

TRANSPORT, INFRASTRUCTURE AND CLIMATE CHANGE COMMITTEE

Tuesday 20 January 2009

Session 3

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CONTENTS

Tuesday 20 January 2009

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DECISION ON TAKING BUSINESS IN PRIVATE.....	1315
CLIMATE CHANGE (SCOTLAND) BILL: STAGE 1	1316
CLIMATE CHANGE (SCOTLAND) BILL (WITNESS EXPENSES)	1356
HIGH-SPEED RAIL SERVICES INQUIRY	1356

TRANSPORT, INFRASTRUCTURE AND CLIMATE CHANGE COMMITTEE

3rd Meeting 2009, Session 3

CONVENER

*Patrick Harvie (Glasgow) (Green)

DEPUTY CONVENER

*Cathy Peattie (Falkirk East) (Lab)

COMMITTEE MEMBERS

*Rob Gibson (Highlands and Islands) (SNP)
*Charlie Gordon (Glasgow Cathcart) (Lab)
*Alex Johnstone (North East Scotland) (Con)
*Alison McInnes (North East Scotland) (LD)
*Des McNulty (Clydebank and Milngavie) (Lab)
*Shirley-Anne Somerville (Lothians) (SNP)

COMMITTEE SUBSTITUTES

Alasdair Allan (Western Isles) (SNP)
Gavin Brown (Lothians) (Con)
David Stewart (Highlands and Islands) (Lab)
Jim Tolson (Dunfermline West) (LD)

*attended

THE FOLLOWING GAVE EVIDENCE:

Andrew Henderson (Scottish Government Climate Change and Water Industry Directorate)
Cameron Maxwell (Scottish Government Climate Change and Water Industry Directorate)
Fiona Page (Scottish Government Climate Change and Water Industry Directorate)
Philip Wright (Scottish Government Climate Change and Water Industry Directorate)

CLERK TO THE COMMITTEE

Steve Farrell

SENIOR ASSISTANT CLERK

Alastair Macfie

ASSISTANT CLERK

Clare O'Neill

LOCATION

Committee Room 4

Scottish Parliament

Transport, Infrastructure and Climate Change Committee

Tuesday 20 January 2009

[THE CONVENER opened the meeting at 14:00]

Decision on Taking Business in Private

The Convener (Patrick Harvie): Good afternoon, everybody. I welcome you all to the third meeting in 2009 of the Transport, Infrastructure and Climate Change Committee. I remind everybody present that all mobile devices should be switched off.

Item 1 is a proposal to take in private item 5, which is a discussion on a draft report on the national planning framework 2. Do we agree to take item 5 in private?

Members indicated agreement.

Climate Change (Scotland) Bill: Stage 1

14:00

The Convener: Item 2 is an evidence session on the Climate Change (Scotland) Bill. This is the first of many evidence sessions. We will be hearing today from Scottish Government officials and the bill team. It is expected that we will continue to take evidence until some time in March, at which point we will hear from the minister. In addition, we have issued a call for written evidence. The deadline for submissions is 27 February.

I welcome the officials: Philip Wright, the deputy director on climate change; Fiona Page, head of the Scottish climate change bill team; Andrew Henderson, policy officer for the Scottish climate change bill team; and Cameron Maxwell, from the climate change policy team. I am sure that committee members are familiar with the documentation, so we will go straight to questions.

I will lead off by asking whether any topics are still in development—either being consulted on or awaiting analysis within Government—and what the timescale is for the completion of that work.

Fiona Page (Scottish Government Climate Change and Water Industry Directorate): The bill contains all the significant topics that are coming forward, but some topics, especially in part 5, will be subject to amendment at stage 2. Would you like a bit more detail?

The Convener: That would be helpful.

Fiona Page: There was a recent consultation on muirburn, in respect of which it is possible that, at stage 2, officials will seek to amend the bill slightly. As members will be aware, the forestry consultation ends next week. At the moment, the Government does not intend to introduce any significant amendments, but it is being informed by the results of the consultation, so it is possible that something will come forward from that.

It is possible that we will further develop the promotion of energy efficiency provision at stage 2. The committee will be aware that the non-domestic building provisions consultation ended recently, final analysis of which is on-going, and we are certain that it will result in some amendments at stage 2.

It is also possible that, subject to ministers' approval, we will introduce an amendment to oblige the Scottish ministers to prepare and publish a plan for the promotion of renewable heat, similar to the plan for the promotion of energy efficiency.

There are plans to introduce an amendment on the waste provisions' deposit and return schemes, particularly in relation to clearing houses.

We do not have any plans to introduce significant amendments to parts 1 to 4 of the bill, but we will be informed by the stage 1 debate.

The Convener: Thank you. It is helpful to have a sense of the amendments that are being contemplated. Can we expect material on new topics or additional policy areas to be introduced into the bill?

Fiona Page: No.

The Convener: The consultation stated that one of the reasons for legislating in Scotland was

"to create and enable new means of reducing emissions".

Which of the bill's means of achieving emissions reductions are new?

Fiona Page: The forestry provisions in part 5 are new. There is the energy efficiency action plan provision in chapter 3 of part 5—the policy is not new, but the provision of primary legislation is new. The renewable heat provision is new. I have to be honest and say that I do not know whether the energy performance for non-domestic buildings provision is new: I am not completely familiar with the primary legislation in that area.

Philip Wright (Scottish Government Climate Change and Water Industry Directorate): It is an extension of the regime that is currently in place.

Fiona Page: You will be aware that there is currently a lot of legislation on waste management, but the provisions that we are looking to implement, such as the extra enabling powers, are new.

The Convener: New powers will enable ministers to begin to take action in particular areas. I have asked this question repeatedly, and I will ask it once more. We have been told that the policy intention of securing average 3 per cent annual reductions in Scotland's emissions need not wait for a bill. Given that you did not specify that as a new area in the bill, is there still a policy intention to secure such a reduction in emissions?

Fiona Page: It is reasonable to say that ministers' ambition to deliver 3 per cent annual emissions reductions remains absolutely unchanged. To deliver an overall 80 per cent reduction target by 2050, we will have to have delivered, on average, at least 3 per cent reductions each year, according to the 1990 baseline.

The Convener: This is perhaps a question to ask ministers later, but is it the Government's position that work can begin now to put us on that trajectory before the bill is in place?

Philip Wright: Ministers' commitment was also to take early action and not to await the outcome of the bill process. There is a multitude of policy measures at European Union, United Kingdom and Scotland levels to try to accelerate progress along the trajectory towards an 80 per cent reduction. We will probably touch on the shape of that trajectory later, but there is no let-up in the effort to come forward with measures to facilitate the reduction in emissions.

Cathy Peattie (Falkirk East) (Lab): I am interested in how we know that we are achieving the targets. Are any monitoring systems in place to allow us to examine what is happening and when and how we can build on it?

Philip Wright: The main means of monitoring is the greenhouse gas inventory, which, as you probably know, is prepared at UK level and is disaggregated to the four country levels. Scotland's emissions are, in effect, monitored through the disaggregated inventory of greenhouse gas emissions. The main issue is the delay in the production of that inventory, because it is produced about 20 months after the year in which the emissions occurred.

Shirley-Anne Somerville (Lothians) (SNP): The policy memorandum and the Scottish Government statements that have supported the bill have said that the bill should be consistent with the principles of sustainable development. Could that be made clear in the bill as well as in the policy memorandum and in other statements on the policy behind the bill?

Fiona Page: That was considered when the bill was being drafted. An awful lot of primary legislation has sustainable development as one of the main provisions, which is one reason why we did not put it in the bill. I am sure that ministers would be happy to have a dialogue about that if committee members want it to be in the bill.

Philip Wright: In seeking advice from the Committee on Climate Change or other bodies, we have criteria that require to be taken into account, which include economic and social issues, as well as environmental issues. The principle of sustainable development is implicit, if not explicit, in the documentation.

Des McNulty (Clydebank and Milngavie) (Lab): Why did the technical note on emissions, which was promised to the committee in early December, not appear until January?

Fiona Page: We sent the note to the committee on 18 December, but we found out after Christmas that the e-mail that was sent from the private office contained the letter from the minister, the technical note and the factual briefing document as one file. Your clerk found that the file size was 12Mb, and therefore completely undeliverable to members.

We did not find out about that until after Christmas, otherwise we could have rectified the problem. That is the reason for the delay. We were intent on your having the information before Christmas, so that you had time to look at it over the Christmas recess, had you wished to do so. I apologise for that.

Des McNulty: The greenhouse gas emissions track that is shown in chart 1 in the technical note seems to run counter to the view of the Tyndall centre for climate change research, which is that larger cuts must happen more quickly if cumulative emissions are to be kept to a level at which dangerous climate change will be avoided. Chart 1 shows a rapid increase in control over emissions from 2019, so you seem to be end-loading the changes that are needed. The Tyndall centre says that action is needed now if we are to avoid reaching a tipping point. Will you expand on that? You admit that cumulative emissions in the atmosphere are the important factor, so why does the bill provide for point-in-time targets?

Fiona Page: We acknowledge that there is quite a body of scientific evidence and thought on climate change. We are conscious that around 50 per cent of Scottish emissions are likely to be covered by emissions trading schemes. Emissions reductions will be driven by the rules of schemes—initially, in particular.

You are probably aware that the UK Committee on Climate Change recently indicated that during the first three UK carbon budgets, more than 70 per cent of emissions reductions will come from the traded sector. With that in mind, it is more challenging to envisage how we could put initial targets in the bill. We will be informed by the advice of the Committee on Climate Change. It is encouraging that in its initial advice it recommended challenging targets to the UK Government. We await the UK Government's response, into which our comments will, of course, be fed. The ambition that the Committee on Climate Change is expressing is encouraging, as is its view that the targets are deliverable if enough work is done.

