government money in 2013-14 for modal shift, as I mentioned.

We think that the balance is right, but the last part of the question was about whether we should consider a change. Elaine Murray mentioned two examples. We intend to be responsive and to continue to listen. If it seems appropriate to us to change a proposal into a policy, we will do that.

There is also a question of scale. The scale of the two EU policies is much grander than that of some other examples that we could give. That is why we have them in RPP2 as policies.

Adam Ingram: I refer you to table 7.7 of the report, which is the abatement summary for transport, and page 165, which sets out year-by-year abatement targets. Some of the witnesses were unhappy at the line “Lower Emission Potential in Transport”, which was a string of zeros until 2025, after which significant annual reductions were predicted—250,000 tonnes, and up to 750,000 tonnes by 2027. Will you explain that pattern? Where will the huge reductions in the late 2020s come from?

Keith Brown: I will try my best to explain that. There are a number of additional technical points. I had a brief discussion about the matter with Paul Wheelhouse, who has just gone into the room next door to give evidence to the Rural Affairs, Climate Change and Environment Committee, and he helped me to understand some of the science behind the abatement targets.

The RPP2 covers a period of up to 14 years from now and there are inherent uncertainties in predicting technologies and costs over that period. I have said that a number of times; it is key in terms of transport. Even in the relatively short time for which I have been doing my job, we have seen substantial changes in technology, especially in low-carbon vehicles. We based the analysis of abatement on what is technically feasible—notwithstanding the uncertainties that I mentioned. We do not believe that we should put in place definitive proposals to achieve further reductions well into the future because we cannot know the technical and policy contexts that will apply up to 14 years from now. In the future, there might be more effective and economical ways in which we can meet the targets, but those are not yet known to us.

However, the proposal gives us the assurance that the targets can be met in principle. In the future, we could be talking about stronger incentives, but that will be for future consideration. We intend to carry out further analysis and to develop a proposal on how we may realise the abatement potential in the next RPP. That is the right approach to take.

As I have mentioned before, transport is different from the other areas in relation to effecting behavioural change and anticipating technological developments. That perhaps accounts for some of the figures in the abatement targets, along with the less certain route for achieving those things.

For example, manufacturers are putting large amounts of effort and research into development

of low-carbon vehicles. There is an often-expressed criticism that we have more charging points than we have electric vehicles—everyone has a go about how many electric vehicles there are—but it is simply a statement of fact that we will not get a big upswing in electric vehicles until we have the infrastructure in place for them. We have to put the infrastructure in place now, and we will see the fruits of that in future years.

That might help you to understand some of the targets.

Adam Ingram: So there will not be any progress in terms of lower emissions potential in transport between now and then. Basically, you are discounting that over the next 10 to 15 years. Is that really what you are saying?

Keith Brown: I will let Katherine Falconer come in on the point, but we are not discounting that. We are focused on the fact that we can achieve real progress. We think that we are achieving progress in the interim period in reducing emissions. That can be done in a number of ways. I mentioned low-carbon vehicles, but it can also be done by getting modal shift from both car and plane to train. That is why we are investing £5 billion over the control period to try to make the best possible progress in making railway services more attractive to people. Also, railway services will become more environmentally friendly through the electrification process that I have outlined.

It is not the case that we will not be doing anything in the meantime; a great deal is going on. However, the fruits of much of what we are doing will be seen in future years because of the nature of transport infrastructure, behavioural change and technological development.

Dr Katherine Falconer (Scottish Government): We could probably demonstrate progress on a range of fronts in relation to the milestones in the first RPP. For example, there is a lot of on-going investment to expand the cycling infrastructure as well as to increase the numbers of children who go through cycle training in schools. We saw a small reported increase in cycling journeys and an increase in cycling mileage in the traffic estimates.

We are laying the foundation for an LCV and electric-vehicle charging infrastructure through the E-cosse partnership and we are seeing an expansion of the Scottish fleet and a growing number of electric vehicles across Government and elsewhere in the public sector in Scotland; we have funded 270. By this summer we should have a network of more than 500 double-outlet charging posts throughout the country, of which 300 will be publicly available.

10:30

On travel planning, the smarter choices, smarter places programme has now been concluded and the results will undergo a full evaluation later in the year, which will provide a springboard for further action in the coming years.

Adam Ingram: My next question is on the difference between RPP1 and RPP2; perhaps you have answered it already, but I am asking you for the record.

Stop Climate Chaos Scotland highlights that the transport emissions reduction targets in RPP2 represent just 65 per cent of the savings that were predicted in RPP1. Can you explain why that is, given that the policies and proposals that RPP2 sets out are effectively unchanged from those in RPP1?

Keith Brown: We think that they are the right proposals, and the work that we have done since RPP1 through workshops with stakeholders and others confirms that we are pulling the correct levers. We are working across a broad range of different policy fronts; I mentioned the four packages in my opening statement.

Our understanding is that the likely effectiveness of those specific emissions reductions measures is developing all the time. RPP2 reflects our latest thinking, but it is obvious that things change over time and will continue to change as the data improve.

The important thing is that the total package of policies and proposals shows how the emissions targets can be met. We have used the best available data and modelling techniques in our analysis, although in some instances there is very little Scotland-specific data. Work is on-going to improve the data and the models that we use in order that we can develop our analysis further.

The transport emissions forecasts for the abatement activity that we describe in RPP2 are broadly in line with the profile that has been suggested by the UK Committee on Climate Change, which acts as our independent adviser. Although the forecasts have not been defined by individual sector, the committee has estimated that the savings from transport could reach 4 megatonnes by 2030, which it has estimated would put us on the right pathway to meet the 2050 target.

We have to recognise the realities of the economic situation. For example, turnover in the Scottish fleet of cars has slowed quite dramatically as a result of the reduction in household incomes and, as I mentioned, the spending reviews have had an impact on our ability to invest. Some of the changes in thinking reflect those realities.

Our thinking has been developing all the time, since we produced RPP1 at the beginning of the process. In order to measure the effectiveness of particular interventions, we must have a suitable database, and we are currently working on that. We are very much at the start of that process, but we expect to see dividends from it further down the line.

Alex Johnstone: It was interesting to hear some of the things that were said with regard to the lower emissions potential in transport post-2020, but I want to talk about the milestones that have been set for 2020. Can you provide us with a progress update on where we are in meeting the 2020 milestones that RPP2 sets out?

Keith Brown: In RPP1, we set milestones for 2020, one of which was the development of a mature market for low-carbon cars that would result in average efficiencies for new cars of less than 95g of CO₂ per kilometre. We also mentioned the development of an electric vehicle charging infrastructure in Scottish cities. Alex Johnstone may be aware of our recent work on that, which has been quite heavily publicised—we are expanding substantially the number of charging points, not just within cities but between cities, and not only in public sector organisations but in private sector organisations. One of those organisations is the company that provides the batteries for many of those vehicles, which is based in Dundee. We are also working with SSE on a commitment to put in charging points free of charge at people's homes. That is a pretty dramatic change.

In RPP1, we set out milestones on providing personalised travel planning advice to all households and on effective travel plans in workplaces with more than 30 employees. We have been bold in setting out a highly aspirational aim with significant challenges.

In relation to the milestone for low-carbon vehicles and electric vehicle charging, we have formed the E-cosse working group, which is made up of a variety of major stakeholders, such as WWF, power utilities and the electric vehicle industry. I repeat that it has two functions: to maximise the uptake of electric vehicles to meet the milestone and to maximise the economic benefits in Scotland from being at the forefront of developing electric vehicles.

We are in the third year of funding a programme for Government electric hybrid vehicles across Scotland. We have funded the uptake of around 270 of them, and the spend is a combined total of £8.5 million. We are aiming for a network of more than 500 double-outlet charging posts by summer this year, with 300 being publicly available across Scotland. The low-carbon vehicle agenda benefits in capital investment from the plugged-in places

programme for electric vehicle infrastructure. That is a United Kingdom initiative, which we plug into, if you like. We also utilise support from the office for low-emission vehicles. That support was £1.8 million in the past year, and it will be £1.5 million in the coming year.

There is another milestone for travel planning. The smarter choices, smarter places demonstration programme is now undergoing a full evaluation, following which we will determine the next steps for it. Work is also under way with businesses through Scotland's climate 2020 group.

We are constantly developing initiatives and taking opportunities to add to the policy agenda, but members can see that we are actively pursuing measures that are necessary to get to the milestones that we have laid out going towards 2020. As I have said, that sometimes has to be done in the teeth of public scepticism—about electric vehicles, for example—but it is important that we do that, and we are doing it.

Alex Johnstone: As I get older, I get amazed at how quickly time passes, and I am horrified at noticing that 2020 is only seven years away. With the publication of RPP2, are you more confident that you will achieve the 2020 objectives, or are you starting to worry about them?

