



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

ECONOMY, ENERGY AND TOURISM COMMITTEE

Wednesday 5 February 2014

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CONTENTS

	Col.
DECISION ON TAKING BUSINESS IN PRIVATE	3849
NATIONAL PLANNING FRAMEWORK 3 AND SCOTTISH PLANNING POLICY REVIEW	3850

ECONOMY, ENERGY AND TOURISM COMMITTEE

3rd Meeting 2014, Session 4

CONVENER

*Murdo Fraser (Mid Scotland and Fife) (Con)

DEPUTY CONVENER

Dennis Robertson (Aberdeenshire West) (SNP)

COMMITTEE MEMBERS

*Christian Allard (North East Scotland) (SNP)

Marco Biagi (Edinburgh Central) (SNP)

*Chic Brodie (South Scotland) (SNP)

*Alison Johnstone (Lothian) (Green)

*Mike MacKenzie (Highlands and Islands) (SNP)

*Hanzala Malik (Glasgow) (Lab)

Margaret McDougall (West Scotland) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

David Bell (Jones Lang Lasalle)

Joss Blamire (Scottish Renewables)

Ken Cronin (United Kingdom Onshore Operators Group)

Brian Galloway (Scottish Power)

Derek Mackay (Minister for Local Government and Planning)

Malcolm MacLeod (Highland Council)

Graham Marchbank (Scottish Government)

Jenny Marra (North East Scotland) (Lab) (Committee Substitute)

Joan McAlpine (South Scotland) (SNP) (Committee Substitute)

Helen McDade (John Muir Trust)

John Pentland (Motherwell and Wishaw) (Lab)

Aedán Smith (Scottish Environment LINK)

CLERK TO THE COMMITTEE

Stephen Imrie

LOCATION

Committee Room 4

Scottish Parliament

Economy, Energy and Tourism Committee

Wednesday 5 February 2014

[The Convener *opened the meeting at 09:31*]

Decision on Taking Business in Private

The Convener (Murdo Fraser): Good morning, ladies and gentlemen, and welcome to the third meeting in 2014 of the Economy, Energy and Tourism Committee. I remind all members to turn off or at least switch to silent all mobile phones and other electronic devices so that they do not interfere with the committee's work.

We have apologies this morning from three members—Dennis Robertson, Marco Biagi and Margaret McDougall—and we are joined by two substitutes, Jenny Marra and Joan McAlpine, whom I welcome. We will be joined for the third panel by John Pentland as an additional member.

Is the committee content to take in private later item 3, which is consideration of the evidence that we will hear this morning?

Members *indicated agreement.*

National Planning Framework 3 and Scottish Planning Policy Review

09:31

The Convener: Item 2 is consideration of the draft third national planning framework—NPF3—and the review of Scottish planning policy. We will have three panels of witnesses this morning.

I welcome our first panel. Ken Cronin is the chief executive officer of the United Kingdom Onshore Operators Group, David Bell is a director of Jones Lang Lasalle and is representing SSE, Joss Blamire is representing Scottish Renewables and Brian Galloway is energy policy director at Scottish Power.

We have agreed that we will dispense with opening statements and go straight to questions. I stress that we are a bit short of time this morning as we have three panels to get through before lunch time, so we will need to focus on the issues as quickly as we can. I ask members to address their questions to particular witnesses rather than throwing them open to general discussion, otherwise everyone will want to answer every question that is asked and we will be here all day. If anyone wants to come in and answer a question that has been directed to somebody else, they should catch my eye and I will try to bring them in as time allows. I ask members to be as short and focused as they can be in their questions, and similarly it would be helpful to have short and focused responses.

Having said all that, I start with a generic question for all of you to give you an opportunity to set out in broad terms—and rather briefly, I hope—your general views on NPF3. Bearing it in mind that the committee's focus is on the energy provisions, are you satisfied with the approach that is taken in NPF3? Will it be helpful to the development of your industry? I would like to hear from SSE, Scottish Power and Scottish Renewables in particular about the proposals on wild land and the issues relating to separation distances around wind farms. We would like to get general views, after which other members will come in and follow up the points in more detail. We will start with Mr Cronin and work our way along the panel.

Ken Cronin (United Kingdom Onshore Operators Group): Good morning. In general, our view in the industry is that the document is fine but it is a bit light in its consideration of unconventional oil and gas such as coal-bed methane and shale. Much more direction from the Scottish Government—in policy terms—is needed in that area.

On the issue of separation distances, a fixed separation distance does not work for our industry. We work site by site on the basis of scientific evidence and fact, and we work closely with the Scottish Environment Protection Agency, the Health and Safety Executive, the Department of Energy and Climate Change and local authorities regarding the geography, geology and topography, which are different on each site. We agree buffer zones with SEPA and other regulators as part of that process, but we work site by site depending on the issues.

David Bell (Jones Lang Lasalle): SSE welcomes the opportunity to give evidence to the committee. There is a lot of detail in our submission, but I will give you a quick response with some key points.

Wild land is clearly a material consideration for development management, but the Government has said clearly that wild land will not be a designation. Caution must be exercised with the current Scottish Natural Heritage mapping, and a large number of technical responses to it have questioned its robustness. It can be helpful, but we need to be careful that decisions are not based on it. Rather, it should inform decisions.

We have yet to see the SPP in its final form, which will come out in July, but it should not set the bar unattainably high and it should contain an appropriate policy test that the industry and planners can follow. The proposals on wild land, taken with some of the other policy provisions, may mean that there is a real risk to some of the challenging targets on renewable energy generation that remain for the United Kingdom and for the Scottish Government.

On the 2.5km setback distance, my view and SSE's view is that there is no evidential basis to show that there is a problem with the current 2km setback for the identification of areas of search. In short, there seems to be no justification for a move to 2.5km. It is important that, if the 2km setback distance is enshrined in the SPP for areas of search, the caveat remains that individual planning applications will be assessed on their respective merits. Up and down the UK, many turbines and wind farms are closer than 2.5km to settlements and they work acceptably with local communities. The coalition Government has not gone down the route of setting a fixed setback distance; it has rejected that.

Joss Blamire (Scottish Renewables): Thank you for the opportunity to give evidence on behalf of Scottish Renewables.

We support the tone of the NPF3 on a lot of issues and we welcome its support on the need to reach our renewable energy targets and protect our most valued landscapes. In particular, it notes

that national scenic areas and national parks will be offered a high degree of protection, and we support that. However, we also recognise that the planning system needs to be balanced and needs to allow well-sited and responsible developments to come forward, especially those that provide sustainable growth in Scotland, and onshore wind is one technology that is already delivering that growth. We are therefore particularly concerned that NPF3 and the SPP, which are currently in draft form, present a risk that such projects will be judged not on their merits but against a one-size-fits-all policy. Our concerns relate particularly to wild land and the separation distance.

Brian Galloway (Scottish Power): We welcome the NPF3, and particularly its strong emphasis on energy infrastructure. We all agree that Scotland enjoys a great opportunity for energy investment. We see ourselves as a responsible developer. We engage fully with our stakeholders and work in partnership with consultees to the planning process, and that is borne out by our excellent track record on delivering projects through the planning system and how we do business in general.

I echo what other panel members said on the specific issues of wild land and the separation distance. We definitely agree that there is wild land, and we already take account of that at the environmental impact assessment stage. We think that existing designations including Natura 2000 and the birds and habitats designations already cover everything that is needed in that area.

We share some of the concerns that David Bell mentioned about the SNH mapping exercise. We will probably go further into that during this evidence session.

We also worry that the separation distance could severely constrain the future development of onshore wind, which would be likely to create difficulties with meeting the longer-term renewables and climate change targets.

The Convener: Thank you for your answers, and for keeping them short, which is much appreciated.

Before I bring in Chic Brodie, who wishes to follow up some of those points, I have a point to put to Mr Galloway and Mr Bell, both of whom mentioned the threat to meeting the targets. The information that we have from the Scottish Parliament information centre is that 16GW of renewable output will be required to meet the target. I think that that figure comes from Scottish Renewables. According to Scottish Renewables, 20.5GW is currently either consented, constructed, in planning or in scoping. It does not sound as if there is a big risk that we will not meet the targets, even with the variations in place.

David Bell: On 19 December 2013, the Scottish Government issued the route map update, which sets out a very accurate update on current deployment. It tells us about the 16GW of output that is equivalent to the target of 100 per cent by 2020, but it identifies that, if we consider installed capacity that is operational and consented but not yet built, the total is about 11.1GW, so there remains a shortfall of 4.9GW or so before we attain the 16GW figure. It should be remembered that not everything that is consented will be built, for various reasons, so there remains, in the relatively short time until 2020, a significant shortfall against the 16GW target.

It should also be remembered that the UK legal obligation for 2020 is for 15 per cent of all energy to come from renewable sources. That is referenced in the route map, and Scotland clearly contributes to that. The current position is that 4.1 per cent of UK energy comes from renewable sources. In so far as Scotland contributes to the UK position, there is still an awful lot to be done. The factual position as I see it is that there is a shortfall against the target that you mentioned.

Brian Galloway: We consider the cumulative impacts of the various policy initiatives. There are constraints around the suitability of the wind resource and finding the best sites, and there are grid constraints in many areas. When we layer on top of that the increased restrictions involving wild land designation and the separation distance and consider the remaining land mass that is available for development, we find that the situation is very restricted indeed. In our view, it is unlikely that there would be sufficient projects to meet the targets.

David Bell: We might add the cumulative pressures that are arising in some areas. Where there are already a number of wind farms, the cumulative capacity might mean that no more developments can come forward. In addition, the Eskdalemuir seismic monitoring station is constraining a number of developments in the south of Scotland, and aviation constraints remain in some areas. If we add the 2.5km separation distance and the wild land issue, we see that the deployable areas may be severely constrained.

Chic Brodie (South Scotland) (SNP): I was interested to hear Mr Bell's comments in view of Caroline Flint's assertions this morning about investment in renewables in Scotland.

First, I will ask about SNH's mapping exercise. The view in Scottish Power's submission is that the mapping exercise was perhaps not as effective as we would have wished, and that it was perhaps not even fit for purpose. That causes us some concern because we have discussed the issue in previous evidence sessions and we asked questions of SNH regarding the delay to the

mapping exercise. Now that we have one, you are apparently dissatisfied with it. Is that right?

David Bell: Yes. SSE submitted a detailed technical response to SNH. My understanding is that SNH received more than 400 responses to its consultation, which closed in December. The technical advisers to SSE on landscape matters have carefully reviewed the SNH mapping exercise and have some serious concerns about its robustness. That is not to say that a mapping exercise will not be useful for development management, but if it is to be used, it must be robust and it must have an appropriate methodology that can be supported by the industry and by regulators.

09:45

SNH makes it clear in its consultation paper, which was issued in November last year, that the mapping exercise is not yet based on fieldwork, which is very surprising. It is essential that, if a mapping exercise is to be relied upon for development management activity, it is based on fieldwork and everyone can have confidence in it. At present, that confidence is not there. That is why there is reluctance to fully support the mapping exercise in its present form.

Chic Brodie: I find that extremely disturbing in view of the previous evidence. Perhaps we can revisit that. Mr Galloway, do you wish to comment?

Brian Galloway: Absolutely. We agree that there are some methodological shortcomings in the analysis. There are four particular points to highlight. There is no real differentiation as regards the extent of wildness. It is a binary, black-or-white assessment. Clearly, conditions will vary significantly, so ideally there would have been more differentiation in the definition. As David Bell said, some of the assumptions have not yet been sufficiently rigorously tested, and to some extent they are based on perceived naturalness, which is by its nature subjective. For us and other developers, it would be prohibitively expensive to independently test the data.

That is where we are coming from. As David Bell said, other people share that view, including respected commentators such as the Crofting Commission. We think that there is room for improvement.

Chic Brodie: Perhaps Mr Bell can answer this question. One issue that we tussled with is the definition of wild land. Do you have a clear idea in your mind as to what wild land is?

The Convener: I will let Mr Blamire answer the previous question before we move on.

Joss Blamire: My answer relates to that point as well. We have had a map of wild land since 2002. However, that map identifies search areas for wild land—areas of Scotland in which there may be areas that need to be protected due to their wilderness. The current SNH map updates that 2002 map, but it is the use of that map that is dangerous, in the context of the wording in NPF3 and the SPP. The assumption is made that all those areas are possibly constrained, rather than areas that may be wild being highlighted and developers being allowed to perform on-the-ground assessments.

What we have—and what we could potentially have—is a desk-based study that was done from a remote location to judge characteristics of land on the ground. We do not think that that is appropriate.

Chic Brodie: Thanks.

David Bell: You asked, “What is wild land?” A key point is that it is subjective, but there is undoubtedly a way of identifying wild land characteristics. It is fair to acknowledge that. However, as has been said, those characteristics are variable and there should not be a one-size-fits-all approach based on areas on a map. That is where the danger lies. The Government has said that it does not wish to create a designation, but if lines are put on a map that cover extensive areas of Scotland, that leads to not only a potential constraint for onshore wind but a constraint for other types of development—particularly in the Highlands and Islands—that may be pursued in the years to come for economic development purposes.

The way forward on that, and a positive suggestion—to pick up on Joss Blamire’s point—is that SSE progresses a wild land assessment for each of its developments that may have an effect on wild land. One suggestion is for the SPP to include a mandatory requirement on developers whose developments will be close to or in wild land to produce a wild land assessment, which would properly look at the effect that the development might have on wild land characteristics. It would be important to base that on fieldwork, which is lacking from the current SNH exercise, as I said.

Brian Galloway: It is important to make the point that wild land considerations happen routinely in any case. Although the concept is quite difficult to define, the environmental impact assessment process already includes rigorous assessment in relation to the landscape, visual impact and biodiversity. That delivers the right answer for the planning decision 99 times out of 100. We do not need a new quasi-definition of wild land to ensure that we do the work, as it happens routinely.

Chic Brodie: Why has the separation distance between settlements and areas of search been changed from 2km to 2.5km? What impact will that have on renewables developments?

Mr Bell used the phrase “one size fits all”, but the separation distance does not apply to every application. When an application has not met the 2km criterion, how have you managed to take communities with you?

David Bell: I practise throughout the UK and I am often involved in wind energy projects in England, where population density is greater and wind farms are often sited in proximity to settlements—they could be 900m or 1.5km from settlements. In my experience, the approach is based on early engagement and consultation with communities, but we cannot always bring everybody with us all the time.

Development management practice has progressed on the basis of treating every scheme on its merits. Acceptable effects are often found at a distance of 800m or 900m from settlements; that depends on the topography, the amount of ground cover and the format of settlements and so on. That practice is working well.

The important distinction is that, for areas of search identification for spatial frameworks, the 2km distance is working well. In Scotland, the practice is that, if an application is made for a site that would be closer than 2km, a reporter or a planning officer judges that application on its merits. It might be refused or approved.

The important point is that the 2km or 2.5km distance is not an absolute boundary; it is simply a guide for areas of search. I hear perpetuated throughout the UK the myth that Scotland has a 2km set-back requirement, which is not the case. The position is often misinterpreted in that way. That is why I have emphasised the point.

Brian Galloway: I will reinforce that point. I think that the committee knows that we feel that the existing 2km guide is adequate and proportionate, but some of our biggest sites in Scotland—such as Black Law and even Whitelee—breach the 2km threshold. Such projects, which we consider to demonstrate almost a gold standard of planning and developing, do not necessarily meet the 2km criterion, let alone the 2.5km criterion.