Des McNulty: However, on cumulative emissions, I am considering the area below the curve, which shows that you will achieve much less than you would achieve if you opted for early delivery of reductions. Do you accept that there are genuine concerns about that and, if so, will you review the situation?

Philip Wright: A balance must be struck between deliverability, ambition and the science. The science acknowledges that early action is better than action in the longer term—Nicholas Stern made that point. However, as Fiona Page said, Scotland is reliant on EU action on some issues. For example, Scotland has only so many

levers that it can pull to reduce transport emissions. You might respond that we should focus on areas in which the Scottish Government has policy levers, but doing so would probably put even greater pressure on the sectors concerned.

The issue is deliverability. The Committee on Climate Change has considered the potential for abatement, and its advice is challenging and ambitious but deliverable. The UK Government, in concert with the Scottish Government, will come to a view on that during the next few weeks and will respond. If we accept that the Committee on Climate Change's advice is ambitious and stretching for Governments, we can see that the proposed approach is better than an approach that would be too stretching in the early years and would lead to failure in years 1, 2 and so on.

Des McNulty: What plans are there to measure and report on cumulative emissions and emissions that are generated anywhere as a result of goods and services being used in Scotland, as well as on the statutory targets?

Philip Wright: I assume that you are referring to the consumption-based approach.

One of the Scottish Government's indicators is the ecological footprint, part of which is the carbon footprint, which will enable us to reflect and report on Scotland's carbon footprint. That information will be available in parallel with the range of information that we will get from the disaggregated greenhouse gas inventory. When the information is put together, we will have a reasonably comprehensive picture of the carbon that is associated with Scotland.

Des McNulty: Are you saying that the carbon footprint will be considered as a cumulative measure or as a point-in-time measure?

14:15

Philip Wright: It will be considered on an annual basis. If we have the annual figures, I think that it will be relatively straightforward to establish the cumulative emissions.

The Convener: Does that imply that the footprint measure will have the same time lag as the measure of Scotland's carbon emissions?

Philip Wright: It has been suggested to me that the lag may be greater, but we can come back to the committee on that. A different methodology is used, and I am not sure when the information will become available, relative to the disaggregated inventory.

The Convener: It might be helpful to explore that in writing.

Rob Gibson (Highlands and Islands) (SNP): Has the Government considered using the UK

Committee on Climate Change to help us to achieve a suitable curve? The levers, for example for transport, are not really in our hands—they are in Britain's or Europe's hands. Has any thought been given to increasing the number of miles to the gallon that vehicles achieve? That could be part of the approach, and would be a practical example of the value of having the UK CCC.

Philip Wright: There are EU measures, UK measures and Scottish measures. At UK level, there is general advice from the Committee on Climate Change, which contains a devolved Administrations chapter that says a bit more about what the advice means for Scotland. In relation to the bill, we will seek that committee's advice specifically on Scottish issues.

In an area such as transport, product and technology standards will stem from Europe—fact—but there is an opportunity through UK fiscal measures to encourage the take-up of new technology, for example electric vehicles. There is also an opportunity for the Scottish Government to encourage and facilitate the take-up of that new technology through its procurement arrangements or through the public sector in Scotland more generally. Packages of measures will come into play to deliver emissions reductions in particular sectors—in this case, the transport sector.

Rob Gibson: I recognise the complexities. Procurement is an area that Scotland could take action on. We will be looking for practical examples as we go through the bill.

Alison McInnes (North East Scotland) (LD): I want to go back to the issue of targets. In the absence of the promised annual targets, an interim target may be a useful milestone, but the 2030 target is not on the trajectory that would be achieved with at least 3 per cent annual emissions reductions from the start. You said that we really need to achieve 3 per cent year on year. Why is the trajectory much less ambitious than the original manifesto commitment? Why is the target for 2030 instead of 2020, which would be more in line with international, European and UK commitments?

Fiona Page: I will take your second question first, because that might set the scene. An overwhelming number of responses to ministers in the 2008 consultation on the bill asked for an interim target. You are right—we considered quite a few permutations. Indeed, 2020 was one of my starting points. Obviously, we have a lot of synergies with EU targets and other targets around the world. I felt that if we had only 2020 as the interim target, we would still have 30 years left to deliver the end target, which is a long time for identifying certainty in primary legislation. I did not feel that having only 2020 as an interim target—in the true spirit of an interim target—would be

enough. That automatically led me to wonder whether we should have two interim targets—2020 and perhaps 2030. In some ways, that is the next logical step. However, I felt that by having annual targets, 2020 and 2030, we would probably be obliged to have a 2040 target, because it would be as if we were having decade targets as well as the end target. If we had a model with three interim targets, a 2050 target, and annual targets on top of that, it would be a little top heavy for targets. As a result, I went back to the original idea of having just one interim target and felt that, as the bill had to cover 41 years, 2030 struck a better balance. Of course, there will be a target in 2020, but it will be an annual target.

Des McNulty: It is obviously up to the committee to make recommendations on what the interim target should be. If we decided that 2020 should be the interim target, at what level would your current projection suggest that the target would have to be set?

Fiona Page: On which scenario? We have outlined a number of them. We would also have to consider further advice from the UK Committee on Climate Change before we could say what a 2020 target would be. The bill identifies constraints. We and ministers want the target from 2020 onwards to be 3 per cent less than the previous year's target, which is the reason for its inclusion in the first set of annual targets.

Des McNulty: My understanding is that, if you calculate the 2020 target using the assumptions on which the 2030 target has been based, only the 2019-20 target will be 3 per cent, with different targets up to 2019. I suppose that I am asking you to revise your projections. What are you projecting for, say, 2020 and is it the best that we can do?

Philip Wright: Perhaps I should address that question in a slightly more general way by referring to the UK Climate Change Act 2008—which, I point out, is also our act. The original UK bill set out a range of targets: the reduction was to be not less than 26 per cent by 2020, with an upper limit of 32 per cent. The upper limit, however, was removed. In any case, it was seen not as a limit but as a range. Although the 2008 act specifies a reduction of 26 per cent, the UK Committee on Climate Change has said that if the European Union stays with a 20 per cent emissions reduction, the recommended target for the UK will be 34 per cent, which is 8 per cent more than is set out in the 2008 act. If the EU moves to a 30 per cent emissions reduction, our target will have to be 42 per cent.

As a result, the 26 per cent target in the UK act has in no way constrained the Committee on Climate Change in being more ambitious or making a very clear link with the EU-level target. Given that the EU's proposals for a 20 per cent or

a 30 per cent world are a lot more challenging, the committee's recommendations in that respect take us into the very complex area of buying allowances and so on. It would be really difficult for Scotland to set its own interim target for 2020. The figures in the bill do not limit the Scottish Government's ambition: they are not less than what has been proposed elsewhere.

The Convener: Just to wrap up this section—

Alison McInnes: Convener, Ms Page has answered only the second part of my question. She has not dealt with the suggestion that the 2030 target does not put us on the right trajectory for a 3 per cent year-on-year reduction.

Fiona Page: The target is definitely in the right region. When we did the numbers, the initial number that I was given was 51.5 per cent. However, I was uncomfortable with putting that figure into primary legislation, which is why we decided that the aim in the bill should be "at least 50%". When the annual targets are set, it will be up to ministers to decide the actual target for a particular year. However, it will have to be set relative to a reduction of at least 50 per cent in carbon dioxide equivalent—it could very well be higher.

The Convener: Just to tie up the question of the interim target, I believe that you said that there was a process for considering whether there should be a 2020 target, a 2030 target, a 2020 and a 2030 target, a decade target, three decade targets, and so on. Given that you have agreed—and that the Government has acknowledged—that the trajectory is most clearly defined by early action, I am still slightly unclear why the 2020 target was ruled out. I understand the policy reasons for arguing that 2030 is closer to the mid-point, but the trajectory is important, and the fact is that the early target defines that more clearly.

Fiona Page: Yes, but from June 2010—in 18 months' time—we will set the first batches of annual targets. From then on, we will establish annual targets, covering the period up to and beyond 2020. We will have a set of targets then.

The Convener: However, the bill that the Parliament is being asked to pass does not specify those targets. The Parliament is being asked to agree to an interim target being placed at a point that will be less capable of defining the trajectory.

Fiona Page: The annual targets will be set in regulations, which will be subject to the affirmative resolution procedure, so the Parliament will have a chance to scrutinise them as they come forward.

Des McNulty: Would meeting a 30 per cent target by 2020 be significantly more challenging than meeting a 50 per cent target by 2030?

Philip Wright: Delivering such a target would be more challenging—even if we set the numbers to one side—because we would have less time in which to do so. Short-term targets are more challenging, simply because they are so much closer. A 2030 target gives us that bit longer to move energy and transport systems in the direction of a low-carbon economy.

Des McNulty: Would 25 per cent by 2020 be a more challenging target?

Philip Wright: Probably not, given that the UK's target is a 26 per cent reduction in emissions by 2020.

Des McNulty: That is interesting. If we are to make a success of the policy we must involve the public in various ways. The bill contains provisions that acknowledge that reality and move in that direction, but there is no target on public engagement, and public engagement is not explicitly made a priority. Did you consider including such a target when the bill was being drafted? If an amendment was lodged to introduce process targets on public engagement on climate change, to sit alongside the scientific targets on emissions reduction, would you regard it as a positive addition to the bill?

Philip Wright: Are you talking about the framework that will be set by the bill or the delivery of emissions reduction?

Des McNulty: I think that I am talking about the framework, but I suppose that implementation mechanisms might be part of the delivery process. I am thinking about the issue in the context of section 1, in relation to the framework—

Philip Wright: Fiona Page can talk about the framework and Cameron Maxwell can talk about delivery. Andrew Henderson wants to comment, too.