Keith Brown: Whether or not there is worry, we have to keep the objectives constantly in mind. As you rightly suggest, if we set a target that is quite far off, the temptation can be to put it on the back burner mentally and in what we do, but I do not think that we do that. The officials with whom I work are certainly assiduous in ensuring that they are conscious of the targets and that they know where to try to meet them. They are also conscious of how difficult the targets are. This is a cliché, but it is likened to having a supertanker whose direction we have to shift. Much of that is to do with public attitudes and behaviours that have developed over a long period of time. I am not saying that meeting the targets is without challenges, but I am confident that we are doing the right things to meet them.

Alex Johnstone: Why does the transport section of RPP2 not include any policies or proposals that aim to reduce the demand for travel?

Keith Brown: It is interesting that we have not had suggestions about demand reduction from any other political party—I think that I am right in saying that. We have received such suggestions from interest groups; there is no question about that. It is worth saying that, although we have climate change targets, we are not trying to discourage travel per se. We are trying to

discourage and eliminate the environmental costs of travel. Our primary aim is not to reduce travel.

To mitigate rising traffic volumes at national level, we are focusing on initiatives that we believe will reduce emissions congestion and increase the proportion of journeys made by public or active transport as we move towards a low-carbon economy. We are developing work around promoting alternatives to travel—I mentioned the influence that information and communication technology can have in relation to that. That is why we have concentrated on those things.

It is also true to say that many of the measures that might be taken to reduce demand have an environmental cost. Take, for example, tolling. If I think back to the tolls on the Forth road bridge, I can well remember sitting in queues, stopping and starting, waiting to pay the toll before going across the bridge. That had an environmental cost to it. We think that, at this stage, we are better concentrating on behavioural change and the technological changes that we think can help us to meet the targets rather than concentrating on demand measures. It will be interesting to know whether committee members have any proposals for demand measures but, at this stage, we are concentrating on behavioural and technological change.

Alex Johnstone: Looking at the most distant figures—those for 2027—in RPP2, we see some very ambitious cuts in emissions contained within the transport section in that column. People will find it hard to believe that those cuts can be achieved without taking a fairly severe approach to demand management. How do you react to the suggestion that the figures as published conceal an intent to take dramatic action against demand at some time in the future?

Keith Brown: I do not think that it would be fair to do that, and I do not think that we are doing that. This comes back to the point that I made previously, which is that the measures that we are taking are the start of a process, the fruits of which will come much more heavily further down the line once we have that level of change.

When we have improved rail services, people will want to use them more and more. We are seeing that already, given that we have 82 million journeys by rail and there has been a major uplift in rail travel. We think that we can improve further on that, and the next franchise is all about doing that. As I have said, we have also taken initiatives in respect of electric vehicles, and there is the possibility of other technologies such as hydrogen. As I said earlier, there will be fruits from those as well as of course from behaviour change.

Behaviour is interesting because we are now seeing people much more conscious of the price

of fuel. People are tailoring their journeys or perhaps not undertaking as many discretionary journeys as they otherwise might. With behaviour and technological change, it takes time for things to work through. We have to find out which of the technologies will work the best and which of the behaviour changes will be most effective. I think that we have a fair degree of confidence in saying that the benefits of that can be very substantial.

There is no concealed intention to hit anyone with a huge swathe of demand-restrictive practices. That is not part of our agenda. It is perfectly legitimate that we mention that such things have been suggested by other people and we should never discount them, but we are concentrating on behavioural and technological change.

Adam Ingram: If you want to change behaviour, surely you need to provide some incentives for people to do that. Those can be positive incentives, or they can be negative incentives such as road user charging, workplace parking levies or congestion charging, which might encourage people to get out of their cars and perhaps join car clubs and so on. Is there not a role for those kinds of incentives to be introduced to change behaviour and move it along a bit quicker?

Keith Brown: There is an implication of carrot and stick there, but I think that we are much more inclined to use the carrot rather than the stick. You make the point about car clubs and car sharing. Recently, we have taken a number of such measures in relation to the on-going work on the Kessock bridge. Those measures have included opening up a new railway station at Conon Bridge, which has been hugely popular. We hope that the carrot will work, in as far as people who decide at this point to change to rail to avoid congestion on the Kessock bridge because of the current resurfacing works might make that a permanent change and continue to use rail in future. There has also been a huge uptake in car sharing—I think that 400 people have joined in that over a short period.

We are trying to learn from that. It is much better to lead people to where they want to go than to batter them over the head with a congestion charge or tolls. So far, based on what we know, we think that the carrot is working. People can take action on workplace car parking if they want to do so—it does not require a Government to do that, although of course Government can play a part if people want it to do so.

10:45

We are very seized of the need to make it as easy as possible for people to make the shift.

People might be quite keen on the idea of travelling by train, but the journeys to get to the train and then to get to work after getting off the train can be such that it does not seem to be worth the bother, so they carry on using the car. We are putting a lot of thought and resources into the issue. People might want to use their bike to get to the train station and then when they continue their journey after they get off the train. In the Netherlands, people just hire a bike; they do not have to take their own bike. Not many bikes are taken on trains, but people can park their own bikes safely all day—in fact they can get punctures fixed and other repairs done where they leave the bike—and then pick up another bike at the other end of the journey, to take them to where they want to go. We want to make it as easy as possible for people to make the transition, rather than using the somewhat blunt instrument of demand measures.

We have to take the public with us. Tolls were immensely unpopular and, in many cases, unfair—I still have my conviction for not paying my Skye bridge toll, of which I am very proud. There are different views on how effective congestion charging in London has been. We are concentrating on encouraging people, and we are seeing dividends from the approach at the Kessock bridge and elsewhere.

The issue to do with making it as easy as possible for people to make the shift is the mainstay behind arguments for high-speed rail to come to Scotland. If people can have a decent journey time and the right kind of service between London and Glasgow or Edinburgh, they will choose that option rather than flying. Air passenger duty was meant to be an environmental tax and a demand measure—I think that most people realise that it is nothing like an environmental tax and is a revenue-raising device—but has not led to modal shift.

Alex Johnstone: It would not be much of a tax if it did not raise revenue.

Keith Brown: It raises a huge amount of revenue—

Alex Johnstone: Exactly.

Keith Brown: Aye, but it was mooted as an environmental tax, and that has not worked. APD is an example of a demand measure that has not led to modal shift. We think that encouraging people is more effective.

The Convener: I understand that a behaviours framework in relation to RPP2 is due to be published by the end of February.

Keith Brown: We do not have the exact date, but it will be published fairly shortly.

Margaret McCulloch: How confident are you that a sufficient number of hybrid, hydrogen and plug-in electric vehicles will be bought in Scotland to enable us to meet the vehicle emissions reduction targets in RPP2?

Keith Brown: As I said, there is some uncertainty about that but, given that manufacturers are investing more and more in the area and electric vehicles are getting more reliable, with a greater range, we are confident. Some people are evangelical about electric vehicles. I had the chance to go round Knockhill circuit in a very fast one the other day. Even people who quite like performance in their cars are aware that there are high-performing electric cars.

You will remember that people thought that diesel cars were a bit slower than other cars when they were first developed, but diesel vehicles developed in such a way as to become indistinguishable from petrol vehicles in terms of performance. It is a question of making that kind of change, which is always difficult at the start. People often say, “Oh, you’ve got more charging places than you have vehicles.” When people first had the internal combustion engine, there were not filling stations across the country ready to service them; it takes time to build up the infrastructure.

As part of ensuring that enough electric vehicles come here, we are trying to tackle what is called range anxiety. That arises when people are concerned that if, for example, they start off on a trip from the border to Edinburgh, they might not get there. In most cases, however, people do not make journeys of that length in any event. Most journeys tend to involve much shorter distances.

We will continue to invest in the area. Heavy investment is required at the start, for example under the plugged-in places initiative, which the UK Government is also involved in, but I am confident that, if we do the required work, more and more people will take up the option. I am also confident about technological change. The industry is an adaptive one and if it sees an opportunity, it will take it.

There is also willingness to get involved. People are concerned about climate change and they will take the right decisions for the environment if the opportunities exist. Obviously, they have to be mindful of the costs to them.

Even in the electric vehicle market, there are different approaches and different technologies—there are different batteries, for example—and it is not possible to say with a huge amount of confidence which ones will produce the greatest dividends. However, I am confident that the area will grow and develop.

We should also bear hydrogen in mind. That is more talked about in relation to buses just now, but it has the potential to produce huge dividends as well.

Margaret McCulloch: If the uptake of electric vehicles is low, do you have any contingency plans in place to meet the transport emissions targets?

Keith Brown: We are monitoring the progress that is being made. In general, if we feel that we are contributing to and investing in something that is not producing results, we have to change it, and to do that we need a level of flexibility. We are proceeding with broad proposals so that we leave ourselves that flexibility to move things around. However, it does not seem to me to be that way just now. I have opened a number of charging points recently, including at Edinburgh Napier University and Axon in Dundee, and the area seems to be growing. What we know of what the manufacturers are doing suggests that they think that it is going to grow, as well.