Joss Blamire: The 2km separation distance has always been a guide and not a boundary, as David Bell pointed out. The Scottish Government commissioned the University of Dundee to look into the origin of the 2km separation criterion that is used in Scotland. The researchers were not able definitively to trace the origin to any study and found no supporting data to justify such a separation distance.

That is not to say that the current approach is wrong. The 2km separation distance is a guide, and development might take place within 2km if the landscape and visual assessments show that it can do. Equally, development might not take place outside 2km if it is shown to have too great an impact. The 2km separation distance is there as a guide, and it is important that it continues to be used as a guide. That is preferable to introducing a one-size-fits-all approach.

Joan McAlpine (South Scotland) (SNP): A reason why Scotland has historically had a higher rate of renewable energy generation is that marvellous hydro developments went ahead in the last century. If a wild land designation had been in place back in the days of Tom Johnston, would those developments have gone ahead? I know that the current approach applies to wind.

David Bell: You make a good point. The answer might be no. We just do not know.

It is worth noting that many hydro developments are not reversible. They are there in perpetuity and they are part of Scotland's infrastructure. Many people would say that they fit in well with the landscape; others take a different view. The important thing to remember about wind farms is that they are all, by their nature, time limited. They are there only for 25 years.

In the national planning policy in England—"National Policy Statement for Renewable Energy Infrastructure", or NPS-EN3—specific reference is made to the reversibility of wind farms. My view is that if a wind farm is consented in a landscape, whether or not it is close to wild land, the landscape will be revealed in its previous form 25 years later. That issue is in national planning policy in England and it is recorded as an important consideration for decision makers. If it is important, it should be afforded weight. Part of SSE's representation on the SPP has been a call for explicit recognition of the reversible nature of wind farms. That should be an important consideration in the context of the wild land issue.

Joss Blamire: I echo those comments. The industry has worked closely with Scottish Natural Heritage to start to develop good practice guidance on the decommissioning and restoration of land. The work is well under way.

On the question about hydro development, there are rural communities in Scotland that are very concerned about wild land mapping, such as the crofting community and landowners. Scottish Land & Estates is concerned about the definition of "wild", given that a lot of people work in such areas and regularly use the land for economic activity. We are in danger of putting up a barrier that should not be in place.

Joan McAlpine: The wild land designation applies in relation to wind farm development, but do you fear that it might be used by some people to stop other developments, such as the enhanced high voltage energy transmission network? Companies that are represented here are putting huge investment into the network. Could people try to use the issue to prevent essential work from going ahead in an area of wild land?

David Bell: Wild land is a characteristic that is already taken into account in routing decisions, whether they relate to transmission or distribution. If extensive areas of wild land are identified—I hope that that would not happen through designation, as the Government has said—the factor will be prominent in routing decisions. It cannot be ruled out that the issue might be a major constraint in future.

Joan McAlpine: Thank you.

The Convener: I will follow up what Mr Bell and Mr Galloway said, just to be clear. Is it fair to say that you are not against protecting wild land in itself but you are uncomfortable with the exercise that SNH has undertaken?

10:00

David Bell: Yes. In summary, there are two key points. The first is the concern about the mapping exercise, on which we have submitted a detailed technical response, and the second is the question of how wild land features in the SPP's spatial framework methodology. It is currently in group 2 but our view is that it would sit more appropriately in group 3. Allied to that, the policy test as worded in the SPP should not set the bar unattainably high but, instead, should provide an appropriate development management framework policy that allows individual applications to be assessed on their respective merits—accepting, of course, that wild land is a resource that requires protection and development management decisions.

Brian Galloway: I agree. We do not need a quasi-designation because we already operate in many of the areas that have been highlighted with no adverse effects.

The Convener: Finally, going back to Mr Bell's point about restoration and decommissioning, how will the wind industry avoid what has happened with opencast coal mining, in which the taxpayer might be left with a huge bill because all the bonds that were supposed to be put in place simply do not exist?

David Bell: There is no evidence of a legacy of undecommissioned wind farm projects in the UK.

The Convener: There will be no evidence of such a legacy because none of them has reached 25 years.

David Bell: Some of them are nearing that age but you are right to highlight that key point. Some schemes are being repowered but the use of bonds is important. As for whether they are also allied to legal or section 75 agreements, we might well, given the warning signs from opencast coal mining, need a more robust approach to the matter.

The magnitude of restoration is somewhat less than major land engineering. We are dealing with access tracks, dismantling towers and so on. The magnitude is different, but there is a mechanism to give people more confidence that the resources to deal with restoration will be available.

The Convener: Thank you. We need to move on to the other issues that we have to cover. I believe that Alison Johnstone has some questions on energy storage.

Alison Johnstone (Lothian) (Green): Energy storage is important to both energy security and protection from peak prices, and investing in it would obviously be very good for the economy. I believe that Scottish Renewables in particular has highlighted certain challenges with regard to forthcoming changes to market arrangements through electricity market reform. Are you hopeful that such challenges can be overcome and that we will start to see the developments that we need?

Joss Blamire: With all renewables technologies as well as pump storage, which is not strictly a renewables technology, a lot of uncertainty remains with the end of the EMR process this year and we are yet to find out whether pump storage will be supported through that mechanism and the current Energy Bill or through some other mechanism. There is a bit of a gap in our knowledge at the moment and we would welcome discussions with the UK and Scottish Governments about how pump storage might be supported, given its significant benefits for the Scottish economy and the efficiency of our renewables generation mix.

Brian Galloway: A number of policy and market design-type questions need to be considered with regard to pump storage, and any economic assessment needs to take into account the fact that, under the current locational transmission charging arrangements, such projects in the north would suffer a cost disadvantage.

Under EMR, which has been really positive, pump storage projects should qualify for the capacity payment that is being considered to ensure that there is enough generation during peak demand and at times of system stress. However, that capacity payment will by its very nature remove some of the case for investing in pump storage. One of pump storage's key

attributes is that it benefits from peak electricity prices, because that is when pump storage projects are economic. However, the capacity payment will rightly smooth out and eliminate many of those peaks. In short, pump storage will receive a capacity payment but will also lose some of its energy market revenue.

There needs to be a way to solve that intractable problem. We obviously need to have enough megawatt hours of energy on the system and the investments that we have seen in all the technology should bring that. Similarly, we need to have enough capacity on the system and the EMR capacity mechanism should deliver that. However, we also need enough flexibility on the system, but there is no market mechanism to reward such flexibility. Institutions such as National Grid understand that and are thinking about it in terms of future market design. We need energy, capacity and flexibility.

David Bell: SSE welcomes the inclusion of the pumped-storage elements in NPF3. Clearly, it will give greater flexibility to National Grid to balance supply and demand. With regard to targets, as more intermittency comes into the system—that is, there is more non-dispatchable load—it becomes much more effective at balancing out supply and demand.

Alison Johnstone: The location given in NPF3 for pumped hydroelectric storage is "Throughout Scotland". Although no specific locations are mentioned—and there may be such locations—is that description just indicative of the fact that decisions have yet to be made and that an element of flexibility is needed?

Brian Galloway: I think that that is right: it is about keeping options open. I agree with David Bell that there is potentially a big opportunity in terms of pumped-storage investment and jobs in the sector. There is definitely potential from existing sites in terms of availability of infrastructure. Our generation facilities in this area are very reliable and flexible. They have very high availability when called on by the system operator and provide a very fast response time. There is a role for existing sites and potential for new development. The fact that we do not know the environmental and technical details of all that suggests that it is about keeping options open at this stage.

Alison Johnstone: Thank you. I have no more questions on energy storage, convener. I would like to ask questions on buffer zones, but I presume that we will come on to that subject.

The Convener: If no one else has questions on energy storage, I am happy to move on to buffer zones.

Alison Johnstone: The witnesses' submissions indicate, for example, that opencast coal mine buffer zones are 500m and that for wind farms we are now looking at a 2.5km buffer zone. Scottish Environment LINK has suggested that an unconventional gas extraction site would have a 2km buffer zone. It seems quite arbitrary that it is okay to live 500m from a coal mine but that an unconventional gas extraction site must be further away.

Mr Cronin, at the beginning of the meeting you suggested that one size would never fit all, that a set buffer zone would not work in your industry and that we should look at the geographical lie of the land. How small a buffer zone might you have? How close to domestic property would it be possible to extract unconventional gas?

Ken Cronin: That is a very good question. First, where is unconventional and conventional gas extracted at the moment? There are sites in RSPB nature reserves, sites of special scientific interest and very close to council estates—there is a real mixture. Each site is looked at on its merits in terms of watercourses, aquifers, noise, light pollution and so on. The reality is that there is not a one-size-fits-all solution. We have sites in the UK that are as close as 500m to homes and sites that are further away than that. It really depends on the site's location, geology and topography.

David Bell: The planning system will have a real problem if there is a non-flexible approach to buffer zones. With regard to wind farms, the approach that is followed south of the border, which has some resonance and relevance up here in Scotland, is that decision makers pose the question "Would the proposal affect residents' outlook to such an extent that it would be so unpleasant and oppressive that this would become an unattractive place in which to live?" That involves recognising that a view from a property is a private interest but there is a public interest in not creating living conditions that would be unattractive.

It then comes down to planners in the field judging the effects of individual projects on properties and settlements. As I said earlier, we may well find that a project sits comfortably 1km from a village and that local people support it. With a 2km set-back requirement, we might say that we could not develop there. That is why there is a danger in using a buffer zone as a fixed limit, and it is why I emphasise that applications need to be considered on their merits.

Joss Blamire: Regardless of the technology, whether we are talking about unconventional gas or wind farms—despite their being such different technologies—the important point to note is that, when we create a buffer zone, we create a boundary line. That can result in yes/no decisions

based on that line without the experiences of people in the area or any environmental experiences being taken into account. The industry is asking for flexibility and for projects to be judged on their merits. We are not asking for a green light beyond any buffer. I am sure that individual communities would be concerned if we were asking for that, but that is not the case.

Brian Galloway: Our view is that things work well at the moment on a case-by-case basis. We engage communities early in the planning process and take their views into account. I can give examples of us changing plans for wind farm sites and turbine placements based on community feedback.

Alison Johnstone: I do not know whether you are aware that there was a community bid for a turbine at Portobello in Edinburgh by a group called PEDAL—Portobello Transition Town, so we could have had a turbine quite close to an urban settlement. Do we need to consider the issues differently when we are looking not at wind farms but at specific community projects, which may involve just one turbine?

David Bell: The current position on set-back distances in relation to spatial frameworks works well. It allows individual turbines—rather than wind farms—to be considered. In such situations, the approach that is taken is the same as that I described earlier: there is consideration of whether the amenity of a property would be unacceptably affected taking into account visual considerations, shadow flicker and noise. If those matters can be satisfactorily addressed, the development should go ahead. That is essentially the planning system operating effectively. Developments raise similar issues whether there would be three turbines or one. The magnitude of visual effect differs, but the same considerations apply.

Joss Blamire: A further point is that a buffer zone or a set distance does not take into account innovation. A number of onshore wind developers and manufacturers are looking at technologies that would be far more suitable in urban environments. A system that rules out areas under a one-size-fits-all policy would not allow technology to develop or allow for innovation, which the current planning system does.

The Convener: I have a follow-up question on buffer zones for Mr Cronin. Large parts of central Scotland, including large parts of Fife, which I represent, were built up around the coal mining industry; settlements were built around what were pitheads. What is the impact of unconventional gas extraction on the amenity of a neighbourhood compared with, say, a traditional deep mine, with all its pithead machinery and so on?

10:15

Ken Cronin: The biggest impact is during the first phase, which is the drilling phase. That normally takes somewhere up to three months for a coal-bed methane site and up to six months for a shale site. At that time there are many truck movements, which will be mitigated according to local circumstances. There is a drilling rig that is a couple of hundred metres high, which is about the typical size of a mature tree. There is noise on the site because of truck movements and so on. After the drilling we enter the phase of producing the gas.

The wellheads themselves are about two meters high; most of the kit is taken off the site and we are left with very small visual, noise and light impacts. We have drilled about 30 wells in central Scotland in the past 20 years and quite a lot in Airth in the Stirling area. You would find it difficult to find them.

The Convener: In terms of things like vehicle movements, once the drilling phase is over, how is the gas extracted? Is it done through a pipeline? Are there vehicle movements?

Ken Cronin: Coal-bed methane and shale gas production are, typically, connected to the grid system. Some residual gas may be used for onsite electricity generation. Because shale uses water, we try very hard to connect to the mains water system. The waste water goes out via trucks during the hydraulic fracturing process. Coal-bed methane extraction does not involve hydraulic fracturing in Scotland and so that would not occur. Again, that is just during the drilling phase: once that is out of the way, the number of truck movements becomes quite small.

Joan McAlpine: You talked about the visual impact of coal-bed methane. As I understand it, often quite a number of wells need to be sunk. For example, in Canonbie in my area I think there have been 19 different sites of drilling in quite a small area. Is that typical of the industry?

Ken Cronin: In coal-bed methane extraction, drilling depends on the geology—the sweet spots where the gas is, and so on. Wells tend to be grouped together. At the moment there is a planning application for 14 wells at the Ayr site. When you go into a shale production site you will probably see about 10 wells on land the size of perhaps two football pitches.

Joan McAlpine: If a site is in the middle of nowhere, probably nobody is bothered; but if it is in the middle of a housing estate or a small rural village such as Canonbie, which I represent, will it not have quite a significant impact?

Ken Cronin: Any energy production, whether it is building new nuclear power, wind farms or

whatever, involves a certain amount of truck movement at the start of the process. Whether it is coal-bed methane or shale, once the process has started, the drilling is finished and the production of hydrocarbons begins, the amount of truck movement, the visual and noise impacts and light pollution go down to a bare minimum.

Joan McAlpine: You said earlier that you need to remove water. Does that happen for the whole duration of the extraction phase?

Ken Cronin: Water is used in unconventional only in shale gas extraction; coal-bed methane does not use water in the same way. It is used only during the hydraulic fracturing phase. Between 25 and 75 per cent of the water that is used during the hydraulic fracturing phase comes back within the first week or two, directly after the drilling phase. Once you get into the production of gas, truck movements go down to a minimum.

Joan McAlpine: Where does the water go?

Ken Cronin: The water is taken to be treated. The biggest issue is around normally occurring radioactive material, which is brought back up to the surface with the water. It is treated and disposed of in line with SEPA regulations.

Joan McAlpine: I am sorry—did you say that “radioactive material” is brought up with the water?

Ken Cronin: A small amount of normally occurring radioactive material is brought back with the water. We are dealing with significant depths. That is not unusual when it comes to gas and oil production.

Joan McAlpine: Many proposed sites are in very built-up areas. If I was living in one of those areas, I would be extremely alarmed.

Ken Cronin: Normally occurring radioactive materials are produced in a number of different industries. Those materials are heavily regulated by SEPA. We have one of the best environmental regulation systems in the world in Scotland and in the rest of the UK. I do not think that residents have anything to fear.

Joan McAlpine: Are heavy metals also brought up with the water?

Ken Cronin: Some heavy metals may be brought up, depending on the geology; it is site specific, and we work very closely with SEPA on that.

Joan McAlpine: I would like to say that I am reassured. Unfortunately, I cannot.

Hanzala Malik (Glasgow) (Lab): You go to great pains to emphasise the fact that traffic movement goes

“down to a bare minimum.”

What is “a bare minimum”?

Ken Cronin: For coal-bed methane, it consists of maintenance crews going in occasionally to look at the site and to ensure that it is operating properly and so on. Most of the truck movements happen when the drilling kit goes on to the site. For shale, there are truck movements associated with some of the chemicals and waste water coming back out, but that is not the case with coal-bed methane. The traffic does indeed go down to a bare minimum. Once the drilling is finished and the drill rig is gone, we are left with a 2m wellhead, which produces the gas.