Andrew Henderson (Scottish Government Climate Change and Water Industry Directorate): I think that all members have had a chance to consider the consultation, which ran at the beginning of last year and garnered more than 21,000 responses. Many responses were the result of campaigns by several non-governmental organisations, which was helpful to us in our policy considerations. We received more substantive, weightier and longer responses from more than 300 organisations and individuals, who addressed the questions in the consultation paper. The process very much informed policy making and we tried to reflect that in the analysis report and the Scottish Government response to the consultation, which was published in October.

14:30

Des McNulty: Your answer highlights the problem that I see with the bill, which is not necessarily anybody's fault. The Smoking, Health and Social Care (Scotland) Act 2005 had a profound impact on people's behaviour. Perhaps that is the most significant example of legislation having a direct effect. My concern is that climate change is taken extremely seriously by members of environmental organisations, who are interested in the issues, but not necessarily by the broader population, whose interest is necessary if the bill is to be effective. Could we add targets for public engagement and buy-in to the process? That is every bit as much a task for ministers as achieving the scientifically set targets.

Fiona Page: If you have any specific ideas of the kind of things that you are after, we would be interested in exploring them with you. I am sure that ministers would be happy to enter into dialogue about that.

Philip Wright: I ask Cameron Maxwell to cover delivery, which will involve public engagement.

Cameron Maxwell (Scottish Government Climate Change and Water Industry Directorate): Public engagement would be useful on climate change because emissions cover so many things. A huge section of Scotland's emissions comes from domestic households, so there is value in considering what is being done on energy efficiency advice, such as the advice that the Energy Saving Trust provides through energy efficiency centres. A lot of new stuff has come in this year. There is also value in considering transport, transport planning and the measures that go out to citizens in relation to that.

There might be value in breaking things down in that way and asking how we want to engage with the public, because I suspect that what we want to do will be different in different circumstances. For instance, large-scale energy generation will involve different stakeholders. It will be important to address domestic and business consumers, but it will be useful to break engagement down into particular areas.

Des McNulty: That is helpful.

Alex Johnstone (North East Scotland) (Con): We have already covered some of what I want to cover, but I will try to take a slightly different angle. Why does the Government not have more ambitious targets for reductions before 2019?

Philip Wright: I feel like a record stuck in a groove. This is about deliverability. Many things have come together over the past year or so: the passage of the 2008 act through Westminster; the EU climate change and energy package, which was agreed only in December; and the

establishment, initially in shadow form a year ago, of the Committee on Climate Change, which reported only in December. Many things were going on outside the Scottish Government but we were party and privy to much of the information that was part of that work.

The first really definitive advice that we got was from the Committee on Climate Change in December. As I have said, it has mapped out an ambitious agenda. If we had had that information a year ago, we might have done a bit more analysis and ministers might have come to a different view on the level of ambition in the interim target. We now have the information for the UK, although it is still a bit iffy at the individual country level. We need that level of information so that we are properly informed and can ensure that we put into statute a credible and deliverable trajectory.

I can almost categorically say that, if we put in a 3 per cent emissions reduction target for year 1, we would fail unless we purchased allowances to offset that failure. That is pretty close to being a fact. Any shortfall in year 1 would follow into year 2, so a 1 or 2 per cent failure in year 1 would realise a 4 or 5 per cent target in year 2—we would be playing catch-up for the first few years. However, the advice of the Committee on Climate Change means that we can design a trajectory with which we can look ahead to what will come on stream.

We must also take account of the EU emission trading scheme, which will increase its level of ambition by 1.74 per cent each year from 2013 onwards. That is a key part of our arsenal in addressing climate change, so we must have an eye on it, too.

We will need to have an eye on that whole package when we consider, or possibly revise, any trajectory or definition of interim targets.

Alex Johnstone: Is it fair to say that the controlling logic behind that decision is to do with achievability?

Philip Wright: That is certainly in there, but it is matched by ambition. We need ambition to stretch what we are prepared to try to achieve.

Alex Johnstone: Is that the reason why the 3 per cent annual targets do not appear in the bill?

Philip Wright: Those will apply in the period after 2019.

Alex Johnstone: But not prior to that.

Philip Wright: No—not in the first period.

Alex Johnstone: We talked about interim targets. The UK Climate Change Act 2008 has an interim target for 2020. Given that other aspects of the bill are designed to be in step with the UK act,

did the Government ever consider the logic of being in step with the UK act on the interim target?

Philip Wright: No. We have moved significantly away from the UK act by adopting annual targets. The five-year carbon budget approach in the UK act gives the UK Government—and us, as part of the process—a great deal more flexibility. Annual targets are a lot more demanding than a carbon budget. With a carbon budget, if you fail in one year for whatever reason, you can make that up in subsequent years. With annual targets, if you fail, you fail, and there is little flexibility. However, the annual targets will, in effect, be a subdivision of the five-year carbon budgets. We are reliant on UK policy measures. Reports will come out at the UK level that will say how the UK Government plans to address or deliver carbon reductions in the coming three sets of five years. We will take that information into consideration in designing—and offering to the Parliament through instruments under the affirmative procedure—the annual target trajectory through to 2019.

Alex Johnstone: It might be more appropriate for me to put my next question to the minister, but I will ask it carefully and for no purpose other than that it might allow the minister to be prepared when I put it to him. Is the bill in step with the UK act in relation to its overall objective and the pace at which that is likely to be achieved? Are the two pieces of legislation comparable in their ambition and the likely achievement of that ambition?

Philip Wright: As officials, we can probably answer that to an extent. I do not immediately see a political dimension to the question, but one might be there.

As I said, EU, UK and Scottish measures will all play a part in achieving the Scottish target. We will be informed by the evidence base that the Committee on Climate Change uses at the UK level. We will try to disaggregate that as far as possible down to the Scotland level but, inevitably, certain things will be almost a pro rata reflection of what is happening at the UK level. There will definitely be linkages between the implementation of the UK act and the way in which we envisage the Scottish bill being implemented. For example, a similar evidence base will be used and high-level UK modelling will go on. Over time, we will look to do a lot more in Scotland, but at present we are linked to much of the UK modelling, which is a key part of the process in defining trajectories and the way ahead. So there are links between the bill and the UK act.

Alex Johnstone: My final question, which is on general targets, looks well into the future. Given that scientific analysis and knowledge tend to change, might the Scottish Government consider a more ambitious 2050 target?

Fiona Page: The targets in the bill are expressed intentionally as reductions of “at least” a certain amount. For example, when ministers set the annual targets to reach the 2030 and 2050 targets, they will definitely be able to make the targets go above the level in the bill if they want to. We might reduce emissions at a higher rate than anticipated, so the level at which the targets are set might be found subsequently to be no longer meaningful—I am optimistic that that may happen at some stage. In those circumstances, there is provision to allow the annual targets that have been set to be revisited. The provision will be available to ministers to go back and change the targets.

I am sorry that that was a long response, but the simple answer to your question is yes—ministers are ambitious to deliver reductions in greenhouse gas emissions and to help combat climate change. They want the bill to be the tool that does that. They want the demanding targets to be there, and they want to be held fully accountable by the Parliament for delivering them. They would certainly be willing to consider higher targets in the future on the basis of the expert advice that they will seek at the time. At the moment, the bill provides a good framework to aim for. It is ambitious, and we hope that the Parliament agrees with us in that respect.

Alex Johnstone: So the bill gives us scope to aim higher if we are doing well.

Fiona Page: Potentially. That is why, in setting the annual targets, the constraint from 2020 was made “at least 3%”; the 2030 target was made

“at least 50% lower than the baseline”;

and the 2050 target was made

“at least 80% lower than the baseline.”

The phrase “at least” is used intentionally. We do not want the figures to be viewed in any way as a constraint; we want to be as ambitious as possible and to deliver real improvements.

Philip Wright: Fiona Page quite rightly referred to our current set of ministers and our current Administration but, with a 2050 target, future Administrations are involved, too. The provisions are there for them to be equally ambitious. The Committee on Climate Change is charged with taking account of scientific advice and the latest scientific evidence when it offers its own advice. The facilities will be there for this and future Administrations.

The Convener: You mentioned the publication of the report of the Committee on Climate Change in December 2008. Forgive me if I misquote you, but I think that you described it as the first “definitive advice” that had been received. If it had been available a year ago, rather than in

December, it might have informed some different decisions in the drafting of the Climate Change (Scotland) Bill. If that is the case, are there aspects of the bill that the Government is open minded about changing? Might it consider changes that the committee proposes, given that we will all share a few months of analysing the position of the Committee on Climate Change? I am happy to hear an answer from the optimist or from the pessimist.

Philip Wright: We do not reflect pessimism. *[Laughter.]* Your question principally concerns the targets in the bill. I spoke about the December report offering the first “definitive advice”, but I should properly have said that it was the first definitive statutory advice. There is no shortage of evidence in the area of climate change, but it has now been packaged up as advice for the UK Government and the devolved Administrations. The report of the Committee on Climate Change is the first such package to which we have had access. As we have said in previous responses, that committee’s advice will be taken into account in prescribing the trajectory, as defined by the annual targets. Yes, there are spot figures in the bill, but there will be an opportunity in the future for the Parliament to have a say in defining the trajectory, based on the advice of the Committee on Climate Change. That is covered in the bill.

Rob Gibson: The bill contains no sectoral targets. How will the Scottish Government and Parliament be kept informed on how different sectors of the economy are delivering on emissions cuts?

Philip Wright: We could respond to that in different ways. The greenhouse gas inventories are based on sectors, so we can examine performance in each one. The difficulty is that, although there is a lot of information, it is split in different sectoral ways. Land use and agriculture are defined in one inventory, but different aspects are treated differently in other inventories. Cameron Maxwell might be able to say something about the approach that we have been adopting in considering abatement potential in different sectors.