However, if something that we are doing is not having the desired effect, then of course we have to be responsive enough to change it.

Margaret McCulloch: How do you respond to concerns that simply replacing petrol and diesel vehicles with low-emission ones does not provide the health, social and other benefits that are associated with active and public transport?

Keith Brown: We have not talked as much as we might have done about active transport or active travel. I think that the two go side by side. We have to try to tackle this in different ways. Reducing the harmful effects of travel by car and replacing it with public transport is important, but that does not mean that we do not think that active travel is important as well. In the example that I gave Adam Ingram, I mentioned the idea of people changing from a car journey to a train and bike journey that is made much easier for them.

At present, someone might be concerned that they cannot take their bike on to the train, that they will have to leave it somewhere that is not secure or that there are no contingency plans if they have a broken chain or a puncture. If we can alleviate those concerns, we can get people to be involved much more in active travel. In the rail franchise, we have set aside moneys for new stations and station improvements. If we can make access to railway stations much more local for people—it may be worth talking about the Edinburgh to Glasgow project in relation to that—there is more chance that people will walk to the station rather than making the whole journey by car.

On the Edinburgh to Glasgow project, if we have the high-speed link that we discussed last time I was at the committee, it will alleviate the pressure

on the other lines. The fast journeys from Edinburgh to Glasgow will be on the high-speed link, and more local communities will be able to tap into the other lines. The more we make the rail network available to local communities, the more active travel we will have, with people walking or cycling to railway stations and bus stations.

It is not the case that we are not supporting active travel as well. We are putting substantial moneys into that. It is just one of the things that we are doing. We should not see what we are doing on low-carbon vehicles as being against what we are trying to do on active travel.

Gordon MacDonald: Minister, you said earlier that the Government was focusing on bringing about a behavioural change in people's travel patterns. In evidence to the committee last week, Sustrans, Cycle Scotland and Transform Scotland have suggested that intelligent traffic systems and average-speed cameras may, by smoothing traffic flow, make driving more appealing and harm efforts to encourage modal shift to active travel and public transport. How do you respond to those concerns?

Keith Brown: There are intelligent transport systems on the Forth bridge, which I have used a great deal, and there will be such systems on the new Forth crossing. If people are coming in from the north and stopping and starting on the way into Edinburgh, which has often been the case, that causes a lot more environmental damage than might be caused by smoothing the traffic flow. Apart from reducing journey times, which is obviously a consideration, smoothing the traffic flow has an environmental benefit, and we should not set it against the other measures that we are taking. It is beneficial to the efficient movement of people and goods across the network, and it is good for the economy, which is a positive improvement.

That is not incompatible with a low-emissions transport sector. We must make the best use of the existing infrastructure and, as I mentioned, reducing congestion contributes to efforts to decarbonise transport. By deploying ITS systems on congested sections of the trunk roads and motorways, we will encourage more efficient driving and smoother traffic flow. However, we must balance that approach with other efforts on a range of fronts, including the promotion of new low-carbon vehicles and fuel options as well as alternatives to private car use.

We should not set one element of progress against other elements. My response is similar to the one that I gave to the previous question: we must do both of those things.

Gordon MacDonald: Nigel Holmes from Scotland's 2020 climate group suggested that the

Scottish Government should investigate the effectiveness of the in-cab intelligent transport systems that are used by major haulage companies to reduce fuel consumption, with a view to assessing their cost effectiveness in reducing emissions. Are you considering that?

Keith Brown: The industry already uses such systems, which suggests that they have become market ready. We are looking at the wider use of telematics as part of the work that we are doing to promote fuel-efficient driving. Many companies now invest quite a lot of money in ensuring that their drivers drive in the most fuel-efficient ways for straightforward economic business reasons.

For our part, Transport Scotland is grant funding the Energy Saving Trust to promote fuel-efficient driving. As part of that work, it is running a pilot that uses telematics linked to driver training, although that has still to be evaluated.

Good practice continues to be shared among organisations—such as Scottish Natural Heritage—that are using in-vehicle telematics as part of their fleet management. The EST is promoting the FuelGood app for smart phones through its website for those who are participating in fuel-efficient driving training, as well as for members of the public and public sector drivers. The app provides a tool to keep track of the fuel impact of different driving styles and encourage improvements, which makes financial sense. Most people are driving relatively modern cars nowadays and have something on the dashboard that tells them how much fuel they are using, so there is already some awareness, but the app refines that somewhat. We are interested in that idea, and we will look at how we can evaluate and encourage it further.

Gordon MacDonald: The 2020 climate group's final criticism related to the Government's trunk-road building programmes, such as the dualling of the A9. How are such schemes compatible with the Government's emissions reduction commitments?

Keith Brown: I have made the point before that, if we have roads, they should be in as good and safe a condition as we can possibly make them. It is also true to say that much of our public transport uses roads. Buses would find it hard to get around without roads, as would trams in Edinburgh—a subject that I know is close to the member's heart.

When we undertake those road projects, we also look at how we can improve the cycle network and active travel options, and those are very much under consideration in the A9 programme. The cycle network is quite well served just now, but we can do more to improve it, as we are currently doing on the A82 from Fort William to Inverness.

Any modern economy has to have roads, and—I am perhaps stating the obvious—if we have roads they should be as good as they can be and go to the right places. I do not think that that is incompatible with doing the right things for the environment.

11:00

Jim Eadie (Edinburgh Southern) (SNP): I want to clarify a few points from your evidence this morning before moving on to other areas that I want to explore.

First, you mentioned cyclists travelling on trains. Has that issue been considered as part of the brief given to train operating companies on the renewal of the ScotRail franchise? Is having a level of provision for cyclists part of that brief?

Secondly, you said that the smarter choices, smarter places demonstration projects were being evaluated. What is the timeline for that?

Keith Brown: On the first point, we have not finalised the brief for the next ScotRail franchise. There are still some things that we have to do. We have made it clear that we expect operators to have regard to integrated transport and we are exploring the extent to which we can make it an obligation, for example, that rail timetables will respect and integrate with bus timetables. That sounds obvious, but it has been talked about for a long time. The ScotRail franchise is one of the Government's tools—it will be the Government's biggest procurement exercise. We are exploring the extent to which we can oblige the operator to integrate in relation to both buses and cycling.

In relation to cycling, the issues are allowing people to take their bikes on to trains and enabling them to cycle to and from train stations. I had a discussion yesterday with a Dutch railway operator, which has limited access for bikes on trains. It decided that the best route was to ensure that its stations have secure places for bikes, usually associated with a workshop that can carry out any necessary repairs. In addition, bikes are made cheaply available. That is an interesting approach.

We hope to improve the general level of rolling stock in the next franchise but there is a limit to what we can do. We will explore the ability to make more space available for bikes on trains, but that has a limit. We should also explore ways to make cycling more feasible for those who use trains, for example to make sure they can get to the station, perhaps leaving their bike there and picking up another bike elsewhere.

On the second question, we have not given a specific timeline for the smarter choices, smarter

places evaluation, but it will be later this year—I would hope in late spring.

Jim Eadie: Thank you. That is helpful.

I want to explore how the Government's commitment to sustainable and active travel can be embedded into policy through appropriate targets and policies, and how evidence-based policy making informs ministers' spending decisions.

In considering how we embed targets and policies into Government policy generally, I want to build on the point Elaine Murray made earlier about upgrading proposals to policies. I am interested to hear your thoughts on that and on how you prioritise the areas where we are seeking to make improvements.

We heard evidence from Colin Howden of Transform Scotland in last week's round-table evidence session. Notwithstanding the fact that he thinks that more money should be invested in sustainable transport, he acknowledged that the Government was investing in cycling, walking, car clubs and eco-driving. He said that such items should be moved above the line from proposals to policies.

I want to push you on Elaine Murray's point. Will you say whether you think that that should happen and if not, why not? Why should some things be proposals and not policies? Is that no more than a semantic point, or does it illustrate the priority that the Government attaches to certain areas over others?

Keith Brown: I am not sure that there is much that I can add to the response that I gave to Elaine Murray. We think that the policies in RPP2 are the right policies, not least because of the scale of the EU directives.

It perhaps reflects where we are in the development of our work on climate change that such work is proposal based. Proposals can become policies if they reach the level at which that is appropriate, so the ability to respond to change is there.

The approach is right; as I said, perhaps it indicates where we are in the development of the work. If I did not give enough information in my response to Elaine Murray, perhaps Katherine Falconer can add to what I have said. We have taken a judgment at this stage, but the wording is not final—the process will go to RPP3, which we will look at in future. As always, we will listen to people such as Colin Howden and others.

