



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Environment, Climate Change and Land Reform Committee

**Tuesday 10 November 2020**

**Session 5**



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Pàrlamaid na h-Alba

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**ENVIRONMENT, CLIMATE CHANGE AND LAND REFORM COMMITTEE**  
**30<sup>th</sup> Meeting 2020, Session 5**

**CONVENER**

\*Gillian Martin (Aberdeenshire East) (SNP)

**DEPUTY CONVENER**

\*Finlay Carson (Galloway and West Dumfries) (Con)

**COMMITTEE MEMBERS**

\*Claudia Beamish (South Scotland) (Lab)

\*Angus MacDonald (Falkirk East) (SNP)

\*Mark Ruskell (Mid Scotland and Fife) (Green)

\*Liz Smith (Mid Scotland and Fife) (Con)

\*Stewart Stevenson (Banffshire and Buchan Coast) (SNP)

\*attended

**CLERK TO THE COMMITTEE**

Lynn Tullis

**LOCATION**

Virtual Meeting



# Scottish Parliament

## Environment, Climate Change and Land Reform Committee

*Tuesday 10 November 2020*

*[The Convener opened the meeting at 09:30]*

### Subordinate Legislation

#### Waste (Miscellaneous Amendments) (Scotland) Regulations 2020 (SSI 2020/314)

**The Convener (Gillian Martin):** Welcome, everyone, to the Environment, Climate Change and Land Reform Committee's 30th meeting in 2020. Our first agenda item is consideration of the Waste (Miscellaneous Amendments) (Scotland) Regulations 2020, which is a negative instrument. Do members have any comments on the regulations?

**Mark Ruskell (Mid Scotland and Fife) (Green):** I am really disappointed that the instrument has been brought to the committee. It effectively moves back the ban on biodegradable municipal waste five years, to 2025.

I will not oppose the instrument. I consider that the position that the Government is in was avoidable, but we do not have the infrastructure in place at the local authority level or in the private sector to deal with the waste, so not pushing back the ban would lead only to waste being shipped to England and a loss in landfill tax revenue.

There are massive questions about why we have got to this point, particularly given that we are in a climate emergency and we must make every effort that we can to reduce emissions, including in the waste sector. Pushing back the ban five years is unacceptable.

Last year, when the Government announced the ban, the waste industry said that the Government had no long-term infrastructure investment plan for dealing with biodegradable waste. There has been a failure on the part of Government to lead on the issue and ensure that we have the infrastructure, and we are now in a difficult position in which the infrastructure simply is not in place to deal with the waste.

I want to know what will change in the next five years. We have a new recycling target in 2025 to aim for. In many ways, the work on wider recycling and dealing with biodegradable waste could be brought together, and we could see real progress, but that will not happen by accident. If the Government fails to lead and ensure that the right

infrastructure is in place, we will be in the same position in five years' time, trying to implement a ban on biodegradable waste. We will not be able to achieve the ban because there simply will not be the kit to treat the waste in the first place.

We will not meet the target by accident. I am anxious to find out what the Government's plans are to ensure that we take food and garden waste out of our rubbish streams and deal with it in a way that cuts emissions and reduces landfill.

**Liz Smith (Mid Scotland and Fife) (Con):** I tend to agree with that. Obviously, the delay raises questions. If it is to do with the capacity of local authorities to treat waste, they are exactly the same local authorities that we had at the time when the target was set.

It would be appropriate to write to the Scottish Government, asking for clarity on the reason for the delay, and it would be particularly helpful to have a road map to tell us what the likely timescale is for achieving the ambition on waste.

I certainly support the instrument. Nonetheless, I have questions about why we have got to this place.

**Finlay Carson (Galloway and West Dumfries) (Con):** I echo my fellow committee members' comments. It is really disappointing that we have another example of an ambitious and commendable Government target that will be missed.

We regularly hear that we need to go faster and further in tackling climate change, waste and so on. The general public are ready to recycle and do the right thing, and it is really disappointing that the Government has let us down. Let us hope that this does not set a precedent and that there are no further delays in tackling climate change.

I agree that we need to write a strongly worded letter to the Government, asking it to set out exactly how it will tackle the issue. I can see us sitting here in a few months' time, having the same conversation about the deposit return scheme, and there being no infrastructure in place to deal with the waste that we keep telling the public that we will deal with.

**Claudia Beamish (South Scotland) (Lab):** I will not repeat what others have said, but I reinforce the suggestion that we write to the Government. It is really important that there is an infrastructure plan that the Government has set out and that local authorities agree to. I wonder whether we should ask the Government to consider having an incremental plan, so that we do not simply find out that the target has not been met in the years to come.

As others have said, the measure is fundamental to our climate change plans. I

certainly do not want to be in a place where we must have sanctions. We cannot have sanctions on matters that local authorities can do nothing about because the infrastructure is not in place. It is a chicken-and-egg situation. Both matters must be sorted.

**The Convener:** I do not see anyone else wanting to come in. The points have been well made. We need clarity. As Liz Smith put it, we need a road map so that we know where we are headed and how the matter will be resolved.

If members are content, I will write a letter to the Government on behalf of the committee that makes all the points that have been made and seeks clarity on its plans.

As no member objects, I will write to the Government in those terms.

## **European Union (Withdrawal) Act 2018**

09:36

**The Convener:** Our second item of business is consideration of three notifications from the Scottish Government in relation to consent to United Kingdom statutory instruments.

### **Animals, Aquatic Animal Health and Seeds (Amendment) (EU Exit) Regulations 2020**

### **Marketing of Seeds and Plant Propagating Material (Qualifying Northern Ireland Goods) (EU Exit) Regulations 2020**

### **Alien Species in Aquaculture, Animals, Aquatic Animal Health, Seeds and Planting Material (Legislative Functions and Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2020**

**The Convener:** Members will recall that there is an agreed protocol between the Scottish Government and the Parliament in relation to instruments being made by the UK Government under powers in the European Union (Withdrawal) Act 2018 that relate to proposals within the legislative competence of the Scottish Parliament. The Scottish Government and the Parliament have agreed an approach to UK-wide statutory instruments.

The committee raised queries with the Scottish Government in advance of the meeting, and we have received a full response.

As no member has indicated that they want to comment, we will consider in private whether to agree to the Scottish Government's proposal to consent to the provisions in the UK statutory instruments being made in the UK Parliament.

That concludes our meeting in public today. At our next meeting, on 17 November, we will take evidence on the Scottish Parliament's environmental performance and consider more notifications from the Scottish Government in relation to European Union exit-related instruments and Scottish statutory instruments.

09:38

*Meeting continued in private until 09:48.*

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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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