Cameron Maxwell: One of the important things to consider when it comes to significant emissions reductions over long periods is the fact that different sectors will play different roles at different times. The Committee on Climate Change suggests a heavy focus on decarbonising the power supply in the period to 2030—by that point, it should be largely decarbonised. There are further issues around transport technology, which might allow for some reductions in the period to 2020, with improved petrol and advanced diesel engines. During that period, there will also be a

switch to plug-in hybrids, and then to electric vehicles.

Across sectors, large savings are being made at different times, but they are often interconnected. For example, if you run electric cars off the current energy mix, you will make a saving, but you will make a much bigger saving if you run them off decarbonised electricity supplies. Where we get the big savings from over the next 40 years is a complicated patchwork, and some will come quicker than others.

14:45

Rob Gibson: Will that be made explicit in annual reporting?

Philip Wright: There are different aspects to annual reporting—one is our performance and the other is the policies and measures that we plan to put in place. There will be a sectoral dimension to that. In a way that is similar to the approach taken in the report of the Committee on Climate Change, our reporting looks at the sectors in different ways because, as Cameron Maxwell said, they will respond differently and at different times.

Rob Gibson: I do not suggest that we can compare one year with the next if the policy is different by sector, but there will be some information in the reporting that gives us a handle on how each sector is performing.

Section 4 of the strategic transport projects review report 1 states:

“On present trends, transport will not contribute to the reduction target”.

Would it make sense for specific sectors to be given policy direction on annual emissions targets and for there to be more scrutiny of those sectors?

Philip Wright: I refer back to Cameron Maxwell’s response about the different times at which abatement potential occurs. The strategic transport projects review was published around the same time as the report of the Committee on Climate Change, in which issues were raised about the move towards electric vehicles, for example. That was not factored into the STPR, because it was built on a factual evidence base and stated, “Here’s where we stand on transport infrastructure and here are the possible interventions over the next umpty-ump years.”

Cameron Maxwell: Transport is a very interesting area because some aspects are held at UK or EU level. We spoke about vehicle standards, which must be driven from an EU level, but we benefit from that as electric cars and so on penetrate our ownership. Transport emissions will have to fall, and in our conversations with transport colleagues about how we will deliver the targets, we have discussed projections that are

either level with the current situation or show an upwards trend. Ultimately, it is not a question of maintaining the current level, because emissions have to drop. That will happen partly through demand management and partly through technology, and it will happen over time.

Our work on climate change allows us to ask how our transport colleagues' thinking compares with what the Committee on Climate Change is saying. The work of that committee offers an opportunity for a useful benchmarking exercise, albeit on a UK basis at the moment. We can say, "This is what the UK Committee on Climate Change says we should be doing. It talks about technology and demand reduction and where we should phase things in." It is useful to compare that committee's thinking with ours.

The Convener: There are a couple of supplementary questions on transport before we move on.

Des McNulty: It is a paradox—I expect that the convener might use the same example—that we are building a road-only bridge at the same time as we are focusing on climate change.

Ministers have responsibility for distinct areas in the Administration. On the assumption that emissions reduction begins at home, are there any plans in the framework to give ministers an obligation to take responsibility for linking organisations in their portfolios—perhaps hospitals, in the case of the Cabinet Secretary for Health and Wellbeing—with climate change reductions targets?

Philip Wright: I will answer that with regard to the Scottish Government's contribution. You know about the commitment to assess the carbon implications of the Government's £30 billion-plus of expenditure. We do not know what the carbon impact of that expenditure is; we are trying to get a handle on it. That will be a means to an end—the end being to use that information to turn the screw on emissions that are associated with the Government's expenditure.

That is the so-called high-level assessment; there is also an individual-level assessment, which scrutinises and assesses policies and identifies their carbon impact. We will want to see that, across Government, all policies contribute to the Government's target, to the extent that that is possible. We will have a much better handle on the Scottish Government's direct impact on emissions through either its expenditure or its policies.

Des McNulty: In effect, you are saying that the carbon assessment mechanism will allow you to measure those things better than you have been able to in the past.

Philip Wright: Not so much measure as assess. It is not an absolute science, but the mechanism will give us estimates of the carbon impact. I cannot go into the detail; it is extremely complex.

Des McNulty: Will any enforcement be linked to the carbon assessment tool? The Transport, Infrastructure and Climate Change Committee and the Finance Committee are interested in the way in which budgets are brought forward. Do you think that the carbon assessment tool will be a mechanism that can inform budget setting, both annually and perhaps over a programme period?

Philip Wright: The safest answer is to refer you to Mr Swinney's response to a similar question that he was asked when he came before the committee. The carbon assessment tool will provide additional information in relation to the budget, but Mr Swinney's reply was that, because the budget seeks to address so many other outcomes, it may be difficult to focus on only carbon assessment.

The Convener: Rob Gibson mentioned the STPR. If I may paraphrase, it has been stated that transport will not pull its weight. You said that there is perhaps less comfort around the idea of sectoral targets, but there must be a clear expectation of what transport will do in respect of emissions if the statement about transport not pulling its weight can be made. Can the Government say what the expectation is for the transport emissions trajectory and how much by way of additional emissions reduction will be required from the rest of the economy?

Philip Wright: I again refer back to the report of the Committee on Climate Change, which assesses the abatement potential in each sector. We can work with the information from that report and we will also have access to our own report, which will say what the abatement potential is in each sector. That will inform the Government's response. The Committee on Climate Change will have identified potential in the transport sector, and the Government can look to ensure that it delivers that. The Government will look across the piece and say, "If we go with the Committee on Climate Change's advice, we need to bring about these reductions in each area; if we do not achieve the reduction in transport emissions, we will have to compensate in another area." That would be the Government's call, but the Committee on Climate Change will give us the information to allow the decision to be made.

The Convener: In arriving at the position that allows the Government to state that, on present trends, transport will not contribute to the reduction targets, did it assess the role that demand management could play now if it was put in place, the role that land use planning could play now if a different approach was taken, and the role that a

re-evaluation of infrastructure projects that are already in the pipeline could play? Did the Government go through such a process?

Philip Wright: To the extent that it was possible to do so, carbon was taken into account. For example, the STPR attempted to assess the emissions implications of 100,000 to 150,000 tonnes of carbon. The modelling will, over time, result in a different figure because there will be a different fuel mix for transport. What is coming through on electric vehicles will influence the implications of infrastructure projects. If those interventions do not happen until 2020, there will be a different fuel mix, so the remodelling will probably produce a different figure. That is in the transport sector. Other sectors have also sought to identify carbon issues.

I go back a stage to carbon balance sheets for transport. Our transport policy colleagues are developing a carbon balance sheet, which the committee has been told about. It is a case of them bringing it forward in sync with the high-level carbon assessment project. The tools are being developed, but it is impossible to deliver everything in such a short time.

Alison McInnes: On that issue, I am concerned about the rather circular argument in the—understandably—cautious and slightly tentative approach that has been taken. The changes in technology that we all want to see will not necessarily happen unless we break into that circle by providing some certainty about the investment that is needed in new technology. Rather than going back round that argument again, if we included a provision in the bill to require all sectors to deliver, and to start delivering as soon as possible—however it is decided that that should be packaged up—the bill would surely encourage that investment, and attention would be paid to those issues. The danger is that we let people off the hook if nothing is firm and everyone thinks that the issue is for someone else.

Philip Wright: I apologise if our approach comes over as in any way cautious. The facts are complex, so we need to dip into those areas if we are to get a real handle on them. If we move away from transport and consider the energy sector, we see drivers for technology development such as the 51 per cent renewable energy target and the saltire prize. Initiatives in individual sectors—for example, the smarter choices, smarter places project in the transport sector—will encourage carbon reduction. Initiatives are being taken to help encourage innovation within the different sectors. Measures will also be put in place at UK level to meet UK ambitions and at EU level, if the EU moves to a 30 per cent target. We will rely on technology being driven at those different levels in achieving our target.

Rob Gibson: I want to return to the issue of international credits. The UK act places a duty on the secretary of state in London to set a limit on international credits that is based on advice from the UK Committee on Climate Change. Why does the Scottish Government not intend to prescribe such a limit?

Fiona Page: Ministers are anxious to ensure that the bill sets annual targets. They intend to meet the targets and do not favour the use of credits. In particular, they would prefer to focus Scottish resources on delivering emissions reductions in Scotland. That is why no upper cap or limit on the use of carbon credits has been included in the bill. Equally, I think that ministers would probably be happy to enter into dialogue with committee members if the Parliament felt that the bill should include such a limit.

Rob Gibson: Given that in previous evidence today it has been suggested that the emission trading scheme will cover about half of our CO₂ emissions, should the bill not spell out the areas where the effect is likely to fall?

Fiona Page: When we consider carbon credits, we are thinking of additional carbon credits that might be purchased if targets are not met. The EU emission trading scheme is pretty much a closed loop that works on an allocation basis, so companies that emit beyond their allocations must purchase additional allocations. As part of the net Scottish emissions account that is established in the bill—which, in many ways, is an attempt to develop an accounting scheme—we will take account of those allocations. However, when I refer to carbon credits, I am thinking more along the lines of the possibility of purchasing additional units if we failed to meet a target. That is a little bit different from the allocations scheme that we are involved in through the EU emission trading scheme.

Rob Gibson: If there is no such limit, how exactly can the Scottish Government ensure that domestic effort accounts for the lion's share of the emission reductions?

Philip Wright: Again, the fact that the EU ETS covers about 50 per cent of our emissions suggests that the balance is less than 50 per cent. Other measures at EU level, such as product standards, will also influence the achievement of our targets. As things stand, UK fiscal measures will also impact on the delivery of our targets. We are trying to identify the contribution that each of those will make, and the contribution that Scottish policies will have to make as well.

15:00

Rob Gibson: Can you share with us any particular example of that?

Philip Wright: It might be useful if Cameron Maxwell explained our strategic overview.