On the wider point, it is important that the Government takes its own view on how to embed policies and make them as durable as possible, so that they are not subject to the caprice of things such as spending reviews. However, it is also

important to recognise the extent—which we might not always want to recognise—to which people such as you, Transform Scotland and many cycling lobbyists have helped to drive Government thinking. None of those people is about to disappear from the argument, so the pressure will—rightly—be there and we will take it seriously.

I do not think that I have met an interest group that does not want us to spend more money on its interest; I would be interested to meet a group that said that. I understand the point. The pressure will not go away. A perfectly legitimate part of how the Government forms its policies is to listen to such arguments.

Jim Eadie: You will be glad to know that I am going to move on to funding, but I have one question before we leave policies. Pedal on Parliament said in its evidence that the target for 10 per cent of journeys to be made by bicycle by 2020 should be embedded in policy as a national indicator. Do you have a view on that?

Keith Brown: That target—I do not think that it was expressed as a target when it was proposed—is not just for us. It involves other people, such as local authorities and other groups, so it would not be right for us to say that we will have that target and we will achieve it. However, we must contribute to achieving it, and we are doing that. I very much look forward to discussing funding with you, which we will come on to.

It is true of a lot of aspects of RPP1 and RPP2 that they are about not just what the Government does but what other people do. The 10 per cent was expressed as a vision, not a target, when it was first discussed. That is one reason why we would not want to say that it is down to the Government; a much broader approach must be taken.

Jim Eadie: I will press you on that. I am not sure why you say that the target cannot be a national indicator. If you attach importance to it—as you clearly do—will you say for the record why it cannot be a national indicator?

Keith Brown: We have set a national indicator of increasing the proportion of journeys to work that are made by public or active transport. Performance on that is monitored through the Scottish household survey. The cycling target feeds into that. Increasing the number of cycling journeys also contributes to a separate national indicator—

Jim Eadie: Are you telling us that what is suggested has already been done?

Keith Brown: It is covered by a number of other areas. It feeds into the national indicators of increasing physical activity and of increasing the proportion of journeys that are made by public or

active transport, as I said. There is a corporate element—it is not just the Scottish Government that is involved.

Jim Eadie: On funding, I have read the technical annex to RPP2 with interest—in fact, I have scoured it to try to find a reference that I do not think is in it. My point relates to the statement on page 50 of the technical annex that

“Investment in cycling and walking infrastructure is based on evidence of intensive cycle programmes in Europe which have involved expenditure in the order of £5 per person per year over a 10 to 15 year period.”

As that figure appears to be disputed by a number of cycling organisations, I would like to know—probably from the expert advisers who are at the minister’s side—what the evidence base for the statement is.

Keith Brown: As you said, there is some dispute about the basis of the evidence. It is difficult to get precise data on the spend, and people’s definitions of what spend on cycling constitutes vary from group to group. How money is spent also matters to the impact that it has.

You are right to say—not least because you quoted the technical annex—that the issue is quite technical. Jonathan Dennis wants to speak about it.

Jonathan Dennis (Scottish Government): The £10 figure concerns two pieces of information on cycling: the UK energy research centre’s wide review of information that was available from studies that have already taken place; and the “Bicycling and Walking in the United States” report, which is a benchmarking report that includes a look at Europe and gathers ideas about what has been happening in places such as Amsterdam, Copenhagen and Berlin, as well as in America.

As the minister has already said, it is difficult to define what is actually spent on cycling and by whom. However, the numbers suggest that spend can get up to around £26 per head in Amsterdam, but that is because 35 per cent of travel there is undertaken by bicycle, which means that there is a lot of support for that spending. The report suggests a 20 per cent modal share for cycling in Copenhagen, where spending is around £8 or £9 per head. The share is also 20 per cent in Berlin, but spending there is around £4 per head.

Jim Eadie: You are describing a range of figures, but the document contains a very specific figure.

Jonathan Dennis: In putting the numbers together, we have to plump for a figure. There is a recognition that we forecast the numbers based on the information that is available. Rather than having a huge range of figures for expenditure and

how much impact it might have, we plumped for something that is somewhere in the middle, recognising the fact that a lot of those cities in Europe are spending a lot of money because cycling already accounts for a significant modal share in those cities. Our target under the cycling action plan is for 10 per cent of journeys to be made by bicycle.

Jim Eadie: Because of the constraints of time, I will not press you too much further, but I am genuinely confused. The statement in the document related to cycling investment in Europe and gives a figure of £5 per person, yet the range of figures that you have just quoted contradicts that. It would be helpful if you could make available to the committee the references that support the figure in the document, and the other pieces of work that you have just referred to. That would help to inform our understanding of the issue.

Jonathan Dennis: Certainly.

Keith Brown: There are lists of figures that could have been mentioned and, as Jonathan Dennis said, we have to plump for a figure. Other expenditures that could be mentioned are as low as \$3.43, so there is quite a range. However, we are more than happy to provide that information to the committee.

Jim Eadie: There has been a significant announcement this week on cycling. Sustrans Cymru has announced that the Active Travel (Wales) Bill 2013 will place a legal duty on councils to create a network of routes for walking and cycling. Has the Government had time to consider that? I apologise for putting you on the spot.

Keith Brown: We knew that that was coming, as the Welsh Government presaged it some time ago. We are considering the issue. I would not seek to undermine or criticise something that another Government was doing, but it is fair to say that we are not yet certain of the impact of that legislation. It might not be as effective as some people think that it will be.

The short answer to your question is yes, we are aware of the proposal and will take a close interest in how it develops.

Adam Ingram: On the issue of business engagement around sustainable transport, last week, Nigel Holmes from the climate 2020 group highlighted initiatives to decarbonise freight logistics that are already under way. He asked why there is a lack detail on that in RPP2, particularly with regard to the decarbonisation of road freight. Could you say something about that?

Counterintuitive policies seem to be emerging elsewhere in these islands, particularly from the

Office of Rail Regulation and its introduction of track access charges for coal freight, which seems likely to drive a modal shift from rail to road for that form of freight. Could you comment on that, too?

11:15

Keith Brown: I will take the second of those questions first. I am not sure that the issue is the introduction of track access charges so much as the increase in the level that is proposed for coal and one or two other kinds of freight.

As you suggest, we are quite concerned about that. It seems to us to be, if not counterintuitive, certainly against the grain of where we want to go. We have made representations to the ORR about that—we did so before it came to a decision—but we have no ability to direct it. In fact, the UK Government has no ability to direct the ORR, which comes to a view on its own. The ORR listened to what we had to say and has changed when the increase was to happen and reduced the scale of the charges.

A large number of coal trains go through my constituency, servicing Longannet power station. If we can keep that freight off the road, that must be better for the economy. The ORR has been less punitive in relation to other fuels, such as nuclear fuels. That is a concern to us.

We have tried to encourage a shift from road to rail freight. The UK Government dispensed with the freight facilities grant in, I think, 2005 but we kept it going for many years after that. However, it proved difficult for many private companies to get through the European regulations on the grant, so many of the proposals that were made were not developed right the way through and the budget was never fully expended. We are starting to encourage further activity in that area because it is beneficial.

I agree with Nigel Holmes to the extent that he says that we should take what measures we can to get freight off road and on to rail—or, sometimes, water. If we can do that, it will benefit the environment.

There are signs of progress. The EU plays a key role through, for example, the policy on emissions from vans. The national atmospheric emissions inventory, of which I am sure you are a regular reader, gives some detail on that. The UK CCC report on the fourth carbon budget states that increasing amounts of freight are being lifted, with a significant increase in road tonnage kilometres travelled since 1990. However, despite that, payloads have also increased.

Looking ahead, options include further modal shift to rail—or water, as I have said; supply chain rationalisation, which could produce real

dividends; and continued improvement in payloads. One of the issues that we have encountered is the availability of the correct stock—the wagons themselves. We are examining what we can do on that.

Perhaps the matter is given the space that it is given in RPP2 because we are still trying to make further progress on it and because of some of the constraints on doing more—you mentioned the ORR. However, that should not be taken to mean that we are not keen to do more on it. We are actively doing more, and we are considering some proposals.

The Convener: There are no final comments or questions. It has been a long hour and a half, but I thank you very much for your full answers.

I suspend the meeting briefly to allow for a changeover of witnesses.

11:18

Meeting suspended.

11:26

On resuming—

The Convener: Agenda item 3 is further ministerial evidence on RPP2. We will hear from the Minister for Housing and Welfare on housing and procurement aspects of the Scottish Government's draft RPP2.

I welcome the minister, Margaret Burgess; Peter Brown, programme manager in the procurement policy branch; Rebecca Carr, who is a policy adviser on the renewables route map; David Fotheringham, who is a team leader in the housing sustainability and innovation funding division; Steven Scott, who is a team leader in the building standards division; and Bill Ward, who is the team lead for the procurement reform bill.

I invite the minister to make some opening remarks.

The Minister for Housing and Welfare (Margaret Burgess): Thank you, convener.