Hanzala Malik: What is the perceived level of traffic during the process? You say that there will be a lot of movements in the beginning. How would we measure that? What is the footprint for that in any given area? For an operation in a small rural area with minor roads, what is the impact on the road surface? What is the impact on traffic, health and safety and so on?

Ken Cronin: As part of any planning process that we do, either in Scotland or in the rest of the UK, a traffic management plan is agreed with the local council and SEPA, or the Environment Agency. There are various estimates regarding truck movements, but the amount depends a lot on the geology. Before they put in planning applications, operators visit the areas where they want to operate and talk to people in the local communities about how to mitigate truck movements and so on.

For example, it has recently been agreed with the local communities at a number of sites in the UK that truck movements will not happen at certain times of day, taking into account schools and so on. Other operators have agreed not to use specific roads at specific times. It is all quite well managed. I have seen estimates that suggest that the amount of truck movements is no different from that for building a housing estate in the early stages, or even for delivering parts for wind farms.

Alison Johnstone: Even if we could be absolutely reassured about methane gas leaks, fugitive emissions and so on, we would still be adding to Scotland’s greenhouse gas emissions. You will be aware that the Government has not managed to meet its climate change targets over the past couple of years. Has there been any discussion with the Scottish Government on the impact that such activity would have?

Ken Cronin: We have so far had minor discussions with the Scottish Government. In Scotland, 80 per cent of our heating and cooking uses gas. By 2030, 80 per cent of that gas will come from outside the UK—principally from Qatar and Europe. Europe will use pipelines, which entails significant transmission loss and therefore

has an economic and environmental impact. The rest will come from liquefied natural gas from places such as Qatar. The LNG process of gasification, liquefaction and transport uses about 13 per cent of the gas that is transported, so it also has a fairly large economic and environmental impact. We therefore believe that shale gas has a role to play in reducing that import dependency and the environmental kick-on from that. The UK produces 40 per cent of its electricity from coal—the figure for Scotland is about 20 per cent. Gas generation emits 50 per cent of the CO₂ emissions of coal, so that is another target for us.

Finally, the debate always gets polarised around electricity, but we should not forget heat or feedstocks. A large part of the UK’s industrial business is surrounded by use of gas, whether it is fertilisers, petrochemicals or whatever. We have only to look at Grangemouth down the road. It takes shale from the US, despite the fact that the plant sits on top of a very large shale gas reserve. We need to consider the economic and environmental impacts of that.

Alison Johnstone: In parts of the United States and in Australia, unconventional gas extraction has proved to be very controversial and terribly unpopular. Some companies have had to face the fact that it was impossible for them to go ahead with their business because of community concerns. Do you understand why people are so concerned about the technology, given the information that has emerged from those countries?

Ken Cronin: Yes—as a normal citizen I can understand people’s concerns about some of the myths that have come out of the US and other places.

There are a number of things to say. First, all the studies that come out of the US should be treated with a certain amount of caution. The industry started there 20-odd years ago and did no baseline monitoring, so we have no idea of what gas was already in the water, in the air and so on. In the UK and in Scotland we have already agreed with the regulators that we will do monitoring before we start drilling, during drilling and after drilling to ensure that there is no impact on the surrounding areas.

Secondly, there are a number of myths out there, including one about gas coming out of taps—

Alison Johnstone: Can I interrupt, convener?

The Convener *indicated agreement.*

Alison Johnstone: I am sorry, but we have viewed the “Gasland” documentary here. MSPs, including myself, watched the film, which showed that taps exploded when they were turned on and

that people were unable to sell their homes. A professor from Australia came and told us about what was happening there. I probably would not agree with your use of the word “myths”.

Ken Cronin: I was going to go on to say that, of course, gas came out of somebody's tap, but the reality is that the gas was already in the groundwater and that is where it came from, so that would have happened regardless of drilling in the area. That is why it is really important to start the process from a scientific basis of monitoring. We can then understand exactly what we have in our systems, in our water and in our air, so we can compare and contrast the issues during drilling and after drilling.

A lot of the issues that have arisen in America also come down to very poor well design and well integrity, which cannot happen in the UK under the regulations that have been set by the HSE. We have had very stringent well design, well integrity and well examination regulation in this country for more than 30 years, without a huge number of issues arising. We have drilled more than 2,000 wells in the UK over the past 30 years and we have hydraulically fractured 200 of them, also without issue. We have done all that under an extreme amount of very good regulation that has been put in place by regulators.

The Convener: A few members want to come in, but we are a little short of time, so please be brief.

10:30

Christian Allard (North East Scotland) (SNP): We had a visit from a state senator last year and we were surprised to learn that if the unconventional gas sector in America had to work under the level of regulation that we have in the UK, it would not be profitable. How viable is the industry? Will it be viable tomorrow?

Ken Cronin: We have a huge amount of regulation. Regulation has now been backfilled in the US and is causing the sector there some economic pain. We have taken the regulation into account in how we do business in Scotland and the UK and we think that the industry is still economically viable, especially when the economic and environmental costs are compared with the cost of imports from Qatar, Russia and so on. It still makes sense for the UK to produce gas from its indigenous sources.

In addition, gas prices in Europe are about four times as high as they are in the US. Finally, the big issue in relation to economic viability will come down to how we build the supply chain in the United Kingdom. The Institute of Directors talks about peak investment of £3.7 billion per year in 10 or 15 years. To make that economic, it is

essential to build the supply chain in the United Kingdom.

Christian Allard: Do you accept that there is a question mark over the industry's viability?

Ken Cronin: There is a question mark over the economics until such time as we get to a steady state of exploration and we really understand the geology, how the gas flows, what the supply chain looks like and so on. However, we would not be doing it if we did not think that we could make a margin on it and if we did not think that it makes economic and environmental sense for the United Kingdom.

Chic Brodie: I take Mr Cronin's point about it making sense to procure local gas. I cannot wait for us to produce low-cost gas from the Firth of Clyde and the near Atlantic, which are opportunities that have been denied us over the past 30 years.

We have talked about the separation distance, local amenity, encroachment on wild land, and environmental and visual impacts. At the end of the day, everything depends on the will of communities and the people therein. The community benefit aspect of planning has been an absolute failure, in my book, because it has not embraced the wider community. What do the witnesses think about community equity participation or part ownership in your projects?

The Convener: Given that we are talking about NPF3, that question was slightly off topic—

Chic Brodie: It was intended to be.

The Convener: Perhaps Mr Bell or Mr Galloway will give a short response.

David Bell: SSE takes community engagement seriously and a programme of community benefit is followed, which links with SSE's legacy from other projects in the Highlands. It is an active area.

On the wider question of equity, I will respond wearing my other hat, as someone who advises developers on projects throughout Scotland. The issue is prominent in developers' considerations. I can think of a few schemes in the Highlands that are in the pre-planning stage and in which we are engaging with communities and considering the possibility of sharing projects. For example, a community might have a number of turbines in a scheme; it would get soft loans for operation and maintenance activity and it would share revenues over the 25-year period.

With the new protocol of £5,000 per megawatt as a community benefit, more innovative approaches to community ownership would buy more communities into projects. I cannot think of any other industry that is getting penetration into rural areas such that fragile communities can have

significant resources come to them over a 25-year period. I do not see any other sector delivering that. At a time of tight budget constraints for the public sector and the third sector, that is a very important consideration, which perhaps deserves more attention in policy.

Chic Brodie: I agree.

Joss Blamire: The Scottish onshore wind industry has led the way on community benefits in a more conventional sense. We were the first to have a community benefit register, which creates transparency for developers and communities with regard to the levels of those benefits and where they are happening across the UK. We also now have a community benefit protocol, which David Bell mentioned. We have committed to exploring more innovative ways for communities to get involved in projects, and we are certainly supportive of continuing to consider that.

Chic Brodie: Forgive me, Mr Blamire, but in my experience, given the structure of some communities—just some communities—the engagement is not with the wider community. There might be engagement with a few people who represent the community—*[Interruption.]*

The Convener: Order. Somebody has a mobile phone on. Please turn it off.

Thank you. Carry on, Mr Brodie.

Chic Brodie: The question is how to engage the wider community. I happen to support community ownership or part-ownership of turbines and what have you.

Joss Blamire: We have worked closely with the Scottish Government and local energy Scotland to produce good practice guidance for community engagement, which helps to identify local communities—who the people are and which groups developers should be engaging with. There is a lot of good practice, including by the companies that are represented on both sides of me at this table. The guidance will be published shortly, having just gone out to consultation. As well as general guidance, it will include a range of case studies to highlight what is being done across Scotland.

The Convener: Mr Galloway?

Brian Galloway: I do not have much to add, at this point.

The Convener: I have two questions to ask to conclude this evidence session, unless anyone else is desperate to come in.

I will return to what Mr Cronin was saying earlier. There are a lot of scare stories about fracking, and we are all familiar with them. DECC produces an annual public attitudes tracker, which came out this week, and which shows that more

people in the UK are now in favour of shale gas extraction than against it. Are you encouraged by that?

Ken Cronin: Yes, I am encouraged by that. Given everything that has gone on, including some of the myths, it is essential that operators work directly with the communities where they want to operate, and that we have a very strict community engagement charter that starts off well before the planning process, so that all the fears can be talked through. In Lancashire yesterday, Cuadrilla made an announcement well ahead of its planning applications. It held community engagement meetings, met people by going door to door and so on, all the way through yesterday. That is part of our best practice.

We think that community benefits are important, and we have a community benefits scheme. Community jobs are also hugely important. We are talking about between 300 and 400 suppliers being directly involved in this industry here in Scotland, which will create local jobs. That is important.

We are also encouraged that people are beginning to understand where their gas and heat could come from in the future.

The Convener: For the final question, we go back to wild land. It is really a process question for Mr Bell, Mr Galloway and Mr Blamire. Are you satisfied with the level of consultation that there has been around SNH's wild-land mapping and its insertion into SPP, or should there have been greater consultation of stakeholders?

David Bell: I think that there should have been earlier consultation; it came rather late. It was disappointing that there was a mismatch in having the SPP draft policy and the NPF main issues report without the consultation on the mapping running in parallel. People responded to the mapping in December. An earlier consultation would have been more beneficial. However, it is certainly welcome that there was a consultation, and we have been able to make points to SNH on it.

Joss Blamire: I do not have much to add to that but, since the consultation has been closed on the SNH mapping process, we are yet to understand the timescale over which the SNH advice will be made public, and whether it will be made public before the SPP is published. There is no timescale in place at the moment.

Brian Galloway: It would have been useful—given that each of us has highlighted various methodological issues—for the process to have allowed SNH to consider such matters further and to revise its work as appropriate.

The Convener: Thank you all very much. It has been a very helpful session. I am grateful to you for coming in.

10:41

Meeting suspended.

10:50

On resuming—

The Convener: I welcome our second panel of witnesses on NPF3. We are joined by Aedán Smith, who is head of planning and development at RSPB Scotland and who is also representing Scottish Environment LINK; Malcolm MacLeod, head of planning and building standards at Highland Council; and Helen McDade, head of policy at the John Muir Trust. For those who were not here earlier, I reiterate what I said at the start: I encourage members to keep their questions short, focused and directed to a particular panel member or members. If one of the panel members wants to answer a question that has been directed to someone else, you should catch my eye and I will bring you in as best I can. Given the time constraints, it would be helpful if everyone could be short and focused in their questions and responses.

I will start with a question about wild land. If the witnesses heard the first panel, they might have heard the concerns from the power companies and Scottish Renewables about the wild land mapping exercise that has been carried out. I ask each of you, starting with Aedán Smith, to give us your view on the quality of the work that SNH has done, given that we have heard concerns about that. How robustly should wild land be treated in the planning process? There are concerns about the fact that wild land is not mentioned in NPF3 notwithstanding that it was mentioned in the main issues report.

Aedán Smith (Scottish Environment LINK): In Scottish Environment LINK, there are a range of views on wild land but, overall, we are supportive of the principle. We think that it makes sense to have in the national planning framework, which is the national spatial strategy for how Scotland will develop over the next 20 or 30 years, a spatial steer on nationally important types of development. Given that we have targets on things such as increasing renewable energy generation and that there is significant pressure for development of onshore wind, we think that it makes sense for the national spatial strategy to identify which areas are more likely and less likely to be suitable for development. That will ensure that the development occurs in the most effective places as we try to reduce conflicts and make the process clearer and simpler for everybody.

It is probably not for Scottish Environment LINK to comment on the robustness and quality of the methodology of the wild land identification process, as others are probably better placed to do that. I just re-emphasise that LINK is supportive of the principle of giving a spatial steer on development types. That applies not only to onshore wind but to other development types. It makes sense to identify which areas are more sensitive and less sensitive to different types of development.

Malcolm MacLeod (Highland Council): Highland Council already recognises wild land as a planning consideration within our Highland-wide local development plan. The council acknowledges the key role that the core areas of wild land play in supporting our tourism industry, which, as the committee knows, is incredibly important in an area such as the Highlands. We generally welcome the progress that has been made towards a more substantial policy on wild land and the work that has been done on mapping. However, we have a number of what we regard as fairly serious concerns. Some concerns have been raised about the methodology that has been used. In particular, there are issues around the inclusion of areas of plantation forestry and how existing consented wind farms have been treated within the sieving exercise. I recognise that SNH has addressed that, but we remain concerned about it.

Fundamentally, the council has an issue with the extent of the areas, particularly given that the areas as currently shown include areas of lower wildness qualities, so there is a gradation. At present, the core areas of wild land cover 42 per cent of the Highland landmass, which is of concern to our members. Their concern relates not just to onshore wind, but to the potential threat to other forms of development. Even though we recognise that the mapping exercise does not represent a designation, the issue of whether it is a designation still gives us challenges.

In addition, there is an issue with our capacity to deliver renewables. We have a good track record of contributing towards meeting the Scotland-wide renewables target, but there is a concern about our capacity to deliver further. We are concerned about buffer areas. What will happen outwith the areas of wild land? They have lines drawn around them. What is the difference between those areas and areas such as national scenic areas, the indirect impacts on which—impacts from outwith those areas—also have to be considered?

A number of our members have some trouble with the outcome of the process. Given that areas of wild land cover such a wide part of our region, developments will be pushed closer to our populated areas. Our submission to the original

consultation included mapping that showed clearly that the areas outwith the core areas would be closer to populated areas.

To sum up, we are disappointed that no change was made to the core areas of wild land between the original consultation and the supplementary consultation. Given the significant concerns that I have just outlined, we would like to be involved in working with SNH and the Scottish Government to finalise the proposals before they become part of the published SPP.

Helen McDade (John Muir Trust): Thanks very much for allowing the trust to give evidence on this important issue.

Although I realise that the committee is pressed for time, it is worth giving a bit of context. We have slight concerns about the mapping of wild land being considered just in relation to onshore wind. We are talking about what is important to Scotland, and the NPF is about vision and strategy. We were highly supportive of the draft that came out last year, because we felt that that issue was included. However, we would have preferred the issue to be considered by the Rural Affairs, Climate Change and Environment Committee, as it is not just about a constraint on onshore wind. That is quite a major point.

What is the economic benefit of protecting wild areas properly? A lot of evidence is coming forward about the impact that that could have on tourism, despite the fact that it is frequently stated that there is no evidence of that. SNH consulted on the map of core areas of wild land for a couple of years and Highland Council was part of that process, so I am slightly surprised that it thinks that it was not involved. That was followed by a public perceptions survey that was carried out with the national parks. The Government recognises that people's view of national parks is crucial.