Cameron Maxwell: One of the interesting aspects of how the emission trading scheme works is that, because it captures the principal industrial installations and generators, it catches around 50 per cent of emissions and has a set trajectory.

It is common to consider the traded sector on one hand and the non-traded sector on the other, which is what the Committee on Climate Change's report does. In the non-traded sector, there is transport, domestic heat and so on. Some people argue that the all-singing, all-dancing market will deliver. However, there are clearly things that Government does under the emission trading scheme that are important. For instance, any energy efficiency measures relating to electricity and incentives for renewable energy contribute to helping to meet the delivery trajectory for the scheme—they are enabling policies to help the ETS deliver, which might lead you to say that the market mechanism is not perfect. Similarly, with regard to domestic heat, the promotion of energy efficiency measures such as insulation, and boiler swapping is important.

The Committee on Climate Change says that the majority of the emissions reductions to 2020 will come from the trajectory of the emission trading scheme and will involve the big users of carbon, with a subsidiary contribution from the non-traded sector. That is a useful way in which to split the sectors.

It is interesting to note that, as transport becomes electrified, part of that sector will start to fall within the traded sector, as electric trains do just now.

Rob Gibson: Similarly, power stations, which are one of our major sources of emissions, will change over time either because there will be a different mix of electricity generation or because of carbon capture technology and so on.

Philip Wright: Yes.

Shirley-Anne Somerville: Section 18 of the bill deals with carbon units and carbon counting and allows for the establishment of a trading scheme in carbon units. Could you give us more information about the aim of that section and what it would establish?

Andrew Henderson: We talk a lot about frameworks, and section 18 deals with a framework within the framework. Should the Scottish Government be purchasing carbon units on the international market, we will need a mechanism that will enable us to keep track of what we are doing. There is a possibility that units could be purchased and not used or surrendered

in the same calendar year. The provisions in section 18 will enable us to hold and transfer units that might be purchased from different sources and used in different ways. They will also enable us to keep track of that.

Shirley-Anne Somerville: The cabinet secretary made a commitment that the Scottish climate change legislation would include international aviation and shipping. Can you explain why those elements have been included in the bill in the way that they have? Is there any way in which the bill could be strengthened in that regard?

Fiona Page: Scottish ministers have committed to including Scotland's share of international aviation and shipping emissions in the targets, and that remains the case. Section 14 is, obviously, the key provision in this context. The reason why we are suggesting that we bring those areas into the targets through regulations is simply to provide us with a flexible mechanism to adapt to international agreement in the future. Scottish ministers are obviously keen for other countries to follow their lead and take on board the need to tackle emissions from international aviation and shipping. We need a mechanism that we can use in the short term until we have an internationally agreed protocol.

When we first considered the topic, we thought about leaving the bill silent on it. Originally, the UK bill specifically excluded such emissions, but we felt that if our bill was silent on the issue—which would mean, by default, that it included such emissions—given that the very nature of international aviation and shipping emissions is such that they will occur, in part, beyond Scottish boundaries, there was a danger that we would not be able to capture them, so we decided that we needed to be quite active in capturing them. However, if we had put in the bill a mechanism that we could use for only a number of years until an internationally agreed method was developed that we wanted to adopt, we would have tied our hands in a way that might not have been helpful and might simply not have worked.

We decided that we needed to adopt a flexible approach and we thought that the best way of doing that would be through regulation. We could state in regulations how we want to deal with the issue and could change the regulations at a future date, if and when there is international agreement on the matter, which we hope will happen.

Shirley-Anne Somerville: I appreciate that there is a need for flexibility and that the use of regulations will help with the necessary calculations. Can we take it that there is an absolute commitment that emissions from shipping and aviation will be included in the targets?

Fiona Page: Absolutely. They will be included, beginning with the first set of targets from 2010 onwards. The order will probably come forward in tandem with or even, if possible, in advance of the annual target regulations. I am certain that Scottish ministers would be happy to make that commitment.

Shirley-Anne Somerville: The timing of the order will be based on the timing of the annual targets—that is when we will get the information.

Fiona Page: That is possible, but we have not pinned down whether we will lay the order six months after the bill is passed—as we hope it will be—by the Parliament. It must be in force by the time we set the annual targets, so it might come forward in tandem with or in advance of the targets.

Shirley-Anne Somerville: Okay.

I have a question about the advice that you have sought on including international aviation and shipping emissions. There are no international agreements on how the matter is to be dealt with; it is another area in which the bill is world leading. Has the UK Committee on Climate Change been asked for its thoughts on your proposal? What other advice have you taken on board in developing it?

Fiona Page: We have identified a methodology that we think represents a reasonable compromise and which allows us to capture a proportion of the relevant emissions such that they can be included in our future targets. We recognise that, until we get international agreement, the solution that we have proposed is temporary.

Our methodology will be based on the disaggregated greenhouse gas inventory, which is fed down from the UK greenhouse gas inventory. As of October last year, the emissions data for international aviation and shipping are published as a memo item. We will take the disaggregated inventory data, which are calculated on the basis of airport, source, destination, fuel type, plane type and engine type, and will include them in the emissions that are attributed to Scotland, which will then be measured against the Scottish ministers' annual targets.

Shirley-Anne Somerville: Can you confirm that there will be continuous liaison with the UK Committee on Climate Change about the targets that are set in that area?

Fiona Page: Absolutely. I am sorry—before I explained how we would do the calculations, I should have said that, under section 14, ministers will be obliged to seek the advice of the UK Committee on Climate Change or a future advisory body, if a different arrangement is adopted, on how best to proceed. The proposal in

the bill is our initial idea of how we can tackle the issue in the short term but, before we lay the regulations, we will seek the UK committee's advice on whether our proposal represents the best interim solution. We will take time to have some dialogue with the UK committee on the proposal, but there will be no change in ministers' decision to proceed with it. We will include Scotland's share of the emissions from international aviation and shipping in a target. We will just seek the UK committee's views on our suggested way of proceeding in the absence of an internationally agreed solution.

Philip Wright: Back in October, when the shadow committee on climate change suggested a revision to the UK target, it made specific reference to international aviation and shipping. It accepted the complexity of including emissions from those sectors in the target, but asked the UK and Scottish Governments to consider that as part of the policy response. The issue will be addressed at the UK level. The other new kid on the block is that aviation will be part of the emission trading scheme from 2013, so we have to factor the implications of that into the process by which we account for aviation emissions, although that does not apply to shipping emissions.

The Convener: I want to check up on one last detail, which is about the stated intention to introduce an order to include aviation and shipping emissions in the first batch of targets. Is it intended to include aviation and shipping emissions fully in all the targets in the first batch, rather than to phase them in?

Fiona Page: Yes. We do not plan on making a distinction. When we introduce the annual targets, they will apply to Scotland's emissions, which will include Scotland's share of international aviation and shipping emissions. So, absolutely, the first targets will include those emissions.

Charlie Gordon (Glasgow Cathcart) (Lab): What criteria will be used to assess whether a body other than the UK Committee on Climate Change is required to provide advice to the Scottish ministers, and how would such an evaluation take place?

Fiona Page: Ultimately, it will be down to the Scottish ministers to decide whether they are happy with the advice from the UK Committee on Climate Change. At present, the advice is of very high quality. The committee is a new one that is full of some of the best experts from throughout the UK and we are tied into it. I am confident that, in the short term, the Scottish ministers will be happy to use the UK committee. However, as members know, the bill will cover a long period—more than 40 years—and many Administrations,

so we want to ensure that it is future-proofed in respect of advice to ministers.

That is why we suggest the introduction of provisions that will allow ministers to have alternative sources of information. They could decide to confer the advisory duties on an existing public body or to set up a Scottish climate change committee. The criteria on which ministers base a decision to go down that route will be up to them, but I am sure that the issue will come down to whether the UK Committee on Climate Change provides the advice that ministers are after. The bill takes a slightly different approach from that in the UK act. The bill goes hand in hand with the UK act and we will be in line with the UK targets, but we are taking a distinctive Scottish approach, with the annual targets and the recognition of the importance of including international aviation and shipping emissions in the targets.

In many respects, in the years to come, the UK Committee on Climate Change will have to prove its ability to respond to Scottish ministers' requests for advice. Obviously, the most significant advice in the next year will be on the levels at which to set our annual targets. That will be the first test. However, it is probably too soon to speculate—and possibly not for me to do so—on how exactly ministers will decide whether the UK committee meets their needs. I am optimistic that it will do so, but that will be for the current and future Administrations to decide.

Charlie Gordon: So there are no criteria—the matter will be left to the political judgment of future ministers.

Fiona Page: Yes. We do not want to tie down future ministers in legislation on how to judge on the issue. It will come down to a personal decision of the Administration at the time. Future Administrations will need to be confident that they are getting the best possible advice. I hope that they can get that from the UK Committee on Climate Change, but we want to provide flexibility in the bill to allow alternative mechanisms if that does not happen.

Charlie Gordon: Will you summarise the advice that the Scottish Government has sought thus far from the UK Committee on Climate Change?

Philip Wright: To date, we have made no formal request to the UK committee but, because we are co-sponsors of it, we are closely engaged with it. There have been various working groups both on the UK bill process and on the implementation of the UK act. There is contact through those fora and we also have direct informal contact with the committee secretariat. Lord Adair Turner and David Kennedy, the chief executive, have been up to Scotland on two occasions to engage with the Scottish

stakeholders, and I think that David Kennedy will be here again next week. We have a good level of contact with the UK committee.

15:15

Charlie Gordon: So you pick their brains without making it too obvious or formal.

Philip Wright: It is not a case of picking their brains—

Charlie Gordon: Maybe they pick your brains.

Philip Wright: They might well do in some cases. I should add that we have a secondees to the Committee on Climate Change to help it to understand the Scottish issues to which Fiona Page referred. We are trying to be helpful in both directions.