I welcome the opportunity to talk about the housing and procurement elements of the draft report on proposals and policies. It includes policies such as our ambitious national retrofit programme to refurbish Scotland's older homes, as well as proposals to regulate standards of energy efficiency in new and existing homes.

My portfolio includes responsibility for existing homes in all tenures. The finance and sustainable growth portfolio leads on renewable heat and regulating standards in new-build homes.

It is right that we regard homes and communities as a single package. Housing—together with transport, which Keith Brown addressed earlier—has been the focus of a good deal of attention from environmental stakeholders, not only because a significant proportion of carbon emissions comes from our homes but because poorly insulated, poor-quality housing has a damaging impact on people's lives.

The committee knows of our commitment to eradicate fuel poverty as far as reasonably possible by 2016. In the face of punishing fuel price increases and cuts in welfare spending, raising energy efficiency standards in housing is the most effective way that we can tackle fuel poverty now and cut carbon emissions at the same time.

We are making progress, with nearly 65 per cent of homes being rated good for energy efficiency by 2011. However, we are not complacent. That is why we are using all available mechanisms within our devolved powers to tackle the problem of older, colder homes.

The Scottish Government is spending around £250 million on energy efficiency and fuel poverty over the spending review period. In contrast, Westminster has cut fuel poverty funding in England from £350 million in 2010-11 to £100 million in 2012-13 and zero thereafter.

Fuel poverty and cutting carbon emissions remain priorities for the Scottish Government. I welcome any questions on them.

The Convener: Thank you very much, minister.

Witnesses whom we had before the committee last week voiced clear concerns about the lack of depth and detail in the draft RPP2. How does the Government plan to respond to those concerns in the final RPP2?

Margaret Burgess: We recognise and take on board some of the criticisms that were heard. The draft RPP2 is a large and complex document. It is longer than RPP1 and also has 77 pages of technical annex.

It is a draft. During the drafting, there was a view that we should try to avoid complication, but I do not know whether that was successful. We will be happy to reflect on suggestions that members of the committees and other stakeholders make at this stage.

11:30

The Convener: Is it possible that the final document might replicate the tabular form of RPP1, so that there can be clear charting of progress and some ease of comparison?

Margaret Burgess: We chart progress in housing against our milestones. I cannot commit to having clear tabular progress right across to enable comparisons, but we are certainly happy to say to members that we want to make sure that the document will be understood and that progress can be shown.

If the committee would like, we can show it the progress that we have made on housing. We will certainly be monitoring and charting our progress on that.

The Convener: Thanks.

Alex Johnstone: RPP1 suggested that the Scottish Government could cut carbon in the homes and communities sector by 36 per cent. What is the expected percentage for the cut under RPP2?

Margaret Burgess: The 36 per cent target was ambitious. The expected target for RPP2 is around 37 per cent, which we also think is ambitious.

Alex Johnstone: Is it ambitious enough?

Margaret Burgess: I think that it is ambitious enough. We are all contributing to meeting the 42 per cent overall carbon emissions target in Scotland. The 37 per cent target is ambitious given that we have tackled the easier part through the universal home insulation scheme and the energy assistance package scheme, which implemented a lot of measures that were cheaper to do. We now have to tackle the harder-to-treat homes, which will cost more. Therefore we think that the 37 per cent target is ambitious and realistic.

Alex Johnstone: Could RPP2 do more to factor in post-implementation monitoring to give us information on actual rather than just expected carbon emissions savings?

Margaret Burgess: The comparisons are not that straightforward. David Fotheringham, could you come in on that?

David Fotheringham (Scottish Government): We monitor progress across our proposals and policies, and we publish detailed data on performance of Scottish Government programmes on the Energy Saving Trust website. We publish data on things such as UHS and EAP, which have been running over the past few years, and that includes data on carbon emissions.

Looking at the proposals and policies in RPP, we are now talking with the Office of the Gas and Electricity Markets and the UK Government about the information that will be available from the energy company obligation regarding delivery in Scotland. We want to continue moving that forward.

One issue is that we can get modelled information, which is based on installed measures and the emissions that we assume come from those measures, but it is much more difficult to measure what happens on the ground. The information that we get from the Scottish greenhouse gas emissions inventory is for the residential sector as a whole, rather than being related to individual policies, so it gets a bit more difficult.

We are certainly monitoring our programmes and publishing the data, which we want to continue to do.

Alex Johnstone: Is there an underlying objective to increase the availability of information as we move from the theoretical stage to the practical implementation of policy?

David Fotheringham: As the Scottish greenhouse gas emissions inventory publishes more data, that helps us to track what is happening in the residential sector. For example, under the ECO we want to get as specific information as possible on what is happening in Scotland.

Alex Johnstone: My final question relates to the fact that we have missed an early target. The 2010 figures were disappointing. We know that that was because it was a cold year, and we hope that the figures will average out over time. Can the Scottish Government specify what measures in RRP2 will address most the shortfall that has been accumulated?

Margaret Burgess: A combination of measures being taken across the economy and by all departments will address that. Things will fluctuate. You mentioned that the housing target was missed because of the cold winter. Even though more houses were built, we missed a target. However, we are dealing with that as best we can.

Emissions were 7 per cent lower in 2011 than they were in 2010. We are confident that housing-related emissions are coming down and that we will contribute to meeting the shortfall and the overall target. We are not expecting that winters will be so cold. We are putting energy efficiency measures into homes, and related emissions are showing a downward trend.

Jim Eadie: A number of witnesses in evidence to the committee made the point that there is a requirement for regular monitoring and evaluation of insulation programmes to ensure that standards are met and maximum savings are achieved. RPP1 set out a number of milestones to be reached by 2020; for example, every home is to have loft and cavity wall insulation where that is cost effective and technically feasible. No direct update has been given in RPP2 on progress made

on that. Why is that? Will you provide an update on what progress has been made in achieving that milestone?

Margaret Burgess: The latest figures from the Scottish housing conditions survey show that, by the end of 2011, 86 per cent of homes that could have loft insulation have had loft insulation of at least 100mm. Some of those houses have had loft insulation of 200mm or more. Two thirds of the houses that can have cavity wall insulation have had cavity wall insulation.

The boiler replacement scheme is a Scottish Government priority. We should reach our target of replacing 30,000 boilers well ahead of our anticipated timescale. We are confident that every home will have a good standard energy-efficient boiler by our 2020 milestone.

Jim Eadie: Two thirds of houses have had cavity wall insulation and you are confident that the target can be achieved by 2020.

Margaret Burgess: Yes. We are confident that we will achieve it. Those programmes are running and, on top of those, we have the national retrofit programme. Any measures achieved will become business as usual, but we are increasing the figures.

Jim Eadie: I will ask you about the private sector. We received evidence from Mike Thornton of the Energy Saving Trust, who made the following observation:

“a lot of the money will have to come from home owners investing in their own properties. In order to do that, they have to be convinced that the measure is technically sound, and that it will drive property prices and make the savings that are promised.”—[*Official Report, Infrastructure and Capital Investment Committee*, 6 February 2013; c 1343.]

With regards to the Scottish Government's commitment through RPP2, what further measures are needed to encourage home owners to make such an investment in order to transform the property market in the way that he suggests? Please hold your thoughts on that for a moment.

Margaret Burgess: I will try.

Jim Eadie: I like to get all my questions out before I get an answer.

Secondly, the Government set up a working group on energy efficiency standards specifically for the private sector. Will you provide an update on that work?

Margaret Burgess: I will start with the working group. We have a commitment to set up a working group and we intend to do that shortly. We are looking at energy efficiency standards in owner-occupied houses and houses in the private rented sector.

The national retrofit scheme, the green deal and other incentives are for private owners as well as the private rented sector. We want to encourage the uptake of those schemes. However, I take your point that home owners have a responsibility, too.

The home report system is due to be reviewed in December this year. We are looking to strengthen the energy performance part of the home report and to highlight its significance.

As we move towards that and as the working group is set up, we have to encourage home owners and show that energy performance will matter. For example, when someone sells a house, energy performance is mentioned on the advert. The issue will be significant, particularly as we move towards ensuring that home owners improve their home. Although we are not committed to regulation, the working group will consider the regulation of the private sector.

Market transformation is important. There is still work to be done on it, and we are doing that work. We absolutely recognise the need to do that.

Jim Eadie: When will the working group report?

Margaret Burgess: I do not want to say off the top of my head, but it will start work very soon, and I think that we were looking for it to provide its final draft by 2015.

David Fotheringham: Yes. The idea is that draft regulations will be ready by 2015. The thinking is that the regulations will apply from 2018, to give people a reasonable lead-in time to prepare for the changes and so that they know what they need to do.

Jim Eadie: That sounds rather a long way away so, just to be clear, are we talking about the development of energy efficiency standards and the implementation of those standards? Have I understood that correctly?