A major consultation was held on people's perceptions of wildness and how important it was to them. Overwhelmingly, the results of that study—which I do not think fed back into the final map; frankly, I think that the areas of wild land could have been enlarged, whereas the final map was pretty much the status quo—reassured anyone who read it that Scottish people are extremely proud of what they have in their wild areas and that they want it to be better protected.

In the further consultation on the core wild land map, which has just finished, 80 per cent of respondents, including six local authorities and a number of communities, wanted good protection for wild land. Of course, some communities also have concerns—communities are not a single entity.

It is extremely important that the committee looks slightly beyond the constraints for onshore

wind. Mention has been made of targets, but those targets are for renewables. We need more vision—we need to look at research and development on geothermal and solar energy, which is not coming forward as it should. Some of us might think that that is because it is just too easy to put up wind turbines and that, in 20 years' time—as happened with plantation forestry in the flow country—folk will turn round and say, "Oh, that was a pity. How will we reclaim that land?"

I return to your question about whether the consultation has been adequate. The wildland research institute at the University of Leeds—the world-renowned experts—provided a response that said that the core wild land map was the best in the world. The mapping exercise is an opportunity for Scotland to say that we value what we have. We frequently appear in the top 10 destinations for natural tourism, and SNH has provided figures that show how important that is. The issue of jobs is not one-sided—it is not a case of all the jobs being in renewables or there being no jobs. There are a lot of jobs in protecting our wild areas.

We are slightly concerned about the committee's focus, but I hope that, when it looks at the issue, it will look at the other side of the economic benefit as well as at what people think is important.

11:00

SNH consulted on the core areas of wild land map for two years, and Highland Council and Western Isles Council were involved in that. There has also been a further consultation. In the most recent round, the number of responses that want greater protection has gone up from two to one in favour to four to one in favour. That is our analysis; SNH will take a few weeks to get its analysis out, but the SNH results should be out in time for the committee to go back and look at that.

It is not all one-sided. We think that the exercise is a positive step forward and could be world renowned.

The Convener: Okay. Thank you for that.

I should have put on the record at the start of this session that we hoped that Steve Rogers, who is head of planning and regulatory services at Dumfries and Galloway Council, would join us this morning, but he got waylaid and is not able to come.

Mike MacKenzie wants to ask about wild land.

Mike MacKenzie (Highlands and Islands) (SNP): To set the context, I am always disturbed by the phrase "wild land". You will probably remember that, when Andrew Thin of SNH gave evidence to the committee, I asked him where the

wild land was, because I have searched the Highlands and Islands for it over a number of years, and he said to me quite clearly on the record that there is no wild land in Scotland.

My question is for Ms McDade. After reading your written submission, I am a bit concerned that you would like to extend the 2.5km buffer zone or separation to single dwellings. When I draw that map in my mind, I arrive at a situation in which it would not be possible to erect a single wind turbine anywhere across the Highlands and Islands. Is that really the John Muir Trust's aspiration, or am I misinterpreting what you have written?

Helen McDade: I think that our point is different. What we say—David Bell referred to this earlier—is that the 2km distance from housing does not currently apply to single dwellings or to a small community of houses but applies only when housing is regarded as a settlement, although I am not sure whether that is a hamlet or a village. David Bell said quite clearly that that does not happen at the moment, and our point is that the issue needs to be looked at. We are not saying, “Go beyond 2.5km”—far from it; we are saying that that currently does not happen with the distance set at 2km. Many people have turbines less than 1km from them because they live in a single house or because there are just a few houses where they live, and that is an important issue for communities. We put that in the evidence that the committee was looking for.

The John Muir Trust focuses mainly on the core wild land areas—that is what we are about—but we are also interested in how communities are affected. I ask members to consider the concern that has been expressed about the Beauldy-Denny power line substation at Balblair. Earlier, David Bell talked about all the things that are already taken into account in the process that the companies go through. That discussion went on in respect of the Beauldy-Denny power line, but people in communities there are now very concerned that they cannot sit outside their houses because they feel that they are too close to the substation, and that is impacting on them.

It must be recognised that we do not have the 2km separation at the moment and that people are being impacted at much shorter distances.

Mike MacKenzie: You are talking about increasing the distance so that, from a situation in which there is guidance for bigger wind farm developments, a prohibition for individual turbines would be included.

Helen McDade: No. We say that we would “raise the need for planning to protect individual houses in future”

because there is evidence that that has not been done. We are not saying that the distance should be increased or that there should be absolute prohibition; rather, we are saying that the current system is not working.

Mike MacKenzie: So, the current system is not working. I am still not quite sure what you are asking for.

Helen McDade: We are asking for the rights of individuals as well as larger communities to be respected in the planning process. I suppose that I am agreeing with David Bell on one point—that one size does not fit all and that it is about looking at what is happening and asking how the process can improve matters.

Mike MacKenzie: Okay. Thank you.

My further question is for Aedán Smith. I am concerned about the extent to which the humble corncrake, for instance, is able to blight developments of all sorts. Is your priority to replace the few human populations in the Highlands and Islands with bird populations?

Aedán Smith: Absolutely not, of course. We have many members in the Highlands and Islands and many members of staff who live and work there, too. We are taking the same approach that we always take to planning, which is that it makes sense to carry out development in a way that minimises its impact on the environment. If we know that one part of the environment is more sensitive than another, it makes sense to steer development away from that area in the first instance. That does not mean that development cannot happen there but, if there are options, we would choose the least environmentally damaging option. That is, in effect, what the discussion on wild land is about on a large scale.

There are other things that we can map spatially to identify which bits of the country are more sensitive or less sensitive, and we can do that at a more local level and steer development to the least sensitive areas. That seems to make good planning sense, but it also makes good sense in trying to make Scotland the sort of place that we will want to live in 20 or 30 years from now.

Mike MacKenzie: A single cruising male corncrake looking for a girlfriend and maybe getting off his normal pathway is not a reason to blight what are otherwise good developments. Would you discourage planning authorities from taking that view?

Aedán Smith: We are interested in the impact on the species as a whole, rather than on the individual cruising corncrake. In some instances, for some species that are particularly rare, the impact on a small number of individuals could be of concern, but it is really about the impact at the

population level. It is not a question of preventing development from happening; it is about making development happen in a way that is sustainable and will not impact on sensitive bits of the natural environment.

The Convener: I am sure that the fate of the cruising corncrake is of great interest, but it is slightly off the subject of NPF3.

Mike MacKenzie: I beg to differ, convener. The point that I am trying to get at, which was raised by Mr MacLeod, is that it is crucial that the guidance that the Government gives to local planning authorities with the new Scottish planning policy and national planning framework is absolutely clear. Ms McDade, from the John Muir Trust, and the RSPB also have an obligation to make their points about what they are seeking clearly and unambiguously. The Government will have to arbitrate, and I believe that we will have the opportunity to question the minister later. However, it seems to me that none of us, on either side of the arguments, benefits from the grey-area approach that seems to be emerging as a result of the answers, and that is why I asked the questions. It is very important that we have clarity.

I have said what I wanted to say. Thank you.

Hanzala Malik: Malcolm MacLeod made a couple of statements on which I seek clarity. He said that there is a threat to other projects or developments, which is quite strong language. What is that threat and where does the evidence that you cited come from?

Malcolm MacLeod: Our concern about extensive areas of wild land is that, depending on the policy that is finally agreed in the approved SPP, there will be a presumption against development in those core areas of wild land. That would apply not just to renewable energy projects but to other forms of development.

Hanzala Malik: You used quite strong language when you said that you perceived a threat.

Malcolm MacLeod: Yes.

Hanzala Malik: I just want to know where that evidence came from.

Malcolm MacLeod: The evidence is seen across the Highlands. A large number of small-scale hydro schemes are coming forward, particularly in the west Highlands. We are seeing estates diversification and other forms of development, whether they are tourism related or other forms of renewables, in areas that will be in those extended core areas of wild land.

As we have noted, our concern is that that could lead to a prohibition on such development, depending on the final policy. That concern is a function of the fact that 42 per cent of our area is

covered by the wild land areas. I touched on buffer areas, which are really important. What happens if someone wants to do something that is just outwith one of the areas of wild land?

Hanzala Malik: Would it be fair to say that, really, you are putting down a marker that there might be an issue rather than a threat?

Malcolm MacLeod: It might be a threat.

Hanzala Malik: Okay. It is a play on words, but we are not getting anywhere with it. Have you no substantial evidence to back that up?

Malcolm MacLeod: At the moment, we have an approach in Highland that allows us to make a judgment on wild land. That is our counterpoint. We have always said that we would appreciate more clarity. We take a pragmatic approach in Highland to all types of development. We judge the degree of wildness or the level of national importance of wild land, which might or might not be affected by development. We manage the situation by dealing with applications on their merits and by using our existing policy. Our concern is that that might be taken out of our hands. Our members have raised concerns about our ability to manage policy and about the fact that Highland Council might not be able to consider developments that might have less of an impact on wild land.

Hanzala Malik: Perhaps you could send me the details, because you have not been able to impress on me the threat that you have talked about. You said that your members have shared concerns with you. Which members are sharing concerns and how do they communicate them to you? What are the concerns?

Malcolm MacLeod: We had a full debate on the issue in our January planning, environment and development committee meeting, to which members from across the Highlands contributed. Their concerns ranged from the ones that I have tried to express to the concerns of those who want the wild areas that are currently shown to be maintained. Across the Highlands, there are lots of different views on wild land.

If you are looking for individual projects or schemes, that is not what I was talking about; I was talking about the more general feeling that we have very wide areas of wild land, which are larger than the previous search areas for wild land, and that proposals for smaller-scale renewables schemes—including hydro schemes—estate diversification or tourism development schemes in areas that are recognised as having lower qualities of wildness are likely to be prohibited. Those are the genuine concerns that members raised in that debate.

Hanzala Malik: I do not want to take away from people's passion or emotion, but I am keen to separate fact from fiction. That is the important element for me. If you can share information that is evidence based, I would be interested to receive it.

Helen McDade: I want to pick up on that. Obviously, council members are like everybody else in that they do not all think the same thing. In Highland Council, at least two councillors are routinely barred from taking any part in decisions on wind development because they have raised issues. That in itself is a concern when we look for open debate on councils.

I am surprised that Mr MacLeod has not come up with specifics, because there are several developments currently in the planning process in Highland that are in the search areas for wild land. I want to bring us back to what is in the national planning framework, what was in it before and what the minister has said. The committee will have the opportunity to ask the minister about that in a moment.

In the previous national planning framework, there was protection for wild land areas, regardless of the definition. The Government was comfortable with that. There are also the search areas. Already, developments are coming forward in those areas, which is in contrast to what happened in the early stages of wind development. We can see from what has already been built that the early development was mainly in the east and in less wild areas. However, the development is now pushing into much wilder areas.

Last April, at the Public Petitions Committee, ministers Mackay and Wheelhouse said that it was their intention that there would continue to be strong protection for wild areas. That was continued in the main issues report, which expressed the wish to continue with strong protection for the wildest landscapes. Therefore, last summer, it was clear where the Government was going on the issue, so the question is: in the absence of those words in the national planning framework that is before us, has the Government changed its mind? If it has, that needs to be teased out.

I do not think that that is what has happened, however. I think that the words have just been dropped as a result of the word count. To come back to Mr MacKenzie's point about being clear about what we are asking for, we are asking for those words, or similar words, to be reinserted in the NPF, as it is the spatial document and the statutory framework.

The discussion about coal is a bit of a distraction. We do not know what is in the SPP

and where the SPP will finally go, but there is a search area at the moment that is important, and the Government has indicated that it intends to continue that protection. We are talking about taking a higher view of what is important to the country, what should be protected and what we need to let go.

11:15

The Convener: Mike MacKenzie wants to come in with a brief follow-up question.

Mike MacKenzie: It is really a question for Mr MacLeod, but I ask it because I am hoping to get clarity, and for the benefit of Mr Malik, who possibly does not have the same opportunities to travel in the Highlands and Islands as I do.

Hanzala Malik: I assure you that I get plenty of opportunities to do that.

Mike MacKenzie: It seems to me that, if we accept this unfortunate word "wild", there are degrees of wildness. I ask Mr MacLeod whether he considers that the large areas of Highland Council that are covered with, for example, spruce plantations, make for a largely man-made landscape nowadays compared with some of the other wilder areas that might require protection. Perhaps the SNH wild land map does not differentiate sufficiently between the different qualities of land. Do you agree with me on that?

Malcolm MacLeod: One of the issues that we have raised is that plantation forestry is included in the methodology. In Highland Council's view, the core areas of wild land are those areas in which we wish to see this approach, and we should focus on the core areas and not include the wide areas that are of lower grades of wildness.

Joan McAlpine: I want to go back to the issue that Mr Malik raised. Helen McDade referred to it in her opening remarks when she said that she was disappointed that the wild land issue was focusing only on wind turbines. Ms McDade, are you suggesting that you would like other types of developments to be included and, if so, what kind?

Helen McDade: No, that was not my point. The point was that we think that the wild land issue would sit more naturally in the natural heritage part of the NPF, which sets out what is regarded as important. We have just discussed the issue of looking at what we value for what it brings to the country.

The term "wild land" is not a designation, and it is not about the points that Mr MacLeod has just raised. Since Mr MacLeod mentioned hydro schemes, I have been thinking about that, and I should put it on the record that the John Muir Trust has opposed a maximum of two mini hydro schemes. That is not the sort of thing that we

expect to be covered by the NPF, which is about the specific issue of the major impacts of huge commercial developments.

This process is difficult because, in the current panel, we have someone who is arguing against the core areas of wild land, so we are trying to pick up a lot of points. However, in the earlier evidence session, Mr Bell talked about having the ability to consider wild land within the context of the planning system without being rigid about it and without there being a line on the map. The truth is that it is planners who have asked for the lines on the map, because they do not seem to have been able to get to grips with doing the environmental assessment in a way that does not lead to us all sitting at public inquiries on developments in core areas of wild land.

I am talking about the specific impacts of those huge developments. They routinely have 20km to 30km of roads that will not be taken out, so it is just not correct to say that the land will be restored. I am talking about the bigger developments, not small community schemes. We support those small schemes—we support the North Harris Trust's application to put up three commercial turbines, and we support other schemes that impact on communities. I agree that it should be easier for communities to develop smaller schemes than it is to develop large schemes. My point is about the specific impact of larger schemes, and that is obviously why wild land was introduced into the NPF.

As regards the wording, the term "wild land" should apply to areas that we think are good and important and which should be in there with peatlands and woodlands as part of our greater natural heritage.

Joan McAlpine: The point that I am making is that the previous panel of witnesses said that they were concerned that the designation of wild land would affect other developments and not just wind farms. That is particularly the case given that we must upgrade our power transmission system over the next few years. That represents a huge investment as far as jobs are concerned, and we need such upgrading in order to export and transmit our energy.

I asked the previous panel whether they thought that the hydro schemes that happened in the 1940s and 1950s under Tom Johnston, which absolutely transformed the Highlands, would have gone ahead if we had had this discussion about wild land at the time. What is your view on that? Do you think that those schemes spoil the Highlands?

Helen McDade: I will take your points in turn. To be clear, we are not discussing a designation; the matter that is specifically covered in the SPP is

about dealing with the difficulties of large-scale wind developments. It is not a designation, and that is not the way that the issue is being brought forward, so that concern can be laid to rest.

The comparison with what happened under Tom Johnston is really interesting. The situation then was completely different from what we are considering now. We had a nationalised industry and a national energy programme, with a vision from the top—from Tom Johnston. Indeed, not all the schemes that were proposed went ahead, because of the environment. It was not as if people thought, "Put them anywhere," and everybody was happy. There was still a discussion. For instance, Glen Nevis was proposed as a possible place for hydro, but it was not used, because of the iconic nature of the area.