Charlie Gordon: Has the Scottish Government considered in detail any advisory models other than the UK Committee on Climate Change?

Fiona Page: It is my strong recommendation that ministers use the UK committee initially. It is a new body that has not yet been given a chance to prove itself. It is made up of experts from across the UK, we fund it jointly, Scottish ministers are involved in any decision to appoint people to it and, as Philip Wright explained, a key member of our staff—an economist—is seconded to it to work on devolved Administration work. I am very hopeful that the new body will deliver great things and it useful for us to work closely with it on the Scottish bill as well as on the UK act.

I believe in seeking best value for money. Frankly, we get the services of that committee at a reasonable cost and we would have to pay much more money were we to set up a Scottish climate change committee in the future. Before we took the step of setting up such a committee, ministers would definitely consider first whether they wanted to apply the advisory duties to an existing body. The one that springs to mind logically is the Scottish Environment Protection Agency. However, we have had no dialogue with SEPA about that and Scottish ministers would not want to consider that option at this stage.

I am sure that members feel that I am beginning to sound like a broken record on the subject, but I do not think that we could get better value for money or better expert advice at this time than we will get from the UK Committee on Climate Change. Even though it has been established formally for just over a month, it has been sitting in shadow form for almost a year.

We have pooled the best minds in the UK to work on the UK act. Scottish ministers have an excellent provision in that act that allows them to seek advice from the UK Committee on Climate

Change—as any of the devolved Administrations can do—on anything to do with climate change targets, but the advice does not have to be only in relation to Scotland's share of the UK act; it can relate to our own targets, including the annual ones. It is only right and proper that we explore that mechanism fully before we venture down other roads and consider other mechanisms.

Charlie Gordon: Thank you; you have convinced me.

Philip Wright: I add a supplement to that. Cameron Maxwell has just reminded me that, in my earlier response, I was thinking of direct contact with the UK committee officials, but we have also contributed our thoughts on its work programme—a package of activities that the UK committee is asked to address from 2009 to 2012. We have let the committee know at what points we are likely to seek advice.

Charlie Gordon: So you are in on the ground floor—

Philip Wright: Yes, but through the UK process rather than through direct contact.

Andrew Henderson: We are very aware that we will go to the UK committee with a formal request for advice on the annual targets. It also knows about our aviation and shipping considerations. Discussion has taken place at an official level, but the formal approach will come when the UK committee's work plan, with which we are involved, is developed.

The Convener: If, at any point in the future, a political judgment is made, for whatever reason, that a Scottish advisory body should be established, we will want ministers at that time to work with an act that makes it possible to establish such a body in the best way. Has the Government considered creating a body that is accountable to the Parliament, rather than the Government? The Scottish equivalents of some UK bodies that are accountable to the Government at a UK level are accountable to the Scottish Parliament at a Scottish level. Does the bill make that possible? Has that been considered? I note that SEPA is a body that carries out functions on behalf of the Government, whereas we are looking for a body that is able to critique the Government sometimes and even offer a challenge to the Government.

Fiona Page: The UK Committee on Climate Change was set up as a non-departmental public body, and it is principally an advisory body to the UK Government and the devolved Administrations. We saw it as a model for a Scottish climate change committee, because the primary function of such a body would be to provide advice to ministers. Equally, however, there is a provision in the bill that would require it to independently report to the Scottish Parliament each year on how

Scottish ministers are delivering on meeting the targets, as the Government brings forward its annual reports.

The reason for our decision to follow the NDPB model is that we feel that the body is there to provide advice. Mr Harvie is perfectly correct to point out that a number of other persons or commissioners are accountable to Parliament for a number of different functions. However, we do not feel that any of those people provide advice to ministers. Rather, they are independent office-holders whose function is to scrutinise certain aspects of public life. That is a little bit different from providing advice, which is why we have gone for an NDPB model, which is more akin to an advisory-body model.

The Convener: If ministers were to take a different view on that matter when setting up such a body, would the provisions in the bill enable them to make that body accountable to the Parliament rather than the Government?

Fiona Page: That is an interesting question. Schedule 1 contains most of the detail on the matter, and it provides for the body to be an NDPB, rather than to be something under a commissioner, which would be an unusual step. I think that the legislation would need to be amended to enable that to happen.

Alison McInnes: The bill provides for Scottish ministers to produce a plan to compensate in future years, should annual targets not be met. Can you explain how that is substantively different from the approach that is taken in the UK act, which involves banking and borrowing from five-yearly budgets?

Fiona Page: Banking and borrowing was a key option when Scottish ministers were considering emissions budgets because, clearly, there is a high degree of flexibility in the emissions budgets period. We considered using the banking and borrowing approach when we were moving to an annual-target model, but we felt that it was not compatible with it—either we meet an annual target or we do not, and it is quite difficult to see how we can bank and borrow in that regard.

You are right that, in terms of meeting an annual target, purchasing carbon credits or carbon units is an option, but it is not one that is favoured by Scottish ministers.

Andrew Henderson: Banking and borrowing is a mechanism that is specific to carbon or emissions budgets, where one has a set quantity of emissions that should be permitted within a certain period—five years, in the case of the UK act. Within the framework of the UK act, the idea is that, for example, if one overemits by a quantity of 50 megatonnes in period 1, one can—rather than purchasing emissions units to offset that

overemission—reduce the level of the next budget so that it is 50 megatonnes lower than it otherwise would have been.

Ministers are required to produce an action plan setting out what they would do in order to address the failure to meet a target. That plan is simply a road map of any range of options that might be identified as ways of getting emissions reductions back on track in the short, medium and long term. Banking and borrowing is quite a specific element of the emissions budget mechanism.

Alison McInnes: That was helpful, thank you.

We have spoken about reporting on different sectors and so on. There is a requirement for electricity figures to be included in the report on annual targets. Is there a case for widening that out to cover other sectors?

Andrew Henderson: One reason for including electricity figures is that we have robust statistics on electricity production and consumption which have already been published. We believe that it made sense to draw them into what is being reported annually regarding emissions more widely. We can read across those statistics to see whether we could have a greener fuel mix in our electricity generation sector. There is not necessarily always an immediate read-across to reductions in emissions—although there might be a lot more green electricity generation from renewable sources, there will still be the same quantity of carbon emissions unless the fossil fuel parts of the generation mix are being decarbonised or brought off-stream. The inclusion of the electricity generation statistics in annual reporting is an attempt to illustrate better the advances that have been made in renewable and sustainable electricity.

We considered the inclusion of renewable heat in the reporting because heating emissions are an important part of our emissions, but we simply do not have good enough figures to do that yet. Work is continuing in order that we can produce better figures. We did not wish to include in the bill a provision that would compel us to report something that would not be useful. The bill contains a provision that ministers may add to the reporting duties that are already specified.

Alison McInnes: That returns us to an earlier point in the discussion. We do not have the information, but we perhaps need to encourage the gathering of information. The question is whether the bill can serve as a lever to bring that about.

I will move on to enforcements and sanctions. Targets being set in statute might focus the mind, but will reporting annually to Parliament be enough to ensure the step change that will be required to

meet the 2050 target? What other enforcement measures did the Government explore?

Fiona Page: Reporting to Parliament is quite a robust measure. It is possibly more for ministers to consider the question, but I do not think that it would be practical for ministers to consider, for example, imposing financial penalties on themselves, or any other such mechanisms. It is difficult for us to see what further censure there might be. The requirement for robust reporting to the Scottish Parliament is a strong measure.

The Scottish ministers were keen to have strong reporting included in the bill. As members will probably have noted, we have gone much further in this bill than we have in a lot of previous legislation, by requiring ministers as far as is possible to make a statement in Parliament when the annual report is produced so that Parliament can scrutinise ministers, debate the matter with them and question them in public on their delivery of the policy.

Ministers wanted to go even further than that in requesting meetings with the Conveners Group at the time of reporting. That offers a further level of scrutiny and accountability, and goes much further than any other primary legislation has gone. We will be interested to know how Parliament responds to that provision. I can honestly say, hand on heart, that we made our solicitors quite nervous by requesting that provision in the bill. Scottish ministers had to insist that the provision be included and are particularly keen to be held accountable on this matter, and to ensure complete openness and transparency regarding the bill's provisions. I am sure that ministers will be happy to discuss the matter further if you think that they could consider other levels of scrutiny or accountability.

Alison McInnes: Part of good scrutiny is ensuring that there is enough information available for Parliament to make a considered judgment. Does the Government believe that there is enough information around for that to happen? Will there be enough information annually?

Philip Wright: I will offer a supplementary point to Fiona Page's response. Through the proposed reporting mechanism, plus the meetings with committee conveners, a certain onus is placed on Parliament. There is almost a cascade effect: because information will be made available to Parliament and committee conveners, they can challenge Government on the sectoral approach that Mr Gibson spoke about earlier. When the budget is presented, the Finance Committee may challenge the Government, this committee may challenge our transport colleagues, and so on. The bill will have that effect; the information that is made available to Parliament will allow Parliament

as a whole to challenge the various parts of Government.

15:30

Fiona Page: There are quite a lot of reporting provisions in the bill. I do not know whether you wish to explore the matter further, but I am happy to talk you through the different levels. Would that be helpful?

Alison McInnes: Yes.

Fiona Page: A helpful note has just been handed to me—but I know the provisions well enough.

Andrew Henderson: They are all in one place.

Fiona Page: After annual targets have been set, the first thing that ministers must do is to produce a report to Parliament to explain how they will deliver and meet the annual targets. That is the starting point. Scottish ministers will also need to produce an annual report to Parliament to confirm how they have delivered and met the targets for the year concerned. If they have not met the targets, they will have to explain what their actions will be to deliver them in the future.