Margaret Burgess: Yes. Is that correct, David?

David Fotheringham: Yes. The idea is that we will have draft regulations by 2015.

Jim Eadie: Why will it take so long? Why do you require that amount of time to develop the regulations?

Margaret Burgess: The group is just being set up. It might come up with a different view, but that is the approach that we have set for now.

In the meantime, under existing schemes such as the green deal, the national retrofit scheme and all the other schemes that we have running, we want to incentivise home owners to improve their homes and use the schemes, as we work towards regulation. In England, regulation is due in 2018, and our regulation is likely to tie in with that.

However, in England, the regulations will cover only the private rented sector, whereas we are looking at the whole private sector. We are looking at a fair bit of work.

Jim Eadie: That is helpful. Does the Government have a view on how tax levers—specifically tax reductions—can be used to drive energy efficiency improvements? For example, could the land and buildings transaction tax and the council tax be used as fiscal levers to drive the policy intention?

Margaret Burgess: We are considering that seriously. I understand that the Finance Committee is taking evidence on the land and buildings transaction tax. We will look at that.

Jim Eadie: Thank you.

Margaret McCulloch: There are a lot of initiatives to assist private landlords and individuals to upgrade their houses to make them more environmentally friendly, but unless people know about them they will not access them. What are you doing to raise awareness among the general public so that they access the initiatives to make their houses more environmentally friendly?

Margaret Burgess: We are doing that through the Energy Saving Trust and our energy advice centres. That is the start of the journey for people who are considering energy efficiency measures. People can get advice on the correct measures for them.

We have done a fair bit of publicity on the green deal and cashback vouchers. By the end of January, 1,300 cashback vouchers had been taken up in what is a very new scheme. We are getting information out and we will continue to do that through every available avenue. We see the energy advice centres as the starting point in the journey for people to access the initiatives, which have been widely publicised.

11:45

Adam Ingram: I would like to ask about funding. What is the Scottish Government's view of the potential of European regional development funding as a means to improve energy efficiency measures? I understand that in Wales and France money has been ring fenced for that purpose, which has led to successful retrofit schemes.

Margaret Burgess: We think that that is a good idea. We have looked at mainstreaming European funding into policy and projects, and we have some projects going that are funded by European funding. For example, the West Whitlawburn Housing Co-operative's scheme to convert 543 houses and replace the old storage heating with renewable energy is funded through European and Scottish Government funding. We are looking

forward to the Commission's proposals to have, from 2014 onwards, a tighter focus on investment in economic growth. The right way of spending that funding is to spend it on low-carbon skills.

Planning on future programmes is still at an early stage. The Scottish partnership agreement is being prepared on a UK-wide timeline. We will hold a public consultation on that, but we think that scope exists to use it for energy efficiency and retrofit programmes throughout Scotland.

Adam Ingram: Thank you for that.

I want to ask about the priority that is attached to energy efficiency. We are going through a difficult time economically and financially, and people are feeling the strain. In addition, the welfare reform process is hitting families hard. What can we do to ensure that energy efficiency in their homes is a very high priority for families? What can we do to reinforce the message?

Margaret Burgess: We can do that in a number of ways. Energy efficiency is clearly an issue for families as far as the cost of their heating is concerned. Reducing their bills will probably be their first focus.

Energy efficiency is an investment priority for the Scottish Government. We will continue the energy assistance package to ensure that vulnerable people who have not already benefited from energy efficiency measures under the old UK programme will benefit from them under the new programme. We have set aside money to continue the EAP for that very purpose. In addition, there is the retrofit programme.

We continue to put money into energy efficiency and reducing fuel bills. That is a priority for us, because it is part of the overall target of the Scottish Government to eradicate fuel poverty as far as is possible by 2016. It is high on our agenda, and it is certainly on the agenda of people in their homes who have bills to pay. We want to ensure that we can help them to reduce their bills.

Adam Ingram: Is there more that we could do to reflect that priority in RPP2? Should we look at that?

Margaret Burgess: We will reflect what we are doing in RPP2 in the milestones in our sustainable housing strategy. In that strategy, we will lay out what our milestones are for the next stage. Energy efficiency is a priority, which is why we have established the sustainable housing strategy and the sustainable housing strategy group. We will continue to put money into energy efficiency measures.

Gordon MacDonald: You touched on the national retrofit programme, which RPP2 introduces. If my understanding is correct, it will replace the home insulation scheme, the boiler

scrappage scheme and the energy assistance package. Initially, it will focus on fuel-poor areas. What is the timescale for rolling it out across Scotland? How will it be funded?

Margaret Burgess: We will start to roll it out from 1 April this year.

The Scottish Government has committed funding of £79 million to it—an additional £14 million was included in Mr Swinney's most recent statement. The programme is for 10 years, but we can take the figures only to the end of the next spending review period.

With the £79 million, we hope to lever in funding from the energy company obligation and bring the figure up to about £200 million. That is a good target. With £3.5 million, the pilot schemes have brought in a further £13 million from the energy companies and money from the landlords who operate those schemes. We think that the figure that has been set is realistic and can be achieved.

We hope that the energy assistance package, which is for people who would miss out under ECO, will continue in some format. We hope that that will happen seamlessly, to ensure that people who have made applications can get help and that people can still submit applications.

Gordon MacDonald: Page 163 of the draft RPP2 gives abatement figures for the national retrofit programme. Will you explain why those figures grow in the first five years then stay steady, with no growth, in the remaining 10 years of the RPP2 period, to 2027?

Margaret Burgess: That might be a presentational issue that is to do with the difference between policies, which we have committed to, and proposals. I ask the technical expert, David Fotheringham, to explain the position.

David Fotheringham: The minister has basically explained it. It is just a presentational question that concerns the difference between a policy and a proposal. As the minister said, a policy is a firm commitment, and a proposal is the subject of further development.

The figures recognise that, although the aim is to have a 10-year programme, the NRP's scale will be subject to spending decisions by future Administrations. In the figures on proposals, the NRP continues to offer emissions abatement well beyond 2018, but we have presented the programme as a proposal from then onwards.

Gordon MacDonald: What monitoring and evaluation of the figures will take place and when will that be completed?

David Fotheringham: We have not set out in detail how we plan to report on the national retrofit

programme. However, just as we are presenting information on the universal home insulation scheme and the energy assistance package, I am sure that we will produce something similar with data on the NRP.

Gordon MacDonald: Page 102 of the draft report contains a table that summarises abatement. In the past 18 months, I have gradually got used to civil service speak, but I am not quite sure what is meant by

“Additional Technical Potential in Fabric and Energy Efficiency”.

Will you explain that? Why are the expectations for that measure so high?

Margaret Burgess: I will say a bit about that, and then my officials will talk about the very technical bit.

The reference is to additional technical proposals on energy efficiency that we know can be achieved. We are looking ahead to 2027, which is 14 years away. In that time, technology could change and measures could be done more cheaply or differently. We know that the abatement can be done, but we have not determined at this stage how we will do it, because we do not know what is ahead of us. We would hope to lay that out in the next RPP, which I think will be issued in 2016.

I pass over to David Fotheringham to talk through the modelling.

David Fotheringham: The abatement potential has been identified through the DEMScot model, which we use for a lot of the modelling in the RPP in relation to the physical fabric of homes. That draws on data from the Scottish house condition survey, which is the annual survey that we do to give us a good picture of the conditions in Scottish housing.

Looking at that, we have identified that potential in the housing stock but, as the minister has said, if we are to look that far ahead we will need to do further work on the best way of achieving all that potential. It could happen through additional incentives, stronger regulation or something else that we are not currently looking at but which could emerge over that time period.

Gordon MacDonald: I think that I am a wee bit wiser now.

The Convener: Margaret McCulloch has a question on how the UK schemes fit in to RPP2.

Margaret McCulloch: RPP2 also covers the UK Government’s green deal programme, which allows occupants and housing providers to install energy efficient measures without up-front costs. How exactly is the Scottish Government going to ensure that the green deal and the energy

company obligation meet Scotland’s needs, given that previous UK-wide supplier obligations have underdelivered?

Margaret Burgess: I would not say that such obligations have underdelivered. When, for example, the carbon emissions reduction target scheme was introduced, it had a fairly low take-up. However, when the Scottish Government provided finance to help it out, there was much higher take-up. Scotland has 9.4 per cent of the houses in the UK and 9.5 per cent of those that benefited from the programme. We are getting our share of that scheme and would expect to get our share of the ECO under the green deal scheme.

We are talking to energy companies to see whether they want to work in Scotland. Neither they nor we are obliged to get into that discussion, but we are preparing for it and have done a lot of work in that respect; indeed, the Deputy First Minister has spoken to the big six suppliers. We feel—and they feel—that Scotland is an attractive place in which to do business, and we are quite confident that we in Scotland will get our proper share of that carbon obligation.

