PROPOSED ENERGY EFFICIENCY AND MICRO-GENERATION (SCOTLAND) BILL

STATEMENT OF REASONS BY SARAH BOYACK MSP ON WHY NO FURTHER CONSULTATION IS REQUIRED

Background to proposal
1. In line with Rule 9.14.3 of Standing Orders, my draft proposal for an Energy Efficiency and Micro-Generation (Scotland) Bill was lodged on 14 June. The proposal is for a Bill—

- To promote energy efficiency by requiring the Scottish Executive to support small scale renewable and low carbon energy production and reduce energy consumption in new and existing households and business premises.

2. The original draft proposal for this bill was lodged in the last session on 15th December 2005. A consultation was held between December 2005 and March 2006 to which 62 responses were received from local authorities, voluntary organisations, organisations and individuals. Responses to the consultation widely supported the use and promotion of micro-energy initiatives and no responses were received that indicated any significant concerns with the key principles set out in the proposals. Copies of the consultation document and a summary of the responses can be viewed at http://www.scottish.parliament.uk/business/bills/membersBillsS2-0407.htm
Copies of all responses received (excluding any marked in confidence) have been placed in SPICe.

3. In the last session, the original final proposal was lodged on 20th June 2006 and supported by 43 members in the previous session from the Labour, Liberal Democrat, Green, SNP, Conservative and Independent groups.

4. My appointment as Minister for Environment and Rural Development in January 2007 meant that I was unable to further pursue this proposal in the last session. My revised draft covers the proposed adoption of administrative measures and financial incentives to encourage small scale renewable and low carbon energy production and improve energy efficiency, as was set out in my original proposal in session 2. As new initiatives in planning guidance have overtaken one of the regulatory aspects of my original proposal, I have amended my draft proposal accordingly.

Statement of reasons
5. In relation to my new draft proposal for this Bill, I do not consider that further consultation is required for the following reasons:

6. The consultation exercise carried out in relation to the original draft proposal was robust, open and transparent and responses were received from a wide range of individuals and groups.
7. In addition to general questions on financial costs, equalities issues and using a legislative approach to promote small scale renewable energy production, the consultation addressed administrative measures and financial incentives, covered by my new draft proposal.

8. In addition to the consultation I conducted, the Scottish Green Party conducted consultations on a proposed Home Energy Efficiency Bill and a Micropower Bill in 2005 and 2006 respectively. The Scottish Executive conducted consultation on its Scottish Planning Policy (SPP) 6: Renewable Energy between 10 July 2006 and 20 October 2006, which included a question on micro-renewables. Of 1020 submissions to this consultation “There was almost universal agreement amongst respondents that micro-renewables should be encouraged.”¹ A further consultation in this subject could create an impression of over-consultation on a theme that, in principle, has received considerable support.

9. A steering group, including representatives of supportive voluntary organisations, for example Age Concern Scotland, WWF Scotland, Friends of the Earth Scotland, the Scottish Renewables Forum, Barnardo’s and Energy Action Scotland, has been set up to plan taking forward my proposals and has now established a website to promote dialogue on the whole issue of promoting energy efficiency and micro generation more generally.

10. I do not consider that a further consultation exercise need be conducted on my proposal for a Bill for the reasons set out above. I believe that there is ample published, current and pertinent information to help test, develop and refine my specific proposal and proceed with the development of the Bill’s policy and its eventual production.

Conclusion
11. I therefore request the Economy, Energy & Tourism Committee consider this statement of reasons and confirm that it is satisfied with the reasons for not consulting further on the new draft proposal.

Sarah Boyack MSP
14 June 2007

¹ http://www.scotland.gov.uk/Publications/2007/02/02125905/1