Joan McAlpine: Are you saying that, if large-scale wind farms were owned by the public, it would be all right?

Helen McDade: No, I am not saying that. I am saying that a national energy strategy would help us all—a national spatial strategy, assessing what developments we need across the different kinds of energy and where they would go, and also considering the costs. That has been called for by the Institution of Engineers & Shipbuilders in Scotland and many other engineering groups, which are concerned about the disjointed way in which our current system deals with developments.

A very poor development can be suggested in a wild land area or some other area of special importance, and it might get the go-ahead because it is first in the planning queue. There is a real problem with our not having an overarching national strategy. That is what I was trying to say.

Aedán Smith: I return to the issue of what the mapping is about. The strategic spatial mapping serves to highlight sensitivities, as much as anything else. It is not that there are no-go areas. In fact, we could turn that round and suggest that the areas that are not mapped are opportunity areas.

In effect, the mapping is a guide to show that some areas are more likely to be sensitive and other areas are less likely to be sensitive. It should be useful to planning authorities and developers when they consider building their developments. When they are doing their site search work, they can see from a map that, if they go to one location, they will have to address certain issues whereas, if they go to another location, they might not have to address those issues. Having a steer at that level should help developers to reduce some of the conflict that we sometimes get into when we get to the individual application stage.

It is a bit of a pity that we always end up getting drawn into the wild land issue in these discussions. Of course it is an important issue, but there are other types of things that can be mapped, and that could usefully be done under the national planning framework. Peatlands have been discussed already, for instance. Given that wind farms are about reducing our carbon emissions, it makes sense, in the first instance, to site wind farms where they have the most carbon benefit. That means avoiding the areas of deepest peat. It does not necessarily mean that they cannot go on peatlands, but we should have full knowledge of the implications and benefits of where they are sited. In the first instance, we should decide to avoid siting them on areas of deeper peat if at all possible.

The mapping is about giving that sort of steer, rather than about having blanket rules that developments cannot or can happen on certain types of site. It provides a steer to highlight to developers and decision makers the need for various factors to be considered.

Malcolm MacLeod: I want to clarify something that Ms McDade mentioned. Highland Council is not against having core areas of wild land. I was not saying that we are against them, but we feel that the extent of those areas, as they are currently presented, is too large.

The Convener: That is helpful clarity.

Christian Allard: I wish to return to what Ms McDade said about what happens with wind farms after 20 years, and what is left of them. Your submission says that you are challenging and want to have removed the statement:

"The third NPF (NPF3) will set out the Government's development priorities over the next 20–30 years".

I have a problem reconciling those two things. The life of such a project is 25 years so, after 25 years, it will go back to normal. Therefore, having a period of 25 to 30 years for such projects would seem to be just the right time. What do the other members of the panel think about the 25 to 30 years and the call by Ms McDade in her submission to have that statement removed?

Helen McDade: There are two different points there. The point about the NPF applying for 25 to 30 years is a general one. It is hard to envisage what our technology will be like in 15 or 20 years, so there is an issue with imbedding national developments with that kind of timescale in the national planning framework, on the assumption that we can envisage what we will have. It could be a different world.

The real problem is around the fact that the need for a development is regarded as proven if that development is included in the list of national

developments. That gives rise to a number of issues. Things can change. Let us say, for instance, that solar power is revolutionised and that, even in Scotland, it becomes a much better renewable technology, but we might have embedded as a national development something that was aimed at the vision for onshore wind.

The point could apply to something entirely different, such as broadband. We might all be using something else in the future. We should bear in mind the requirement to revisit the need for a project when it comes forward, because the costs and benefits could have changed dramatically by then. The point is about national developments being included as a need.

Your point about restoration after 20 to 25 years is different. My point was that there is no intention to remove the roads that are put in or the hard standings for developments, so it is just incorrect to say that sites will be restored. To see that, you need only go for a walk and come across concrete bases that were built for Nissen huts during the second world war. Considering the scale of what is going in, we have to remember that it does not all just go away. So there is not restoration.

Christian Allard: I still cannot reconcile your wish to remove the statement about the next 20 to 30 years and your asking for the NPF to contain more vision and strategy. We cannot have a strategy and more vision without having a lifespan of at least 20 to 30 years. What time would you propose?

Helen McDade: You must have what you think that 20 to 30 year vision is as your top line. The point that we are making is that, when you go further down into the spatial strategy, you have to bear in mind the need to have a way of revisiting issues if things change within that time. The strategy must not embed that vision in concrete.

Malcolm MacLeod: On the point about the vision, the current role of NPFs and the SPP is critical for giving us certainty. Decisions that we make locally will be based on our local development plans, which are updated on a regular five-year basis. The reason why we are seeking clarity on the matter is so that we can move on, get our spatial framework together and be ready to review it in five years' time. The NPF, in providing our big picture, is doing exactly what it is supposed to do.

Christian Allard: So you are delighted with the period of 20 to 30 years.

Malcolm MacLeod: Absolutely, because we have to look forward.

Aedán Smith: LINK does not particularly have a view on whether we look ahead over 20 to 30 years or a different period. However, LINK has

always supported the principle of having a national planning framework and a national spatial vision for Scotland that indicates what Scotland will look like in future. LINK long advocated for it before it was introduced, and colleagues in other UK countries are quite jealous that Scotland has such a document, because it produces a useful steer. That does not necessarily mean that we agree with everything that is in it, but the principle is great.

11:30

Chic Brodie: This is like trying to grab a bar of wet soap. We have asked witnesses before to define what wild land is and I have still to get a meaningful answer. There is confusion between wild land and wildness, so I will ask a question. How thoroughly is the mapping of wild land defined and how thorough has the SNH mapping been?

The Convener: Who is that question to?

Chic Brodie: All the witnesses.

Malcolm MacLeod: The methodology is a big step forward. It shows that, instead of what was—

Chic Brodie: My question was about how thorough the mapping has been.

Malcolm MacLeod: It is as thorough as it could be and it includes all the issues that it needs to include. I answer in that way because plantation forestry is included, but consented wind turbine schemes and their effect are not included. From Highland Council's point of view, that is a weakness. However, I agree that we need to move the debate on, and we have been discussing the issue for years at Highland Council. The mapping has been through various iterations, and we are now at a point where, as you have identified, it has been thorough and effective in identifying—

Chic Brodie: I asked you how thorough it had been.

Malcolm MacLeod: I am saying that it is thorough and that it has identified the core areas of wild land. We would like just the core areas of wild land to be brought forward. I know that the term "designation" is not going to be used but, if lines are to be shown, we would prefer them to show just the core areas of wild land, which are based on a thorough methodology.

Chic Brodie: You said that there are lots of different views on wild land. I think that your point was that you would endorse a case-by-case approach rather than a direct development management approach to wild land protection. Is that correct?

Malcolm MacLeod: That is how we have approached things up to now. As I said, we have

dealt with things on the basis of the mapping that was there. In some ways, everyone wants more clarity. We want to be able to draw a line—that is the wrong terminology, so I shall rephrase. We want to set the policy and be as clear as possible so that, if we are to have lines, they will be a positive tool to help us to avoid the situations that we have ended up in.

However, I still believe that, particularly in the buffer areas around wild land and the areas that have lower grades of wildness, we will end up having debates and testing the boundaries. That is why we should be absolutely clear about what core wild land is, with the highest levels of wildness, to allow us to make a judgment in the debate on areas of less wild land. Some of the situations that we have ended up in have been more controversial than others, and there will always ultimately be a judgment on such matters.

Chic Brodie: On that basis, I ask Helen McDade whether market conditions and prohibitive costs would secure wild land. People are not going to look at investment, transport infrastructure or other resources for what I understand Mr MacLeod refers to as core wild land, so the element that contributes to tourism and other natural benefits would not be impacted.

Helen McDade: I would like to give you a definition of wild land, Mr Brodie.

Chic Brodie: It would be the first one.

Helen McDade: It would not be. There are many definitions of it. The John Muir Trust says that wild land areas are extensive areas of high-value natural landscape and wildlife with little evidence of human development.

There is a reason why there is a discussion about the development of wild land and its definition in particular. Europe, which will put money into wilderness areas, has a definition of wilderness that we do not fulfil, because our country is an island and is more populated than some areas of central Europe. We will not get that money unless we get in there and point out that we have a really good-quality environment here that it could help us to protect, too.

We can have a definition of wild land, but people kind of know where it is. Brian Galloway of Scottish Power said that that company sees itself as a responsible developer and already assesses wild land. I agree with that, because I am pretty certain that we have never opposed a Scottish Power development. Therefore, people kind of recognise wild land, and there are differences.

I go back to the point about further development. I am slightly confused. If we ask questions and look at the public perceptions survey of more than 1,000 people, we will see that

people come here for the natural environment. Of course, that is not all the same. In the national park, Aviemore is not the same as the top of Cairngorm, but people go there because they know that the national park will give them an experience of the natural world that they really want and value.

The same applies to wild land. It is not unusual to have a boundary that can be argued about. Boundaries are not all contours, and the same applies to the national parks. Indeed, one of the first things that the Scottish Government did when it took office in 2007 was to extend Cairngorms national park's boundary, with support from organisations such as ours.

Chic Brodie: I understand that. When you spoke about tourism, that flew in the face of the report that we received for our renewables inquiry from Ms Aitchison of the University of Edinburgh. You say that you know where the wild land is, and you have defined it—thank you for that—but we have heard from SSE and Scottish Power that SNH cannot carry out a robust mapping exercise. Perhaps they should talk to you.

Helen McDade: I am sorry—I forgot to go back to that point. We absolutely think that SNH has done a major job on the mapping. A huge amount of technical detail has gone into it. People should look at that if they think that SNH has just done some kind of desktop exercise.

Chic Brodie: Why would they think that when you think otherwise?

Helen McDade: You must look at who has a vested interest.

Chic Brodie: That applies to both sides.

Helen McDade: That is the case to an extent, but you must look at that. Politicians must decide whose vested interest is more significant. I refer to the responses to SNH's map of the core areas of wild land. The 329 people or organisations that are for the core areas of wild land—the map that has just come out—include 59 not-for-profit organisations, six local authorities, sportscotland, Historic Scotland, the Forestry Commission, an assortment of community councils, campaign groups and park authorities and Speyside business alliance, which includes organisations such as Grant's, the whisky company. There are nine individuals against the wild land map as opposed to 264 in favour, and there are 40 businesses against, of which 27 are energy corporations and 11 are property developers. Let us look at the list and say who has the most vested interest.

Chic Brodie: That is very interesting, but what about the people who are impacted? What about the communities?

Helen McDade: As I said, some community councils were in favour of the map and some were not.

Chic Brodie: You know as well as I do that, in some cases, community councils are not elected by the largest part of the community. Where is the evidence from the people who are most affected by the development or not of wild land, as defined by you?

Helen McDade: The evidence is in the public perceptions survey that SNH and the two national parks did, which involved a group of residents in Cairngorms national park. Their answers can be separated from the responses to the survey across Scotland and from the views of people who might be regarded as odd, such as people from our organisations.

Three groups were involved in the public perceptions survey, which is an excellent piece of work. It bears looking at; I am sure that Mr MacLeod has looked at it, too. There was also a YouGov poll of 1,119 Scots in which 51 per cent said that they would be less likely to visit an area of naturalness if it had a lot of wind farms in it and 2 per cent said that they would be more likely to do so.

I sometimes feel as though we are lemmings running towards the edge of a cliff. We say to each other, "There's no evidence that, when we jump off, we'll die, because no one's ever come back and told us that that's what happens." All the evidence is anecdotal.

Chic Brodie: You should go and look at the University of Edinburgh report.

Helen McDade: I will look at that and you can look at the public perceptions survey.

Chic Brodie: I will do that.

Alison Johnstone: Scottish Environment LINK's submission raises concerns about the last-minute inclusion of pumped-storage hydroelectricity facilities and the impact of that on stakeholders' ability to respond to that or comment on their suitability or any environmental impact that they might have. Does the panel think that that is a concern? How might local authority planning departments mitigate any potential negative impacts, now that the technology has been included in NPF3?

Aedán Smith: The point was more about the in-principle inclusion of national developments, rather than a concern about pumped storage, which might or might not be a concern when we get to the individual project level. We were pretty disappointed to see the inclusion of a couple of national developments at a very late stage.

Committee members will probably remember that, when we were in the process of adopting NPF2, Hunterston coal-fired power station was added late in the day. That resulted in significant controversy, a very time-consuming project proposal and a lengthy legal case. We hoped that, if all the national developments were up front in the full consultation and the main issues report, we would not go through that again this time.

There might well be good reasons why the new national developments have been proposed but, because that has happened only within the statutory 60-day parliamentary scrutiny period, time is tight for any concerned members of the public to get a handle on the issues. In fact, it has been difficult even for some LINK member organisations to assess what the implications for their interests might be.

That highlights how tight the 60-day parliamentary scrutiny period is for such a significant document. It is the spatial expression of the Government's economic strategy—that was how the minister introduced it up front. It is a critical document and it is right that there is a broad interest in it from a range of committees in the Parliament. However, that makes the timelines difficult, especially when we are trying to gather views from our members and when the public are trying to get involved. That is our concern, rather than any specific concerns to do with the national developments.

Alison Johnstone: I understand. Does Mr MacLeod have a view on how local authorities might help to mitigate any potential negative environmental impacts?

Malcolm MacLeod: My only point is that Highland Council supports the inclusion of as many forms of renewable energy as possible in NPF3 and in our own plans. We have a renewable energy strategy and we dealt with a major pumped-storage scheme recently. We put a lot of effort and work into that throughout the planning process, as we do with all other projects. From my role as head of planning at the council, I can say that we have good experience of dealing with mitigation and of working with partners and the community to reduce impacts.

Helen McDade: There is a problem about the process, which is to do with public engagement. The flagship of the new planning legislation was that the public would be engaged early. I asked civil servants about their late inclusion of pumped storage and they said, "Oh well, there was reference to it." I looked back and, in the assessment of the long list of hundreds of proposed national developments, I found in annex 2—"Proposed National Developments considered unsuitable for designation"—that the Cruachan facility was listed as unsuitable. However, a map

in the parliamentary draft of NPF3 that is before us refers to

"Pumped Storage (Cruachan)".

The process that has been followed is a concern, although the John Muir Trust has no current concerns about the proposal. I have not looked at Cruachan at all. The concern is about the process of bringing in a development at this late stage. As Aedán Smith says, we have been there before.

One concern is that the document says that there can be pumped storage anywhere. That is quite strange, because pumped storage can be put in only a few places. The next likely place is Balmacaan, which is in Mr MacLeod's area. It is very odd that NPF3 does not refer just to Cruachan and Balmacaan, if the intention is to bring in pumped storage at this point.

I think that that is because, in its "Assessment of Proposed National Developments Report" of April 2013, the Government was slightly more supportive of pumped storage overall, although it said that the proposal nature was "Optimistic". It said that the inclusion of pumped storage as a national development was

"Strongly supported in spatial strategy",

but there is no spatial element to this so, again, it is not at all clear what we are buying. The Government says that the need for pumped storage has been proven, yet we do not know where the development will be. It is hard to understand why the NPF does not specify Balmacaan and Cruachan. That might be because Cruachan was not thought to be a good development to include.