Elaine Murray: Not only have the planned improvements in the new building regulations standard slipped from 2013 in RPP1 to 2014 in RPP2, but the ambition with regard to emissions reduction has also been reduced from 60 to 45 per cent. Why have there been such slippages and reductions in those planned improvements?

Margaret Burgess: As the Minister for Local Government and Planning has made clear, we have had to strike a balance between ensuring that we build houses—after all, we want to keep building houses, but it is much more expensive to build them to higher energy efficiency standards—and reducing carbon emissions. The balance that has been struck in RPP2, which we think is the right one, is being consulted on at the moment.

Perhaps our colleague from building control will say a bit more about that.

Steven Scott (Scottish Government): The initial recommendation for a 60 per cent reduction in the 2007 level of emissions came from the Sullivan report, which was produced back in 2007. Since then, the economic situation has changed quite significantly and the figures for house building are now significantly lower. As the minister has made clear, our proposals seek to strike a balance between delivering on climate change targets and ensuring that we can still build houses in Scotland.

The proposals offer a reasonable improvement in carbon emissions. Building standards are already fairly good—for example, carbon emissions are 70 per cent lower than they were in 1990, which is the baseline year for climate

change analysis—and these proposals will save probably 3kg to 6kg of CO₂ per square metre per year. If the average house emits about 2 tonnes of carbon a year, we will be looking at saving about 20 per cent with these emissions reduction proposals. The average cost per unit is, I think, between £4,000 and £5,000, which is quite significant given the current economic situation. Again, it is a matter of balance.

Elaine Murray: Basically, you have lowered building standards in order to increase housing supply.

Steven Scott: We are still looking to drive forward standards at an appropriate rate.

Elaine Murray: The 2010 building standard proposed a rise in carbon abatement, reaching a peak of 142 kilotonnes of CO₂ in 2027; however, the 2014 standard is significantly lower with a high of 55 kilotonnes in 2027. Why is there such a difference? Should we not expect the later standards to achieve more than the earlier ones?

12:00

Steven Scott: The main difference is that the 2010 projections were based on a build of around 24,000 units per annum, while the current projections are based on build of around 15,000 or 16,000 rising to about 19,000 or 20,000 in future.

Elaine Murray: So it is because of less house building.

Steven Scott: Proportionately, the emissions reduction is being achieved, but the overall abatement is less because we are building fewer houses.

Elaine Murray: Finally, what is the Scottish Government doing to ensure that developers comply with the building regulations and how can that be more effectively reflected in RPP2?

Steven Scott: Are you talking about buildings performing as intended?

Elaine Murray: Yes.

Steven Scott: In Scotland, all building warrants are dealt with by local authorities and we are undertaking a programme of work with them to deliver service improvements and ensure that buildings comply with the regulations. Moreover, only last November, a UK agenda looking at design versus as-built performance was introduced; although it is being driven by colleagues in the Department for Communities and Local Government through the zero-carbon hub, the Scottish Government is also involved in that 18-month programme to ensure that we do what can be done to deliver the product that people are looking for. The focus is on the whole delivery system from initial ideas and procurement

through to operation and use and the role that local authorities and building standards can play in checking that things are being built properly, post-occupancy testing and so on.

Elaine Murray: I have a question tangential to the issue that Jim Eadie raised about energy efficiency standards in the private sector. If you regulate, what will happen to properties that do not reach the standard? Will people be unable to let or sell them?

Margaret Burgess: I certainly do not want to look into the future and suggest such a thing. However, we will have to look at those issues if we regulate, which is why we need a standard that is achievable and practical and why we need to ensure that people in the private sector, private landlords and so on can tap into the funding available from the energy companies.

The Convener: The Government intends to introduce a procurement reform bill, which I understand will come before the committee and will include a national framework for sustainable procurement. Is there an opportunity even in advance of that legislation for RPP2 to include firm and clear statements on the intended shift to more sustainable procurement methods and the contribution that such a move could make to emissions reduction?

Margaret Burgess: Procurement is not my area of expertise, but we can certainly look at that issue and I think that what you suggest could be done.

Peter Brown (Scottish Government): When RPP2 was published, the Scottish Government was still developing the policy content for the procurement reform bill. However, the report gives a clear commitment to developing a plan—the date, if my memory serves, was by October 2013—that will cover what more might be done through procurement activities. That will provide more detail on the role of procurement.

The Convener: What are the priorities for the bill? Does the proposed change in name from “sustainable procurement bill” to “procurement reform bill” reflect any shift in policy priorities?

Margaret Burgess: The proposed change in name reflects no such policy shift. I do not think that the bill’s title matters; what is more important is the intention behind it, which is clearly to provide a legislative framework for procurement decisions that supports the greater use of clauses on social and environmental sustainability. That is what we are committed to and the change in title does not reflect any change in policy.

The Convener: As members have no more questions, I thank the minister and her colleagues for their very helpful evidence.

That concludes our evidence gathering on RPP2. We hope to consider our draft report on 13 March.

12:06

On resuming—

12:04

Meeting suspended.

Petitions

A90/A937 (Safety Improvements) (PE1236)

The Convener: Our fourth agenda item is consideration of two public petitions. The committee first considered the petitions at its 12 December meeting last year.

PE1236, from Jill Fotheringham, is on safety improvements for the A90 and the A937. Members have a paper from the clerk that sets out the background to the petition. The committee should note that responsibility for any work that is carried out on the issues raised by the petition lies at local level and that the relevant local authority and transport bodies are engaged with the issues that have been raised.

I welcome Nigel Don, the local member, to the committee and I invite comments from members.

Alex Johnstone: I have been involved in this process for years—I seem to remember signing the petition that originally brought the issue to the Parliament's attention back in 2004. It is disappointing that we still have not made acceptable progress on the matter.

Having looked at the correspondence, I see that the reaction from Transport Scotland appears to be similar to its previous reactions. That gives me cause for concern, because local analysis of previous views expressed by Transport Scotland has been that there was a lack of understanding of the situation at Laurencekirk. Consequently, I am concerned to ensure that we assist the understanding and better the relationships between those with concerns on the ground and those within Transport Scotland.

The Convener: Nigel Don, do you want to comment?

Nigel Don (Angus North and Mearns) (SNP): Thank you, convener. I am grateful to be here. I am conscious that time is, as always, agin us.

I have produced some papers—I apologise that they came late, although I had little option because I had not seen the correspondence from other folk who have tried to take members through the issues.

One issue is the simple fact—the map that I have provided illustrates it—that there is a 20-mile stretch between Brechin and Stonehaven where there are no bridges or underpasses, so it is not possible for traffic to cross the road safely. That means that heavy vehicles, of which there are many—big lorries with trailers and so on—have no

alternative but to make what are undoubtedly dangerous manoeuvres.

I also draw members' attention to the fact that between Perth and Dundee, which is also a 20-mile stretch, there are no less than four grade-separated junctions. I am absolutely delighted that they are there and I have nothing against the good folk of the Carse of Gowrie, but the populations down there are smaller.

The second map, which shows Laurencekirk, is crucial to some of the argument. The hatched area that you can see is the bit that is already built up and the bit to the north of it, beneath the black dotted line, is the area that is earmarked for development. I hope that it is entirely clear that any development up there will not fund the south junction. Section 75 agreements are not going to let that happen. Sure, that development may contribute to a north junction in time, but the south junction is the problem. That is exactly what the highlighted parts of the local plan on page 3 make clear. The plan states:

"There is a road safety issue at the southern A90 junction, which has been an ongoing problem."

Alex Johnstone said that. It also states:

"It is recognised that a grade separated junction is required ... to overcome this."

The other highlighted part simply reinforces that, although this is a local problem, the A90 is a trunk road and is Transport Scotland's problem, but the budget is local.

The last page highlights what I believe are the structural issues. I recognise that the petition started life as being about safety and, unfortunately, the safety issue has not gone away. The correspondence over the period has, however, demonstrated that there is a fundamental disagreement between Transport Scotland and Aberdeenshire Council about the need for a grade-separated junction, there is a disagreement between Transport Scotland and the north east of Scotland transport partnership about the trends in traffic flows—I mention that briefly and it could be documented for you—and there is a disagreement between Transport Scotland and the local community about the safety issues at the junction, which are entirely obvious to those who cross it day and daily, but not so obvious to those who just drive north or south.

Equally, no account has been taken of the matter in the development plans for Laurencekirk. I note from page 20 of the Aberdeen city and shire strategic development plan that arrived on my desk yesterday that a significant number of houses are required in Laurencekirk. No account seems to be taken of the fact that we have a pre-existing problem. If we are to build more houses,

we will need the grade-separated junction sooner rather than later, and preferably beforehand.

I leave you with the point that the junction has the only permanent 50mph speed limit on the trunk road network, as I understand it. It seems to me and to those who live in Laurencekirk that that is an indication that it should be the next place that gets a grade-separated junction. If the junction needs a 50mph limit to keep it safe, there is plainly a problem.