There will also be a specific report on the interim target for 2030—or whenever it may be, once the bill is passed—and one on the 2050 target. Furthermore, there will be a reporting requirement in relation to adaptation. That allows us to fall into line with the UK 2008 act. When the Westminster secretary of state lays a report on adaptation for climate change, Scottish ministers will be required to respond to it within a certain period by lodging a report in the Scottish Parliament to say how they intend Scotland to respond to the challenges of climate change at that time.

There are quite a lot of reporting provisions—they are all linked to the annual reporting cycle and to the question of whether targets have been met, which the annual report will confirm. An independent report will also be made by the advisory body—for example, the UK Committee on Climate Change—on its view as to how successful Scottish ministers' actions have been, and whether they could go further in delivering the targets.

Sorry—that was probably not a very good explanation, but there is a lot to cover.

Andrew Henderson: Ministers must, in turn, respond to that independent report. Included within the annual reporting cycle are reporting of emissions achievement statistics, with detail on what has been happening in respect of emissions and the linked reporting; scrutiny by the Committee on Climate Change; and ministers' response to that scrutiny. That is all done publicly.

A further part of the reporting requirements is that, whenever ministers set annual targets—which, in practice, will be every five years or so, although we have a slight compression at the beginning of the target-setting process—a report must be made about the policies and proposals for meeting the targets. That will provide an indication of ambitions and of practice in respect of how the targets are to be achieved.

The Convener: The proposal for ministers to meet the conveners of parliamentary committees took a few people by surprise. It reminded me of the proposal by the First Minister in 2007 to answer questions by the Conveners Group, as a more in-depth version of First Minister's question time. At the time, that was not felt to be an appropriate use of the Conveners Group. How was that proposal developed? How much dialogue took place with the Conveners Group, or with the Presiding Officer, to determine whether that would be a useful or, indeed, appropriate mechanism?

Fiona Page: The proposal came from ministers' idea. We did not pursue specific engagement with Parliament on it. It was a decision by Scottish ministers: they wanted to go further than happens in normal reporting because they recognised the importance of the bill, in particular its long-term nature and how it will affect future Administrations over the next 40 years. They wanted to offer more than an annual report to Parliament. We adopted the first stage—an annual statement to Parliament, which provides members with a clear opportunity to debate the annual report and to challenge and question ministers on it—but ministers wanted to go one step further and to help the committees. Ministers recognise the cross-cutting nature of climate change, and so wanted the committees to be fully involved and engaged in the process.

The thinking behind the proposal was that drawing the conveners together would provide one possible mechanism to do that—giving them a special meeting would allow them to question ministers specifically. As I say, it is new territory and ministers will be happy to have dialogue on that provision, if Parliament feels that the provision is not appropriate.

The Convener: I appreciate the intention to go further than standard reporting mechanisms and I am by no means hostile to the idea of finding the right way to do that but, for clarity, was there no dialogue with the Conveners Group about whether it felt that this was an appropriate mechanism?

Fiona Page: I cannot answer on behalf of Scottish ministers, but I can say from the official side that we did not have any dialogue. That would have been quite a difficult dialogue for us to have; the matter probably should have been taken

forward, if it was felt necessary, through dialogue at political level.

The Convener: We can perhaps explore with the minister at a future meeting whether there is an on-the-record forum within which such dialogue could happen rather than its taking place in an off-the-record forum.

Fiona Page: Absolutely.

The Convener: Given Philip Wright's comments, information that is provided at the additional meeting must be available to the whole Parliament if it is to be fully used.

Andrew Henderson: I have a point that is relevant to what the convener has just said. Several subsections of section 34 use the words

"in so far as reasonably practicable".

When we were drafting the section it was clear that we could not or would not wish to place a duty on Parliament itself, so in this case that phrase essentially refers to an offer made by ministers that is subject to Parliament's acceptance in so far as it is conditional on the Parliament saying, "Yes, we would like to hear from the minister in the chamber and we would like the minister to appear before a committee of the conveners." The ball is in Parliament's court on that one.

Fiona Page: We had to make it clear in the bill that we are not placing any obligations on Parliament or applying a duty that ministers could not meet, which is why section 34 is phrased as it is. I am certain that ministers are completely open to dialogue on the issue, if members feel that there is a better way to proceed. The spirit is clear: ministers want to be held accountable, to be open and to offer Parliament every opportunity to scrutinise and question them on these matters. Please, by all means, ask the minister to consider the issue further.

Cathy Peattie: I will pick up on that issue before I move on to the matter that I want to explore.

It is obviously important that ministers have given assurances that Parliament and committee conveners will have an opportunity to consider where we are on climate change. Can you give us an indication of what is happening, perhaps in the long-term, across departments? It is all very well to report to conveners and for ministers and departments to report to this committee or another, but I am not sure that we can, if the issue is not mainstreamed across departments, achieve what we need to achieve. Is there any dialogue on mainstreaming across departments?

Philip Wright: The carbon assessment project is one example of that. It is a cross-cutting mechanism that will be available to ministers and will engage other departments.

A long-term initiative to mainstream climate-change thinking across the Government has been in place for some time. It is about policy makers in the Government, senior staff in the Government and policy analysts all thinking about climate change when they develop policies in their areas. I mentioned the transport carbon balance sheet, which came out of that process. Our transport colleagues can now address climate change with less reference to us than used to be the case. Many years ago we, as a small climate change division, had to field all the inquiries that came in on climate change, but our transport colleagues, our energy colleagues and our agriculture colleagues can now deal with such inquiries. The situation is not ideal, but it is improving.

The same is happening at the top of the office. The strategic board, which is the top management group within the office, is being exposed to those issues and we are looking for buy-in from the top of the office. The issue is obviously reflected in the Government's purpose and in the sustainability targets, which support that purpose. A whole mechanism is in place within Government to ensure delivery of the two sustainability targets to reduce emissions by 2011 and by 2050.

Cameron Maxwell: It might be useful to flag up some of the work that I am heavily involved in, which involves mainstreaming the issue across the offices. We are working on a strategic overview and are trying to map out a pathway of emissions reductions for Scotland between now and 2050 for short-term changes, and focusing in particular on the medium-term and long-term changes that will have to take place. That involves my spending a lot of time talking to my energy, renewable energy and energy efficiency colleagues about their plans, and flagging up the type of emissions reductions that we need and what the Committee on Climate Change report recommends. We are trying to put together a document that will demonstrate that there is a pathway from where we are now to where we want to be in 2050. Areas that are important in that regard include energy efficiency, housing and transport.

This morning, for example, I was at a seminar with my transport colleagues in which I was able to assess the emissions-reduction potential of some of the work that they have been doing. Similar work has been going on in the rural land-use sector, as the agriculture and forestry sectors are quite big emitters. We are working to ensure that everyone across the office is aware of the key priorities that can be taken forward.

Cathy Peattie: That is an area that we should keep an eye on, convener.

When will the Government introduce secondary legislation that will place duties on public bodies? What will those duties be?

Fiona Page: At the moment, Scottish ministers have not earmarked a number of duties because we have been trying to future proof the bill and the ability of all the Administrations to deliver on the targets.

We hope that everyone will embrace the need to act to reduce greenhouse gas emissions, but we need to be realistic about the fact that, as emissions reductions become harder and more expensive to deliver, the public sector must be seen to lead the way, so ministers might need a number of tools to ensure that the public sector plays a significant part in reducing greenhouse gas emissions.

We recognise that we have to maximise Parliament's opportunity to scrutinise any such proposals, which is why we recommend that we introduce them under the affirmative procedure. The proposals will depend on the level at which we want to start. However, public bodies could be required to ensure that they do a carbon assessment of any significant new builds. That could be taken to a lower level by requiring public bodies to report annually on the work that they are doing to reduce emissions, on the energy efficiency of their buildings and on the state of their estate.

It is important to recognise that ministers believe in working in partnership, and that the proposals that I am discussing are more of a last resort. We would not want to introduce regulations requiring things to be done that could be done voluntarily. The local government concordat is a good example of ministers' aspirations for partnership working. Ministers hope that bodies will work to reduce their emissions either voluntarily or through dialogue with ministers, with ministers indicating their desire for certain activities to take place. However, the power to introduce regulations exists to enable us to take matters to a different level if we are not as successful as we would like to be in driving forward the emissions reductions.

The provisions are quite open ended, which I appreciate is challenging for Parliament. We have done everything we can do to ensure that Parliament will have an additional degree of scrutiny, through regulations that are introduced being subject to the affirmative procedure. We would introduce regulations only after considerable dialogue with the organisations and a lot of discussion about the types of duties that could be put in place. In particular, ministers want to ensure that they are tied into the process. Therefore, if duties are placed in relation to climate change, ministers have an obligation to work with bodies and organisations to help them to achieve those duties. That is why the bill is framed as it is. I hope that that answers your question.

Cathy Peattie: It does not. I am concerned about the fact that we are talking about "hope". My experience in equalities is that it took 20 years for local authorities to make progress in that regard, and, even then, it happened only through legislation. It was hoped that progress would be made on equalities, and a department in each local authority had responsibility for equalities, but that work was not mainstreamed. I am concerned, therefore, that there does not seem to be a duty on public bodies and local authorities to work on the issues that are covered in the bill, such as conservation and biodiversity. Those bodies need to be given targets if they are to make progress. Frankly, "hope" is not enough. We all hope that things will happen, but unless legislation is in place, we might be hoping forever.

15:45

Fiona Page: If you have particular suggestions as to how the bill can be enhanced in that respect—

Cathy Peattie: I have.

Fiona Page: I am sure that ministers will be happy to have a dialogue.

Cathy Peattie: I am really shocked.

Philip Wright: Fiona Page was describing the bill, but a plethora of other measures will bear down on public bodies. For example, the carbon reduction commitment will bear down on local authorities, which will be obliged to participate in the scheme subject to their meeting a certain energy threshold—as a good number of authorities will. Other policy measures will also bear directly on public sector bodies. The bill represents a fall-back position; if the measures to which I have referred and other measures in specific policy areas that may come along in the future do not work, we can resort to the general provisions of the bill to apply the duty.