11:45

What has been done seems slightly unnecessary. It would have been a perfectly reasonable steer to include in the NPF text to say, "We would support pumped storage to help with the difficulties of intermittency of renewable onshore wind," but, because pumped storage has been included as a national development at this late stage, people who live in the communities concerned and who thought that the issue was not something that they needed to worry about might be quite concerned to discover that pumped storage has suddenly become a national development. The inclusion of national developments that do not have some kind of definition is an issue.

The same applies to the grid. The John Muir Trust does not agree that 11 major lines around Scotland—more this time—should make up one national development. If the Government is asked what it has looked at in the strategic environmental

assessment, it says that it has not had much to look at, so that is very top line, but when it comes to planning, there is a presumption that this will happen.

On that point, the proposed national developments map in the parliamentary draft of NPF3 shows a transmission line in Dumfries and Galloway that was not on the map in the main issues report. That might be an accident, but such things do not give communities confidence that this is a system in which front loading is working. There are some issues.

Alison Johnstone: I would like to get the panel's views on the draft SPP's provision for onshore gas. There was some discussion with the earlier panel about the buffer zones. It is possible to live within 500m of an opencast coal mine and within 2.5km of a wind farm, and the Scottish Government has a group that is reviewing what will be an acceptable buffer zone from any unconventional gas extraction plant. Do you have views on what an adequate buffer zone might be for unconventional gas extraction?

Aedán Smith: On the generalities of unconventional gas extraction, Scottish Environment LINK welcomes the fact that the Scottish Government has taken a more cautious approach than Governments elsewhere in the UK. That is good, but we feel that there is no particular need to be at all positive about unconventional gas extraction, given the renewables potential that exists in Scotland. In light of our wider climate emission reduction targets, it would seem to be a bit reckless to open up another fossil fuel front that we would have to manage in order to achieve our targets.

We have recommended that 2km might be a suitable distance for a buffer zone. It is interesting that there is a contrast between the buffer zones for different developments—for example, a buffer zone of 2.5km is recommended for wind farms, but not for unconventional gas extraction. That would seem to be an obvious buffer zone to replicate, if a buffer zone were to be used with unconventional gas extraction.

However, LINK's main position on unconventional gas extraction is that it would provide no particular benefits for Scotland at the moment. Given that we have our renewables obligations and our climate change targets to meet, starting to exploit unconventional gas on any scale would only make things more difficult.

Malcolm MacLeod: I do not have much to add. There is little potential for unconventional gas extraction in our area, so our approach has been just to seek clarity from the Scottish Government on technical aspects of the issue. I have no experience of dealing with such matters.

Although there might be interpretation difficulties with the buffer zone around wind farms, such as what scale of development it relates to and what is meant by a settlement, I think that such zones are useful and helpful. If the Scottish Government implemented the idea, we would very much welcome that. I know that Heads of Planning Scotland, which I am the chair of this year, is looking at that as a specific work stream.

Helen McDade: The John Muir Trust does not have the technical ability to answer the question specifically. We think that there should be a national energy commission with independent experts on it, which would include people who would look at the community aspect. That would allow views to be fed in. I do not have a specific answer to give.

Christian Allard: I would like clarification, particularly from Mr Smith and Mr MacLeod, on the inclusion of hydroelectric pumped-storage capacity in NPF3. Do you think that it should be in the plan? There might have been problems with the process, and it was included late, but are you glad that it is in the plan or would you prefer it not to be there at all?

Aedán Smith: We have not had time to assess the proposal properly. That goes back to my earlier point that, although it was included in the long list of potential national developments earlier, it was not put forward as likely to progress, so we did not focus attention on it. We need to look at it in more detail to decide whether we would be likely to support it.

Malcolm MacLeod: I agree with Aedán Smith that pumped storage has not been fully discussed. Inclusion in our national planning framework of the requirements for alternative renewable energy sources is a positive thing, but I had not picked up some of the points that Ms McDade made, so I will make no further comment.

Helen McDade: We must remember that pumped storage is expensive and that it can provide back-up only for a few days. With many such issues, we need to look at the technicalities of what the best thing to do is. For instance, could we be doing an ordinary major hydro scheme somewhere else? We need to assess the impact of a scheme and whether it is the best way forward. The situation is not as obvious as it might appear. When pumped storage has been looked at in the past, it has not been proposed, because it is so expensive.

Joan McAlpine: My experience is that organisations that oppose renewables development and onshore wind are pro-nuclear. In her evidence on behalf of an environmental organisation, Ms McDade has not suggested solutions to energy generation and climate change

challenges. Are you in the pro-nuclear camp—is that your solution?

Helen McDade: Our solution is that we badly need a national energy commission to look at all kinds of energy and what we can use to go forward. The Scottish Government has the solution in the NPF. If we are going to spend public money, energy conservation is three times more efficient than the cheapest generation, whether you like fossil fuels, nuclear or renewables. It would be far better to spend our public money on energy efficiency.

There is no doubt that that is difficult at the moment. The UK Government is in charge of the subsidy system that goes through to renewables, whereas the Scottish Government has to come up with the money for conservation, so there is a major issue about not having a way to join up a rational spend of public money. We have suggested that, if that money were taken out of the tax system—in whatever country—rather than having the regressive system at the moment in which the money comes off people's bills, so that, relatively speaking, the poorest pay the most, the approach would be looked at much more carefully and we would have a much better way of reaching the greenhouse gas emissions targets.

Joan McAlpine: The Scottish Government's white paper says that the environmental costs would be picked up by central Government after Scotland became independent.

The Convener: Was that a question?

Joan McAlpine: It was a point of clarification.

The Convener: I say with respect that we are here not to make points of clarification for committee members but to ask witnesses questions; otherwise, we would be here for the rest of the afternoon debating points about Scottish independence that have no relevance to NPF3.

As there are no more questions, we will call it a day. I thank our witnesses for coming in to give evidence.

The minister is here for the next item and we will have a short suspension.

11:54

Meeting suspended.

11:59

On resuming—

The Convener: We reconvene with our third panel on the draft third national planning framework. I welcome Derek Mackay, the Minister for Local Government and Planning, who is joined

by Scottish Government officials: John McNairney is chief planner; Graham Marchbank is principal planner; and Chris Stark is head of the electricity division.

Before we get into questions, minister, do you want to make an introductory statement?

The Minister for Local Government and Planning (Derek Mackay): Yes please, convener. For me, it will feel a bit like repetition, this being my third committee appearance on the draft NPF3. I hope that, for you, it feels like a fresh experience.

The proposed national planning framework 3 is the spatial expression of the Government's economic strategy. It is about our ambition to create high-quality places that support sustainable economic growth across the country, realising our opportunities for development and investment. It brings together our plans and strategies to provide a coherent vision of how Scotland as a place should evolve over the next 20 to 30 years.

From the beginning of the process, I have been clear that I want the national planning framework and the Scottish planning policy to focus on planning for economic recovery, the transition to a low-carbon economy and sustainable economic growth. The spatial strategy set out in NPF3 aims to achieve balanced and sustainable growth across Scotland. It plays to our strengths and focuses, for example, on the role of the city regions and towns in attracting investment. It also highlights where planning can help to reduce disadvantage.

The vision for our future development describes Scotland as: "a successful, sustainable place"; "a low-carbon place"; "a natural, resilient place"; and "a connected place". However, it is more than just a vision. The national planning framework will be implemented through development plans, with decisions on development proposals making a real difference to places and communities. To help guide that, the proposed NPF3 explains what the strategy means for our cities and their regions, our towns, our rural areas, our coast and our islands.

The committee has a particular interest in energy. NPF3 is clear in stating that we want to make Scotland a low-carbon place. Energy generation, storage and efficiency are all a major part of that.

Our energy potential provides significant scope for investment, employment and growth across the country. We need to take action and plan now for the changes that we expect to happen in the future.

Our energy resources have a clear spatial dimension. Reflecting that, NPF3 identifies where there will be opportunities and demand for such development. That includes energy hubs across

the country, which will benefit from co-ordinated action to deliver development.

Other areas have longer-term potential. Planning can help us to capitalise on our natural assets and achieve positive change. That is particularly the case in our coastal communities, where there are major opportunities for offshore renewable energy development. As a result, the links that we have made between NPF3 and the national marine plan will be crucial.

I know that the committee wants to explore our proposals for planning for onshore wind energy development. When we published the NPF3 main issues report and draft SPP, we made our intention clear: we want to balance opportunities for development with the environment and quality of life for communities. In spatial terms, the proposed NPF3 states:

“We do not wish to see wind farms in our national parks and national scenic areas.”

Since we published the draft SPP, we have undertaken further research on the community separation distance and SNH has consulted on its map of core areas of wild land. We will take those additional views into account, as well as the many responses to the draft SPP, and set out our approach to regional and local planning for wind turbines in the finalised SPP.

The committee would also like to consider other sources of energy. Like onshore wind energy, unconventional oil and gas provides an opportunity to further diversify our energy supplies. Clearly, the planning system, together with other regulatory regimes, has a role to play in balancing that with the needs of the environment and communities. A careful approach, informed by evidence, is required.

Energy storage is also essential to the achievement of our full potential for renewable energy. Our understanding of the role of storage is growing rapidly. In response to consultee views that NPF3 should do more to support storage, I have proposed giving national development status to pumped hydroelectric storage projects.

There is no doubt that energy and the transition to a low-carbon economy form a central part of our national spatial strategy. I welcome the opportunity to discuss with the committee the contribution that NPF3 can make to those matters.

The Convener: Thank you, minister. I am sure that you are familiar with some of the issues that have come up in our earlier evidence-taking sessions. Many of them concerned energy policy, to which you referred. We also considered wild land, buffer zones, unconventional gas and a range of other issues.

We have had quite a lot of evidence on wild land. Does the Scottish Government agree in principle that wild land should be protected from inappropriate development?

Derek Mackay: There is a balance to be struck between realising development opportunities and opportunities for communities on the one hand and protecting the environment on the other. We can do both; we can deliver growth and greater protection at the same time.

We refer to wild land. Of course, there will be different interpretations of that, but there were specific concerns as it relates to turbines. Specific points were made about how determinations should be made in areas of perceived wild land and about how such land should have greater protection.

You used the term “development”, but we are quite clear that we are talking specifically about onshore wind energy policy in relation to the wild lands analysis, which is quite separate from a general view that we should never develop anything on wild land. It is not my view as minister that we should declare part of the country dead to development—that would be a ridiculous proposition. Some people might want that approach but, generally, it is not supported. Sustainable economic growth and sustainable development, which I think are in harmony with each other, are about realising opportunities while protecting the environment. I think that there are distinctions to be made.

We have been asked to take action on affording greater protection to areas of wild land in relation to our energy policy, and that is what we are considering.

The Convener: Wild land is specifically referred to in NPF2 and in the NPF3 main issues report, which was published last summer, but no specific reference to wild land is made in NPF3 as it stands. Is there a reason for that?

Derek Mackay: There are two reasons. First, some of the issues that relate to wild land may be more appropriately addressed in the SPP than in NPF3. It is not necessarily that we have changed our view on wild land; it is that some of the spatial expression of wild land might fit more appropriately in the SPP than in NPF3.

Secondly, we have not referred to wild land in NPF3 because the SNH consultation on its maps is live and current. It seemed premature to produce a conclusive position on the issue in NPF3 when that consultation was going on. We will look closely at the outcome of that work and it will inform our final thinking—and, I am sure, yours—on NPF3 and SPP.

The Convener: So it is certainly possible that when NPF3 is finalised reference to wild land could be inserted in the same way that it was in NPF2?

Derek Mackay: Yes. If we take a particular decision to express the case around wild land as we understand it in NPF3, rather than in the SPP, it could feature. If it were omitted, that would be because the Government had completely changed its mind on the use of wild land. It would be premature to make a final decision at this point. We need to take into account the responses to the SPP, NPF3 and the SNH work on its maps before we finalise our position.

The Convener: Thank you. We heard quite a lot of criticism—particularly from panel 1—about the quality of the SNH mapping exercise and the methodology that was used. There was a bit more support for the exercise from panel 2. What is the Scottish Government's view on the exercise? Are you satisfied with the quality of the work?

Derek Mackay: I am far more satisfied with the work that has got us to the current maps than I was with the maps that existed before. The current maps are far more credible than the previous ones—I know the extent of the work that has gone into the new maps. The consultation by SNH will, I hope, lead to an even more robust position.

SNH has produced a range of maps. Different interpretations and different criteria can be applied to produce different maps. We felt that the maps that we chose to use in the environmental impact assessment supporting documents were appropriate. The criteria that SNH used in the geographical information systems survey make the maps more credible than the previous maps. We are content with what we have received, and I look forward to the findings of the SNH consultation.

The Convener: Can you clarify whether the SNH mapping exercise was a desk exercise or a field exercise?

Derek Mackay: I think that it was a desk exercise, but it was informed by GIS data and other samples. I do not think that SNH went out and did surveying and sampling in every part of the country, but I think that the result is far more robust than what we had before. Of course, with modern technology, we are far better equipped for such an exercise than was previously the case.

The Convener: Okay. Good.

Chic Brodie: Minister, you said that your view was that no area was “dead to development”. Why does the south of Scotland not appear in NPF3?

Derek Mackay: It does.

Chic Brodie: If I look at section 2 of NPF3, there are headings for Glasgow and the Clyde valley, Edinburgh and the south-east, Stirling, Perth, Dundee and Tayside, Aberdeen and the north-east, and Inverness and the inner Moray Firth. Where is the south of Scotland?

Derek Mackay: The section that you are looking at talks about the conurbations, how they contribute and how the NPF3 has impacted on them. I quite bluntly said that the south of Scotland features in the NPF3 because, although no one could read this document and miss its relevance to their local community, the individual blocks of reports identify some of the activities that are going on in those conurbations and parts of the country and how NPF3 extends to them.

Chic Brodie: It is not even mentioned where the framework talks about “vibrant rural areas”.

Derek Mackay: Part of the south of Scotland is a rural area, so I would say that it is covered. When we say rural areas, we do not mean all rural areas in Scotland apart from the south of Scotland or we would have said that. We mean all of Scotland.

Chic Brodie: Okay. We have talked a lot today about wild land and mapping. As I said, it feels like a bar of greasy soap.

I wonder if I might talk briefly about offshore energy. One of the major initiatives in Europe is the port services directive, which we could benefit from to improve our ports. I note that NPF3 makes some comments about some of the smaller ports, but I do not see any major focus on that in the proposed national developments. There is €26 billion available for port development, rising to something like €500 billion over the next 10 years. Ports are critical to offshore energy, so why are they not a major element in the NPF?

Derek Mackay: I disagree. I would say that they are a major element. Not only are they covered in the national renewables infrastructure plan sites, but the key ports of Cairnryan, Peterhead, Stornoway, Scapa Flow and Hunterston are highlighted in the national developments. We also talk about other opportunities around the coast and how they connect to the marine strategy. The NPF is very supportive of ports, although we must not pretend that it is solely a transport document or, indeed, just a sales pitch for other investment.

Chic Brodie: That is why I referred to offshore energy.

Derek Mackay: Yes. The NPF puts certainty and support for individual projects at the top of the planning hierarchy. It talks in positive language about the opportunities arising from the coast, in particular when it refers to the economic hubs, the areas of co-ordinated action, the NRIP sites, and

ports and harbours such as Aberdeen, where there are opportunities for growth.

Chic Brodie: We have discussed separation distances. If a wind farm or an area of search is aligned with the boundary between two councils—I have an example involving South Ayrshire and East Ayrshire—how do we apply the 2.5km or, indeed, the 2km separation distance? How do we reconcile any differences?

Derek Mackay: It would be wonderful if we could reconcile all issues and conflicts within the planning system.