I hope that you can see that, although the problem is clearly local to the Laurencekirk south junction, there are structural problems with Transport Scotland. I, my constituents and, frankly, anybody who lives within about 20 miles of Laurencekirk would be grateful if the committee could pursue the matter with Transport Scotland.

Elaine Murray: It is clear that the two local members have considerable sympathy for the petition. I note the pressures that arise when there is a strong feeling from communities that roads are unsafe. Given that the committee does not allocate funding and does not instruct Transport Scotland, what action could we take to help to resolve the problem?

Alex Johnstone: I have listened to the comments that have been made about the issue both publicly and privately. I know that the committee's role is not necessarily to take a specific issue and work on the problems that appear to exist, but I believe that there is a problem with the process that is well highlighted by this particular case. The replies from Transport Scotland show me that there is a clear failure to understand the needs of the area. I am genuinely of the view that the committee can have a role in highlighting the difficulties in properly communicating the needs of an area and getting an adequate response from Transport Scotland.

We cannot allocate funding, but we can certainly act as an intermediary to ensure that there is a proper understanding in this case and perhaps affect decisions in other cases in the future.

The Convener: We will publish the evidence that we are discussing on our website so that people know what we are talking about.

Nigel, you mentioned the grade-separated junctions in the Carse of Gowrie. Were they all funded by Transport Scotland with no developer contributions?

Nigel Don: I cannot answer that definitively. However, given that there are no substantial communities anywhere near them, they cannot have been funded by developer contributions. They were simply, over a period, removing what were definitely dangerous junctions that connected very small communities to the A road. The largest

community involved is probably Inchtute. My information is that Inchtute has a population of 700 and Longforgan just under 700 and they each have their own flyover. That bears no relation to the population of 3,000 or 4,000 in the Laurencekirk area.

12:15

The Convener: I have not seen the Aberdeenshire local plan that you mentioned. It is on your desk; I am not sure whether it is on my desk yet.

Are you talking about more development in Stonehaven over and above the development at the north junction?

Nigel Don: Forgive me. You said Stonehaven. I assume that you meant Laurencekirk.

The Convener: Sorry, I meant Laurencekirk. I beg your pardon.

Nigel Don: I refer members to the Laurencekirk map. The hatched area inside the thick black lines is the bit of Laurencekirk that is already built. Between that and the red circle to the south there is a small triangle, where I think the development plan shows something like 50 houses. If we get £5,000 each off 50 houses, that is £250,000, which will hardly scratch the surface of the £12 million that is required. I accept in principle that a wee bit of developer funding might go in, but it will not be significant.

Alex Johnstone: It is fair to point out to anyone who does not understand the situation that this junction is not substantially concerned with dealing with traffic for Laurencekirk. It is a junction between two A-class roads, the A90 and the A937. The A937 is a popular and widely used access point to and from Montrose and areas to the south of Montrose. It is a significant local link road. The bulk of the problems are associated with traffic that is using the A937 to access the area to the south. Consequently, the likelihood of developer funding—

The Convener: If the traffic is accessing the area to the south, then it is just turning left on to the A90. The problem is traffic that is accessing the road heading north.

Nigel Don: Yes. The problem is associated with vehicles coming up from Montrose and Marykirk and turning right to join the road heading north. There are lots of other problems—it is that kind of junction.

The Convener: Alex Johnstone is saying the south.

Alex Johnstone: Sorry, I meant vehicles that are coming from the area to the south.

Margaret McCulloch: To try to understand this, I watched a video showing traffic coming from the A937 and trying to get across the A90. It took about half an hour for a lorry to get across; there was a tailback of other cars as well. What also looks dangerous is that the middle part of the road is not big enough for big lorries and buses. I am surprised that there have not been more serious accidents. Would it be worth while asking Transport Scotland to come to the committee and explain why it does not consider it necessary to upgrade that part of the road?

Jim Eadie: There are a number of local issues, which Margaret McCulloch has just referred to and which the local members have set out in some detail. There are wider issues about how Transport Scotland engages with local communities. It would be useful to have a short evidence session with Transport Scotland in order for us to better understand the process for funding decisions that go ahead—or do not go ahead.

The Convener: Do members agree with that suggestion?

Alex Johnstone: That would be useful. It may also be of value if we spoke to somebody from the local community in advance of that. I suggest that the petition that brought the issue to our attention should not now be our first priority and that there may be people—I am thinking of an individual in the community who is associated with the village improvement committee—who could give us a constructive criticism of the position so far. It might be of value to hear from him about his experience and the reaction to some of Transport Scotland's comments before we question Transport Scotland further.

The Convener: There is also a role for the local authorities. I want to know what discussions both Angus Council and Aberdeenshire Council have had with Transport Scotland about the junction, because it strikes me that, if Transport Scotland is saying that the work should be developer led, Aberdeenshire Council and Laurencekirk in particular need to say that there are no proposals for a large increase in the number of houses at Laurencekirk yet. The junction is extremely busy and dangerous.

We want to hear from Transport Scotland. Do the clerks have any suggestions?

Clare O'Neill (Clerk): We will go through the work programme and suggest a suitable day.

The Convener: Okay. Perhaps we could even have the two councils. If we are having an evidence session, we might as well make it worth while.

Alex Johnstone: I certainly think that contacting Mike Robson of the village

improvement committee would be worth while. He could be very useful.

Adam Ingram: And the regional transport partnership.

The Convener: Yes. Okay. I ask the clerks to take that work forward, please.

DVLA Local Office Closures (PE1425)

The Convener: PE1425, from Maureen Harkness, is on the adverse impact of Driver and Vehicle Licensing Agency local office closures. Members know that the matter is reserved and that the Scottish Government is actively engaging with the United Kingdom Department for Transport and the DVLA on the proposed office closures. Can I have comments on the petition from members, please? We have the most recent response from Transport Scotland, and we know that the Scottish Government has actively engaged with the DFT. From what I have read, I do not think that the Westminster Government is for shifting on the matter.

Adam Ingram: Could we see the correspondence between Transport Scotland and the UK Government and get an opportunity to review it?

The Convener: We could keep a watching brief on the issue by requesting a copy of the Transport Scotland response to the UK Government consultation. Would that be suitable?

Members *indicated agreement.*

Subordinate Legislation

Housing (Scotland) Act 2001 (Assistance to Registered Social Landlords and Other Persons) (Grants) Amendment Regulations 2013 (SSI 2013/7)

12:23

The Convener: Under agenda item 5 we will further consider a negative instrument. We considered the regulations at the previous meeting, and there is a link to them from the agenda.

The regulations amend the Housing (Scotland) Act 2001 (Assistance to Registered Social Landlords and Other Persons) (Grants) Regulations 2004, which provide the mechanics for several grant schemes that are operated by local authorities.

In considering the regulations at last week's meeting, it was agreed that, following concerns that the Subordinate Legislation Committee expressed about the lack of consultation with representatives of local authorities on certain provisions, the committee would obtain comments from the Convention of Scottish Local Authorities and the Scottish Government and further consider the regulations at this meeting.

Members will note from their papers that the Scottish Government has provided a written submission, which includes a response from COSLA on the issues that the Subordinate Legislation Committee flagged up. Members should have received that by email yesterday. The responses from the Scottish Government and COSLA confirm that they are content with the amendments.

The committee is invited to consider any issues that it wishes to raise in reporting to the Parliament on the regulations. No motion to annul has been received in relation to the regulations.

Do members have any comments?

Elaine Murray: Given that COSLA is quite happy with the regulations and that the evidence that the two local authorities have given seems to reflect COSLA's position, I think that, although perhaps COSLA ought to have been consulted, that is not material to the particular regulations.

The Convener: Does the committee agree that it does not wish to make any recommendations in relation to the regulations?

Members *indicated agreement.*

Tenant Information Packs (Assured Tenancies) (Scotland) Order 2013 (SSI 2013/20)

The Convener: Under agenda item 6 we will consider SS1 2013/20, which is a negative instrument. There is a link from the agenda to the order.

The order prescribes documents that landlords are required to provide to tenants under assured tenancies in a tenant information pack. It clarifies that documents must be provided to a tenant free of charge and that they can be provided electronically if the tenant requests that.

The committee is invited to consider any issues that it wishes to raise in reporting to the Parliament on the order. No motion to annul has been received in relation to the order, and the Subordinate Legislation Committee did not raise any concerns in relation to it.

As members have no comments to make, does the committee agree that we do not wish to make any recommendations in relation to the order?

Members *indicated agreement.*

The Convener: That concludes the public part of the meeting. We will now go into private session to consider the evidence that we have heard on the Forth Road Bridge Bill and “Low Carbon Scotland: Meeting our Emissions Reduction Targets 2013-2027—The Draft Second Report on Proposals and Policies”.

12:26

Meeting continued in private until 12:38.

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