From working with local authorities and their community planning partners, we have the sense that there is a real willingness to address climate change. That may have been the case 20 years ago with equalities—it is certainly the case with climate change now. The Convention of Scottish Local Authorities has set up a task force on the issue and we believe that there is the momentum for a voluntary approach. If that does not deliver, we can fall back on the bill.

Cathy Peattie: So, there is no way of auditing what is happening. You just "hope" that it will happen.

Philip Wright: No. There is no "hope" behind the likes of the CRC—it is a statutory process with which authorities will be required to comply. There will be other examples of that in other policy areas.

The Convener: Is that all right for the moment? Save some questions for the minister.

Cathy Peattie: Just for the moment.

Alison McInnes: I share Cathy Peattie's concerns. You have said that the bill is the "last resort". Is not there an in-built time lag in the system, in that if the voluntary approach is not successful we will have to go through a process in imposing a duty? A co-operative effort is required. I do not criticise local authorities at all—some of the best examples of action to tackle climate change have been at local level—but it should be made clear in the bill that we are all in this together from the start. That would allow local authorities and other public bodies to plan. Why have you not been prepared to do that?

Fiona Page: I am not sure what duty or specific example you would like us to include in the bill.

Alison McInnes: You might want to consider including a provision for annual reporting, as is required of the Government, at local level. Such reporting could deal with issues such as the state of local authority estates.

Fiona Page: Would it cover emissions reductions, action on energy efficiency or other issues?

Alison McInnes: It could cover any of those issues. Did you not consider such matters?

Philip Wright: We were conscious that measures to address such issues are already in place or are planned. The carbon reduction commitment will require local authorities to report on their energy use and associated emissions. That will capture a large chunk of the public sector.

Alison McInnes: If we required something further, would we be duplicating the carbon reduction commitment?

Philip Wright: Any provision that we included in the bill would be duplicating the carbon reduction commitment. The UK Climate Change Act 2008 includes a reference to the commitment and to the need for provision of information. That was a preliminary move simply to get information to flow in and to provide a basis for the allowances that are made to the bodies that are covered by the carbon reduction commitment. The carbon reduction regulations will not be introduced until later, but they will cover many of the areas about which members have concerns.

Alison McInnes: Did not the consultation responses to the bill indicate clearly that public sector bodies such as local authorities support the introduction of a statutory duty?

Andrew Henderson: Some public bodies indicated that that they are keen for a statutory

duty to be imposed, but many others support our approach. COSLA was more than happy for us to include in the bill an enabling measure that might need to be used if we were not getting anywhere under the current concordat and the new arrangements that the Scottish Government has built up with local authorities through single outcome agreements and so on. The loudest message that came through was that we need to give those arrangements a chance to work before we impose specific obligations.

Alison McInnes: I asked about the time lag. If the voluntary approach is not working and you feel the need to impose a duty, what will be the timescale for the secondary legislation and how long will it take before we see action?

Philip Wright: If we consider the profile of sources of emissions, we see that the public sector does not make such a large contribution to emissions. Therefore, failure to deliver in that area will not have as significant an impact as it would have in the energy, transport or agriculture sectors, where the large emissions come from. The main reason why we want to focus on public sector organisations is that they have a key role as exemplars: they have a role in reducing emissions in their estates and through their procurement activities, although their direct emissions are relatively small in the overall scheme of things. That gives us breathing space to address the issue over time.

The Convener: Does the Government have a view on the timescale within which a duty would be implemented if ministers decided to make use of the provision? For example, would it be appropriate to impose a duty on the public sector within a spending review period? A public sector duty would have an impact on the finances of the bodies that were subject to it. Would it be appropriate for ministers to consider that in the run-up to the 2010 part of the cycle?

Philip Wright: I will think out loud. Fiona Page and I have mentioned the carbon assessment project. A large percentage of the Government's expenditure—£11 billion-plus—goes directly to local authorities. The Government can try to do what it can, but once the money goes into local authorities, we lose it, to an extent. From our knowledge of how the carbon assessment project works, we might want to extend any commitment to undertake such an assessment into local authorities. However, it is a brave new area, so we are not sure how it will work. It may be the trigger for promoting action such as the convener suggests. We might not have to go to the extent of imposing a duty. There could be encouragement or demonstration.

The Convener: It could be argued that the promotion of a duty in association with a spending

review might be more compatible with the concordat approach, rather than with a return to ring fencing. Has the Government considered that or discussed it with local authorities?

Philip Wright: I will have to pass on that. I have heard nothing about a return to ring fencing.

Rob Gibson: We realise that other committees will deal with part 5 issues, but we are keen to talk about adaptation. Will the Scottish Government publish climate change adaptation documents before those are required statutorily under the bill?

Philip Wright: In parallel with the bill process, we are developing an adaptation framework. We consulted last year on the principles and definitions. That was a generic approach to building up Scotland's resilience to the impacts of climate change. We will issue a second consultation in the spring, which will build on the earlier consultation and reflect something of the responses. That will be about development of the Government's adaptation strategy, with a view to engaging with various sectors of the economy. It is a non-statutory approach to climate proofing Scotland and facilitating that process.

The approach will be based on the evidence that is available from the UK climate impacts programme scenarios of 2002. A new set of scenarios—or projections, as they are to be called—will be produced in the next two or three months, which will provide a new baseline for developing the adaptation agenda. There is a lot of activity.

The UK Climate Change Act 2008 contains an obligation to produce a UK risk assessment, which will use the UKCIP 2009 projections, as they will be called, to look across the economic sectors to identify the level of risk to which they are exposed. That will help to inform the Government's response and the response of businesses and public sector organisations that operate in those sectors.

Rob Gibson: Can you share with us any outstanding ideas that emerged from the first consultation, and which you will include in the second consultation?

Philip Wright: I had a look at the draft last week. The document is in preparation and will be consulted on in the office because it is cross-cutting and touches on a number of policy areas. It would be premature to suggest how we will reflect people's views; you will find out in due course.

Shirley-Anne Somerville: On the Scottish adaptation strategy, the bill will rely on a UK impacts report. What guarantees have you been given that the report will address Scotland's unique opportunities and challenges? What role

will Scottish organisations have in developing the report?

Philip Wright: I do not know the scientific detail, but there will in essence be a scientific assessment of the risk to the UK. Because the science does not acknowledge administrative boundaries, the UK will be considered as a whole. I expect the report to be relatively neutral in relation to administrative arrangements, so we should get as good a picture of Scotland as we get of the other countries in the UK. There will be a separate response from each of the four countries, because we will quickly drop into devolved matters. We are on the steering group, so we are closely engaged in the process. We are also engaged in the UK's CIP programme.

The Convener: It is strange to mention this at the end of our discussion, but why is there no reference in the bill's long title to the need to avoid dangerous climate change? Was such a reference considered? Its inclusion would allow the advice from the Committee on Climate Change or subsequent advisory bodies to be geared towards avoiding dangerous climate change rather than towards a specific target to reduce emissions by 80 per cent.

Philip Wright: Such a reference was called for during the passage of the UK Climate Change Bill. The UK's responsibility in that regard is an issue, and such a high-level objective seemed inappropriate. The bill will inform the trajectory, as we discussed, but it is not in the gift of the UK Government or the Scottish ministers to prevent dangerous climate change—

The Convener: They might not be able to do so unilaterally. However, was another form of words considered? For example, there could be an acknowledgement of the need to contribute to international efforts to avoid dangerous climate change.

Philip Wright: That is the bill's implied objective, but whether ministers would be prepared to make explicit such an objective is a matter for further consideration.

Fiona Page: As the convener knows, Parliament has the final say on the bill's short and long titles. Ministers wanted to introduce a climate change bill, so that was our starting point. As additional provisions to help us to achieve the policy aims were identified, we captured the spirit of them in the long title, but we did not go much beyond that.

Philip Wright: I talked about moving targets. It has been suggested that dangerous climate change might be avoided if temperatures do not rise by more than 2°C, but there are different views on that, just as there are different views on the atmospheric concentration of greenhouse

gases that is associated with a 2°C rise. We must steer clear of words that attach themselves to anything too specific. A conference took place in Exeter two years ago simply to discuss what “dangerous climate change” means. The convener’s suggestion might take us into a tricky area in legislating.

16:00

The Convener: No doubt the science will continue to develop on the danger of a 2°C rise and on parts per million. I understand why you would not want to include “2°C” in the long title. Does that not reinforce the argument for making the title less specific and more conceptual, for example by referring to the need to contribute to efforts to avoid dangerous climate change?

Philip Wright: We will take your proposal away and think about it. Perhaps you can ask the minister about it when he gives evidence to the committee.

The Convener: Thank you.

Were additional measures considered for inclusion in the bill, but rejected? Can you give us information about decisions to reject issues during the preparation of the bill?

Andrew Henderson: In the consultation, we explored in detail and asked about the possibility of using emissions budgets as a model for the reduction of emissions and the shaping of the trajectory to 2050.

The Convener: I thank the witnesses for answering our questions. We will no doubt be well informed by your answers as we continue our scrutiny of the bill.

Climate Change (Scotland) Bill (Witness Expenses)

16:02

The Convener: Are members content to delegate to me the arrangements under rule 12.4.3 for the Scottish Parliamentary Corporate Body to pay witness expenses during our consideration of the Climate Change (Scotland) Bill?

Members indicated agreement.

High-speed Rail Services Inquiry

16:02

The Convener: Do members agree to make a bid to the Parliamentary Bureau for a slot in the chamber in which to debate the report that emerges from our inquiry into the potential benefits of high-speed rail services? We hope to have such a debate in late April or early May.

Members indicated agreement.

16:03

Meeting continued in private until 16:49.

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