On your question about crossing boundaries, let us just say that when local authorities produce areas of search, some are more credible than others and some are more up-to-date than others. The same applies to the development plan process; ideally, all development plans should be less than five years old. Irrespective of the areas of search, every application should be determined on its merits and on the basis of the material considerations in the case. Everything would still be considered through the prism of all the factors that must be taken into account in any individual application.

We have taken an interest in Ayrshire and I have met you, as well as planners, in that part of the country. Local authorities there take a slightly different approach to areas of search; indeed, they have different views on how much they see areas of search as an economic opportunity and how much they feel constrained by them.

However, where authority boundaries meet, the spatial framework should take account of that. In any application, all local factors, such as cumulative impacts, should be considered. Just because an area of search or the development of an individual site is in juxtaposition to another one, that would not present any problems to the planning system. Do I have concerns about the credibility of some areas of search? Yes, I do.

12:15

Chic Brodie: I have one last question, if I may. You will know that the coal situation has been a challenge, particularly in East Ayrshire. I managed to get my hands on a map of the mines and mineshafts, which are considerable and even stretch into your own area.

When it comes to developing district heating networks across the country, what plans are there to use the huge heat sources that exist in such areas, which could produce low-carbon heat for communities not only in East Ayrshire, but in South Ayrshire, North Ayrshire and Renfrewshire? What discussions have there been or are there

likely to be to promote that fairly significant energy source?

Derek Mackay: We will give greater planning support to heat maps and that form of energy, which is very environmentally friendly because of the way that it is produced. Point 11 on page 46 of the NPF3 action plan states that we will publish a heat map and require local authorities to produce heat maps for their areas, so we will take action in addition to strengthening the support in planning policy. Like storage, that is an emerging area, which is in a stronger position than it was under previous planning policies.

Coal restoration is, of course, a very difficult issue, but I was reassured by the headline conclusions from the findings of the previous chief planner, Jim Mackinnon, who stated:

“The policy framework at the national level for opencast coal mining was clear and comprehensive”.

However, that is not to say that it cannot be improved, which is why Mr Ewing has undertaken a consultation. That will inform planning policy, which I think we are improving in the current iteration. There are significant issues around local authority monitoring that we will take forward. I am not complacent just because the review found that planning policy was quite robust. There is room for improvement, we are improving planning policy and we will look very closely at the findings.

Like you, I visited the very substantial sites that require substantial restoration. There are major concerns, including concerns about some of the failures, but the issue is more what was monitored and enforced rather than whether the planning regime was applying the right policies. There will be proactivity on planning and more action on heat maps and production in planning policy.

Of course, many of the proposals will be led by the private sector, not by the public sector. We will rely on the private sector to take a number of the projects to conclusion, but the companies will have some certainty that we in the planning system are supportive.

Hanzala Malik: Good morning and welcome, minister. Chic Brodie referred to the possibility of resources being available for the development or improvement of ports. I know that we are looking at improving what we already have, but are any ports destined for closure?

Derek Mackay: It would not be appropriate for me to comment on that but, in any event, I am not aware of any ports that are destined for closure. I am not quite sure what Mr Malik is referring to.

What we are saying is that there are immense opportunities in NPF3 and that planning policies should support them. Sometimes demands are in conflict. For example, some might make a leisure

or recreational demand with regard to a coastal area while others might want something more industrial. However, although there can sometimes be conflicting demands, that is seen not as a negative but very much as a positive. For example, we have received requests to expand the use of many ports and harbours. There are no negatives here.

Hanzala Malik: I just wondered whether rationalisation was being considered for the ports along our shorelines to allow us to consider how we might develop the ones that would be left.

Derek Mackay: There is already national ownership in some parts of the country. An example that springs to mind in that respect is Shetland. The Government has also been very proactive with partners such as Scottish Enterprise on NRIP—or national renewables infrastructure plan—sites to try to support development. That involves public and private partnership but I should make it clear that most ports and harbours in Scotland are privately owned.

Hanzala Malik: But they still form a national grid of ports.

Derek Mackay: Yes, of course they do. Sometimes the national planning framework does not take cognisance of ownership; it is about what is in the national interest rather than whether something should be in public hands, which is secondary to the planning system.

Hanzala Malik: So you are not aware of any port that might be destined for closure.

Derek Mackay: No.

The Convener: We are slightly in danger of straying into the territory of the Infrastructure and Capital Investment Committee.

Hanzala Malik: The reason I asked the question was that if resources were available for the development of ports and ports were destined to be closed, we could have looked at a more rational logistic framework.

Derek Mackay: This is an ideal position for a politician. The NPF and SPP are normally about developments happening, rather than things shutting down, and I am delighted to come to the committee on that basis. They are about consenting rather than closing.

Joan McAlpine: Good afternoon, minister. My question is about community separation distance, on which there were polarised views in your consultation. You have commissioned the University of Dundee to carry out some research that will inform the final SPP, but I was very concerned to hear from the industry representatives we took evidence from this morning that the Whitelee and Black Law

developments would have breached the proposed 2.5km boundary. Given the importance of those developments, does that concern you, too?

Derek Mackay: Planning policies will not be retrospective in that sense but will refer to everything coming forward. I suppose that someone on the other side might make the point that that will not undo the past with regard to, for example, the scale of Whitelee. Incidentally, I think that we have much to be proud of in having one of western Europe's largest wind farms in Scotland. That is a good thing—although, in saying that, I do not prejudice any future applications.

On this subject, some have said that we have gone too far and others have said that we have not gone far enough so I have got the balance either completely right or completely wrong. Actually, I do not think it is either. In fairness, the issue is far more subtle than that.

We want whatever we do on planning to be based on evidence, where we have it. After that, each application should be considered on its merits, unless there is a national overriding reason to take a certain position. For example, in group 1 in the current planning position and as suggested in our position statement on earlier documents, we say that we do not want wind farms to be constructed in the national parks and areas of national scenic interest. That sets a national parameter and sets out our position. In other cases, we can be more subtle and take circumstances into account.

That is why I come back to separation distance. Taking the panoply of policies that we proposed, I should say that when I went to the Western Isles, where there are great aspirations for energy and how it feeds into community development, sustaining the population and so on and from where I have had requests for people to be allowed to build turbines—which I have to say is not always the case—the planning authority there used maps to show me that because of the policies few areas could be developed, even when there was demand for such developments. That felt disproportionate, and it seemed as if national policies were strangling local decision making and local opinions. That is why I will consider, on the basis of evidence and research, what will work in local circumstances.

After the initial consultation, we believed that extending the 2km boundary to 2.5km would add greater certainty and take account of the increasing height of turbines and other factors. However, the evidence suggests that it does not do that, because it does not take account of the individual characteristics of landscapes, and I am looking again at how we can achieve a separation distance that can inspire confidence, that is

appropriate to local circumstances and which is not set arbitrarily.

I apologise that I have not come to the committee with a definitive position on this or other matters, but you will appreciate that if I had done so, I would have short-circuited the other consultations and would not have taken your views into account. Of course, your findings will help inform our decisions.

We have not taken a final position on separation distance. The aspiration is to reflect circumstances and give greater certainty because for some people, a turbine's visual impact is the crucial and central issue. That consideration should be part of the planning process but whether it appears as an area of search, in a group category or in strengthened and developed management remains to be decided.

I am sorry to go on about that at length. There are a number of things to consider and I was trying to explain my thinking.

Joan McAlpine: Thank you.

The Convener: I think that Mike MacKenzie has a question on the same issue.

Mike MacKenzie: Yes. Good afternoon, minister. From the evidence that we have heard this morning and from the written submissions, it seems that this issue is fraught with uncertainty and misunderstanding, despite—I appreciate—your best efforts so far.

There seems to be a huge amount of uncertainty about whether the SNH wild land maps prohibit development absolutely or simply represent guidance, whether the separation area that Joan McAlpine mentioned refers to settlements or individual houses and how we define a settlement—I appreciate that there are difficulties, as a crofting township looks quite different from a village in another part of the country—and whether separation refers to wind farms rather than individual turbines. On the previous panel, we heard what was almost a plea from the head of planning in Highland Council, because he is the poor guy who is stuck in the middle. What can you do to improve the situation and to create clarity and certainty for all concerned?

Derek Mackay: That is a good set of questions, Mr MacKenzie, and I look forward to the committee's findings on those issues.

Incidentally, Malcolm MacLeod, the head of planning at Highland Council, is a very well-paid guy for doing his job as a very senior planner. He helpfully made the point that the planning system is about conflict, choices and priorities and about balancing the demands and the material considerations that exist. That is why it is so

difficult to create a raft of policies centrally and always get things right.

We should do some things such as setting parameters and stating the position of the Government and Parliament. In many respects, determination is best left to those at the most local level who can apply the policies appropriately and proportionately.

The reason why we are adopting some of our proposed positions is to create greater consistency throughout the country and to respond to some of the concerns that have been raised. For example, the ban on wind farms in national parks might not seem new, but it is certainly clearer than it was previously.

The issue of national scenic areas links back to the earlier question on development. Development can happen in the most protected parts of Scotland, such as Natura 2000 sites, as long as evidence is provided on how any environmental impact will be mitigated. The planning system must be sensitive to those environmental circumstances.

By the end of this process, we will have tried to achieve a degree of spatial clarity, through NPF3 and the various Government strategies, and clarity on our position in the SPP. It is clear that new guidance will have to be produced, because we will have a new set of policies, and planners—from heads of planning to caseworkers—will want clarity on what they all mean.

I will not—and I would not, even if I had the wisdom of Solomon—have the magic formula to give a clear answer on any individual case, but we can certainly provide clarity on the parameters that we set in the national policy and what we are trying to achieve. However, that will not wipe away the conflict that exists in local areas, where some folk want wind farms and some folk do not.

Mike MacKenzie: Thank you—that is very useful.

Alison Johnstone: Continuing on the same issue, we should recognise that separation is not always about wind farms. We heard from a representative of the onshore gas industry on the first panel, and we have discussed the idea of different buffer zones for different types of energy production. Is it your ambition to have specific buffer zones for specific types of development, or will you consider every single decision on its merits?

Ken Cronin suggested earlier that it might be possible to have an onshore gas installation within 500m of a domestic property, depending on the geography of the area. Does the Government intend to consider every application on its merits, or will you produce guidance that says, for

example, that an opencast coal mine must not be within 500m of a domestic property and an onshore wind farm must not be within 2.5km of a domestic settlement?

12:30

Derek Mackay: For some particularly controversial areas, we will need a degree of clarity. For example, in relation to onshore wind developments, among other things, there will have to be a buffer zone. Generally speaking, however, although those parameters would be set, it would still be the case that planners can determine what is appropriate for the development based on the individual circumstances of the case. If the landscape is not exactly the same in two different areas, why would we make the policy exactly the same? It would be appropriate for some types of development, but not for others.

I take the view that the planning system should be proportionate and locally sensitive. It would be wrong to create arbitrary formulas for what should apply across the country in local circumstances. In every case, local circumstances should be taken into account, as should the environmental protections that should be in place, and there should be a consideration of the impact on communities and settlements.

To answer your question, therefore, we do not propose a hierarchy or a formula whereby we would define the development and the community and then set the separation distance for every type of development.

Alison Johnstone: That is helpful.

I want to ask a question on the issue of pumped hydroelectric storage. People on the first panel that we heard from this morning—the energy interests—felt that the reason why no location is mentioned specifically in NPF3 is perhaps to provide flexibility for what might come afterwards. However, people on the next panel—particularly the representatives of Scottish Environment LINK and the John Muir Trust—expressed concerns about the lack of time in the process and the last-minute inclusion in NPF3 of pumped hydroelectric storage. Given that, as you have rightly said this morning, storage is essential to our ability to achieve our energy potential and given its national importance, why was it not in the NPF earlier?

Derek Mackay: It might come as a surprise, but nobody is perfect. We did not get it 100 per cent right first time, but we recognise that, in relation to digital infrastructure and the capacity for storage, Scotland is part of the energy mix. There are opportunities that meet the national criteria and which we believe would add value. Both projects are very exciting. I could prove to be wrong, but I do not think that they will be as controversial as

the additions to NPF2 were. I think that they will find a great deal of support because of what they can do in their sectors.

In terms of process, which was your substantive point, ideally the projects would have been in the original consultation document, the proposals and the main issues report, but it is surely a good thing that we are able to show that we have listened to bids and those who are engaging with the system, that we have changed our position and that we have done all that in a transparent and public way. When I set out the participation statement to Parliament, which Parliament supported through its committee system, we said that some projects might not make it to the final stage and that we might add some. That is what we have done, and we have shown the criteria that we have used in doing so.

I understand the concerns about the lateness of the addition, but I think that the 60 days of intensive analysis by committees and the further engagement that we will undertake—you must bear in mind that this process will not be concluded until the summer—give us time to get it right.

Extending the issue to SPP, I note that there are other areas in which I have refined policy and gone out to consult further because I was not sure that we had got it right. For example, consultation work will be undertaken in relation to telecommunications, SNH has consulted on the maps in relation to areas of core wild land, and I carried out a consultation exercise specifically on sustainable economic growth and sustainable development.

Why were those consultations undertaken? Because the views that came back from the original consultation suggested that more work should be done, so we did it. I think that we have shown that we are adaptable, and we have updated the plans in line with circumstances. If people rail against the proposals, I will take that into account. However, I cannot see that happening.

Alison Johnstone: As you say, the substantive point is about the process, not about the development. I absolutely accept that none of us is perfect, but this morning the RSPB told the committee that the lateness of the addition made it difficult for it to engage with its wider membership to gather any concerns that there may be—of course, there may be no concerns. To enable the process to be as responsive as possible and to ensure that organisations are not disadvantaged by that tight 60-day period, would the answer be to lengthen the parliamentary scrutiny period?

Derek Mackay: I commend the environmental organisations. In general they do not seem slow to

make their views known or share their opinions with their very sizeable membership in Scotland—and I mean that as a compliment. The level of engagement has been substantial. We have engaged local authorities, planning authorities, stakeholders and developments, and the work has been exposed to four parliamentary committees.

I have even visited the poor suffering shoppers in a shopping centre in Edinburgh to discuss the national planning framework 3. They were out for their shopping when, to their surprise, they got a dose of NPF3 and were hit randomly with a consultation on the planning system.

I suppose that your point is that the pumped hydroelectric storage development was not covered in detail. However, the references to the energy mix were. I suppose that what we are seeing is an evolution—the process has drawn out a specific type of energy and identified how including the project adds value to the framework.

If Parliament or the public were so opposed to the project, I am sure that that will feature in the next 60 days and I would have some difficulty in sustaining its retention as a national project. I suspect that that will not be the case. My position would be more vulnerable if the storage application was particularly controversial or seen in a negative light. I do not believe that it is either of those things.

The digital fibre network is about moving Scotland forward. I cannot see any great difficulty in pursuing it, either.

In preparation for the committee I had to look at more than just pumped hydro, and I familiarised myself with other energy storage forms. Some of those might be a bit more controversial and require greater explanations, such as the use of supercapacitors or flywheels. I was not familiar with those before my preparation for this morning's committee. On pumped hydro, we have a great deal of support.

Alison Johnstone: Thank you for that response. As I said, my question was not about pumped hydro but the process.

The Convener: I will follow up that question on the process. As Alison Johnstone said, the Parliament has 60 days to scrutinise NPF processes. We have talked about the fact that SNH is consulting again on its core areas of wild land map. The draft SPP is also going on in the background. How do the timings all tie together? What date will all this work be finalised? How does that fit in with the opportunity for proper parliamentary scrutiny?

Derek Mackay: I do not want to sound churlish, but you have never had it so good. Never before has the SPP been consulted on at the same time

as the NPF. Furthermore, when we knew that further consultation would be required on specific areas, we organised that in the wider timescale envelope of the whole process.

The other consultations are on-going, and they will inform the work. We have published a position statement on the SPP, and the other workstreams have to be concluded. Over the next few months, once Parliament has finalised its thinking on NPF3, I will have finalised our thinking on the SPP. We will conclude both together by June.

The Convener: By June. Parliament will have a chance to vote on NPF3 in the knowledge that the other consultations have been concluded and your decisions have been taken.

Derek Mackay: Yes. We want to consider how the process is aligned, and that might require further thinking. You are considering NPF3 but you are looking more widely than that and, as other committees have done, you have gone on to the SPP. I will give further thinking to how information on the SPP is shared at the same time.

The Convener: Okay. Thank you.

Chic Brodie: It is great that we have some consolidation of the work, but before we run around doing high fives I want to return to the issue of wild land.

Last year, we were told of delays to SNH's mapping of wild land and when that would be delivered. Today, we heard from people who should at least be participating in some way. The SSE submission states:

"It is our view that the SNH mapping exercise could have been more effectively conducted"

and that it needs:

"A scientifically robust mapping exercise;

An assessment of the range of threats to wild land;

A fair and equitable management regime to address those threats."

I fail to understand why, when the original report was delayed, we do not now have something that participants feel is robust. What penalties—that is probably a strong word, but I will use it—can the minister apply to organisations that do not achieve the established planned outcome?

Derek Mackay: It is clear that, if an agency that is answerable and accountable to the Scottish Government was not delivering on its outcomes, there would be repercussions. However, we would look at more than just one issue in isolation.

For that reason, the last time that I met all the key agencies, the focus of my work was on the performance of the planning system, meeting the Government's objectives and ensuring that the planning system is effective and that they are

meeting their targets. They were doing so on timescales for engaging in individual planning applications, for example.

I would look at an organisation's performance much more widely rather than one specific issue, which you have raised in relation to SNH. I cannot help but reflect that you have quoted one source that has an interest in the outcome of the piece of work in question. Perhaps SSE would produce a completely different map with its interpretation of wild land, as any of us could.

Chic Brodie: Yes, but we received evidence last year that SNH did not achieve the planned date for the mapping. That was not just by weeks; the miss was substantial.

Derek Mackay: I suggest that you direct that question to SNH, Mr Brodie, as I am sure that you have already done. For the policy to be robust, I require whatever it produces to be credible, well informed and scientific, and I have every reason to believe that it is.

Chic Brodie: And on time.

Derek Mackay: It will be on time for June this year. You can bet your bottom dollar on that, because it is clear that I cannot deliver a planning policy without it. However, what we have now is better than what we had before, and for my purposes the work will be on time and will be all those other things as well. If it is not, you can bet that SNH will answer for it.

The Convener: I should point out, minister, that we intended to invite SNH to come along and give evidence, but we were assured by your office that that was unnecessary, as you would answer all the questions that relate to its remit.

Derek Mackay: I think that I am doing okay, but I will keep going on SNH. [*Laughter.*]

The Convener: I should have welcomed John Pentland at the start of the evidence from this panel. He is joining us as an additional member, and I think that he wants to ask a question.

John Pentland (Motherwell and Wishaw) (Lab): Yes. Thank you very much for the opportunity to speak.

The minister mentioned repetition. It will come as no surprise to him that I want to speak about Europe's largest brownfield site.

I welcome, as do my constituents in Motherwell and Wishaw, Ravenscraig's prominence in the draft NPF3. Following discussion with North Lanarkshire Council, I suggest that that be augmented in line with the council's submission to the committee and would be grateful for the minister's view on that.

I am not sure whether the minister has seen or is aware of North Lanarkshire Council's submission, but its proposal would build on the existing planning status of the site and specifically the town centre's important regional and national role, which is referred to in the NPF3 main issues report. That report describes the development as including

"New homes, town centre, transport facilities, community facilities and business/industrial development".

I agree with the council that that reflects

"very well ... the type and scale of development envisaged for the site",

so the document's description of Ravenscraig should be amended to more accurately

"reflect the dual status of the site as a new community and a centre of regional and national significance."

Derek Mackay: To answer in a straightforward way, I have seen the evidence and know that North Lanarkshire Council and the member have lobbied hard for Ravenscraig to be included as a national development. I certainly welcome that status. If you think that we can do something around the wording to reflect the development there more accurately or in an even more positive fashion, I will certainly look at that. The substantive point is that we are affording the site national development status because we believe that it meets the criteria. If the wording can be refined to further support that, I would be happy to look at that, Mr Pentland, but I do not think that that changes the position in the document.

John Pentland: Thank you.

Christian Allard: As opposed to Mr Brodie, I point out that, as a North East Scotland MSP, I am delighted to see Dundee, Peterhead and Aberdeen all there in the proposed national developments. The Cairngorms national park is also in the North East Scotland region, of course, and I am delighted with the protection that it will have from now on.

My question is on carbon capture and storage. Minister, you decided to amalgamate Grangemouth and Peterhead for CCS in NPF3, whereas the main issues report treats them separately. What is the explanation for that?

12:45

Derek Mackay: I do not think that there is any particular reason. We identify that both Grangemouth and Peterhead have opportunities and status but, in this instance, where investment goes will be dependent on DECC. It is also a private sector issue. We support CCS and both Grangemouth and Peterhead are referenced in NPF3. I would be surprised to learn that there is concern that that position has been diluted. Both

locations are referenced and both have our support, although the pace at which the development will go is in the hands of others, not the Scottish Government.

Christian Allard: Thank you for your answer. We heard a lot about unconventional gas extraction earlier in the meeting. Who is on your independent expert scientific panel on unconventional oil and gas and when are they supposed to come back to us?

Graham Marchbank (Scottish Government): The scientific panel comprises a number of academics. I can get a list of them for the committee, if that would help. I met them a couple of weeks ago to give them a presentation on planning. They have not set a date for their final report. That is the information that I have at the moment.

Christian Allard: There is no date at this time, yet the issue is referred to in NPF3. How can we incorporate the panel's findings?

Derek Mackay: A number of different organisations will be involved in the process should there be further exploration for unconventional gas. I understand, though, that at this point in time there are no applications for fracking in Scotland. However, if there were, there would be interest from the HSE, and from SEPA with regard to watercourses and so on. Licences are, of course, a reserved matter. The planning process would be relatively new, but we have set out in our proposed policies in the SPP the kinds of things that would need to be considered, such as protection for the environment, on which we have quite a stringent position. All that would have to be considered if an application was received.

Fracking is the most controversial end of the debate on unconventional gas. Any applications would be considered under current policy, which already asks about mitigation, environmental impact, community interest and so on. The expert panel will be able to advise us on emerging thinking and how we can ensure that we have the right balance. In addition, we are looking very closely at what is happening south of the border.

As soon as we have the panel's report, we will be happy to share it with the committee. NPF3 has given us the opportunity to update policy in the light of changing circumstances and say a bit more about unconventional gas than we did under the previous suite of policies.

The Convener: Joan McAlpine has questions on the same issue.

Joan McAlpine: I had a supplementary to Mr Pentland's question, but I also want to ask about unconventional. Can I do that?

The Convener: Fire on.

Joan McAlpine: I congratulate Mr Pentland on getting Ravenscraig included in the NPF and Mr Allard talked about three developments in the north-east that give him great delight. I submitted my proposals to the consultation and suggested that the south-west of Scotland should have at least one national development. I proposed that it should be either the A75 or the Crichton campus, which is a potential economic generator for the south-west. However, not a single project from the south-west has made it in to the NPF. In addition, as Mr Brodie said, because we do not have a major city in the south, the region has also been left out of the city regions aspect of the plan. Can you understand the disappointment that has been caused in our region, minister? How can we address that?

Derek Mackay: I would not take it personally.

Joan McAlpine: It is not just me. I believe that Dumfries and Galloway Chamber of Commerce and Dumfries and Galloway Council put in similar submissions.

Derek Mackay: The NPF is the planning document at the top of the planning hierarchy and you could not possibly read it and think that it would not have an impact on the south-west of Scotland. The same goes for the SPP.

One of the significant changes in the document is the greater support for our town centres and rural areas. We are trying to give them a future through sustainable economic growth.

The NPF represents every single part of the country. When we looked at the national developments, we did not use the criterion that we had to hit every county, local authority area or region, but I did ask for and ensured that we had a breakdown of what it would mean for individual local authorities. There might not be a national designation in the area, but the NPF will impact on every single local authority in Scotland.

For example, the walking and cycling route is one of the national developments and it will extend to the south-west of Scotland and the south of Scotland. That is why I say that it is wrong to suggest that the national developments or NPF3 will not touch on every part of the country.

Where there are individual development proposals, such as at the Crichton campus, which I have also visited, or the road infrastructure project that Joan McAlpine mentioned, they might already exist in Government infrastructure spending plans or other areas. Just because they are omitted from the NPF or the list of developments does not mean that they are not important, that the Government does not support them, or that they are not happening. It is just that we have to ask whether national status attaches a value that will assist the planning of those projects.

They will all have been assessed using the same criteria.

I hope that, having failed to reassure Mr Brodie, I have managed to reassure members.

Chic Brodie: No. I will come back in on the point later.

Derek Mackay: I think that every part of the country is covered.

I have talked for long enough to allow myself time to find the right page. For example, Galashiels in the Borders is included as a connected town. The Edinburgh city region goes wider than just the city. I make the point that when you look into the detail behind the headline, you see that it is far more reassuring.

I have also tried to keep the document pretty concise. It could have been much bigger, like the volume containing the consultation maps. I am much happier to see that the document has ended up being much thinner. That might seem like a flippant point, but something that is clear and concise and not too exhaustive is better than mentioning everything just for the hell of it. Our document is far more pointed than that. People from every part of Scotland can use it to get certainty within the planning system and as a positive document about our aspirations for the entire country, although they should not look at it in isolation.

On your other points—

Joan McAlpine: My other question was about unconventional—

The Convener: Before we leave the south of Scotland pork barrel, I will bring in Mr Brodie again.

Chic Brodie: I hear what you say, minister, and indeed, the document does add to the opportunities that are available across Scotland.

However, my comment about the south of Scotland is not just about its not being included in the document. If I look at employment statistics, Scottish Enterprise involvement, business gateway involvement—everything else like that—and I relate that information to the propensity to have a large number of wind farms, notwithstanding the Highlands and Islands, thus creating a lack of cohesion among communities, it seems to me that there is a lack of attention. I would have thought that the NPF would have considered the A75 or, indeed, given what will happen on 18 September this year, the extension of the Waverley line to Carlisle, for example, which would open up all our opportunities for tourism and exports and what have you. I just do not understand. Even a paragraph might have helped us to understand the overall aspirations.

Derek Mackay: I would not judge a member by the size of their paragraph.

Chic Brodie: It depends what is in the paragraph.

Derek Mackay: In the Dumfries and Galloway area, Dumfries is highlighted as a key rural town, and there are other examples in the document. You picked on transport and the road network. A basic rail connection would require an act of Parliament—a different consenting regime. A lot of the road network is not in the NPF. It is referenced, as it is good to have a connected place, but we do not feel the need to attach specific planning status to it because upgrading a road might not require planning status.

Bear it in mind that the NPF is not the sum total of the Government's ambitions. We have many other documents for that. It is the top of the hierarchy for the planning system and the spatial expression of what needs to be achieved.

I say again that, for the final final NPF3, we will look again at ensuring that every part of the country feels included. However, there must be a proper, methodical basis for that, not just someone's feeling that we missed a bit when the analysis shows that, even under the headline, NPF3 touches every part of the country.

The area that the members represent so well is covered. Okay, it is not always covered by a national designation, but it is certainly referred to within the full NPF3. I have further examples of how that is the case, to which I referred earlier, such as the NRIP sites, town centre regeneration, the Stranraer regeneration and the walking and cycling network that covers the whole country.

I hope that that further assists the members.

Joan McAlpine: One thing that we might get in the south-west is unconventional coal-bed methane extraction, which has already been given planning permission in Canonbie. You answered a question about that earlier and explained that it was not helpful to put a measurement on the buffer zone that you announced last year. However, despite your earlier comments, we have put a measurement on wind farm boundaries. Why is a measurement for wind farm boundaries okay, but not one for unconventional?

Derek Mackay: Alison Johnstone asked me whether we would have specific separation distances for different developments. The answer was that, in general, we would not, but that there would be some that were controversial and where that would be required.

We have discussed wind and unconventional gas. There must be some sort of buffer environmental protection but exactly what that is will depend on the circumstances. We will have

further advice on that when the independent expert scientific panel concludes its report.

Unconventionals are one of the areas in which it is possible that we will have a distance, unlike most other applications. Generally speaking, there needs to be some sort of separation and some sort of natural buffer between developments and communities. Exactly what that distance is remains to be determined.

Joan McAlpine: The difference between wind farms and unconventionals is that unconventionals can be in the heart of communities. As Mr Cronin said in his evidence, there is somewhere in England that is 500m from a housing estate. He also went on to say that the water that is extracted in shale gas developments is radioactive and requires treatment. I would be very concerned if wind farms had more stringent planning guidelines than something that produces radioactive water.

Derek Mackay: Well, of course, that would not be the case because, as was covered in my earlier answer, at least four different agencies are involved in licensing: SEPA is involved for water protection, the Health and Safety Executive is involved in relation to some of the equipment and the planning system is involved.

We have a pretty rigid framework at the moment and will continue to consider the evidence that is produced on the matter. It is important that we take a cautious approach but that whatever we do is based on the evidence.

Joan McAlpine: I was a wee bit concerned that, in your opening statement, the language that you used about unconventionals seemed quite positive. However, as you subsequently said, the scientific panel is considering them. Also, in central Scotland, the proposals are being examined by the independent reporter. Before we take a position on unconventionals, should we wait for the results of both those inquiries?

Derek Mackay: Yes. I have just double-checked my exact wording. It was:

"A careful approach, informed by evidence, is required."

I go back to that. There are safeguards within the planning system at the moment but, as further developments come, we will need more information to assist planners making any decision on fracking—I pick on fracking as an example because there are no live applications, although some might emerge—because it will be relatively new, if it is presented to Scotland.

Yes, we should take a cautious approach. The weighting of the planning system does that at the moment.

Joan McAlpine: I disagree with that because, in my area, as I have already raised with you,

permission was given for one methodology and then the company changed to a different methodology.

You have said on several occasions that fracking is not proposed in Scotland, but research in Australia shows that 40 per cent of coal-bed methane developments end up being fracked. Were you aware of that?

13:00

Derek Mackay: No, I was not aware of that.

Joan McAlpine: Therefore, a company should submit fresh planning applications if it was going to frack, should it not?

Derek Mackay: We have to be careful in the wider policy because planning is about land use. It is, largely, about what happens above the ground and about structures. All energy policy must be considered in the round and we must go beyond just the planning system. That is why I make the point that the permission given for land use is quite different from some of the licences that are given for a particular type of extraction. If such a licence changed, I would be interested in understanding what that meant for planning or for other licences.

I will ensure that the matter does not fall between the cracks in policy support. That is why the expert group will be helpful. I am here to answer for the planning policies and the safeguards that those build in. Questions of enforcement would be for the local authority, for SEPA if they relate to contamination or environmental impact or for DECC when it comes to energy licences and their enforcement or amendment such as you described.

The Convener: As nobody has any more questions, we can call it a day at that. I thank you, minister, and your officials for coming along and answering our questions. It has been very helpful to us.

13:01

Meeting continued in private until 13:28.

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