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Environment, Climate Change and Land Reform Committee

**Comataidh Atharrachadh Clìomaid is Ath-leasachaidh
Fearann**

Environment, Climate Change and Land Reform Committee Annual Report 2019-2020



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Environment, Climate Change and Land Reform Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Environment, Climate Change and Land Reform.



<http://www.parliament.scot/environment-committee>



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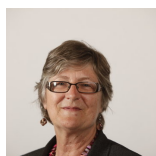
Committee Membership



Convener
Gillian Martin
Scottish National Party



Deputy Convener
Finlay Carson
Scottish Conservative
and Unionist Party



Claudia Beamish
Scottish Labour



Angus MacDonald
Scottish National Party



Mark Ruskell
Scottish Green Party



Stewart Stevenson
Scottish National Party



Annie Wells
Scottish Conservative
and Unionist Party

Introduction

1. The role of the Committee is to consider and report on matters falling within the responsibility of the Cabinet Secretary for Environment, Climate Change and Land Reform.
2. This report covers the work of the Environment, Climate Change and Land Reform Committee during the Parliamentary year from 12 May 2019 to 11 May 2020. It includes the previous membership of the Committee during the reporting year:
 - John Scott MSP (Deputy Convener) (from 5 September 2017-10 September 2019)
 - Rachael Hamilton MSP (10 September 2019-25 February 2020)

Finlay Carson replaced John Scott as Deputy Convener on [17 September 2019](#).

Covid-19 pandemic impact on committee business

3. The Covid-19 outbreak impacted the Committee's work in March, April and May 2020. Anticipated Scottish Government legislation, publication of the updated Climate Change Plan, and non-critical Committee business was postponed. The Committee met informally in April and May to discuss its approach to scrutiny of issues relating to Covid-19. The Committee also met formally in [April 2020](#) (via online video conferencing) to hear from the Cabinet Secretary for Environment, Climate Change and Land Reform on the impact of the Covid-19 pandemic and to consider its work programme.

Bills

The Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill

Introduction

4. The Committee considered and reported on the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill at Stage 1. In addition to issuing a call for views, the Committee heard from Scottish Government officials, stakeholders and then from the [Minister for Rural Affairs and the Natural Environment](#)ⁱ in December 2019. The Committee published its [Stage 1 Report](#) in February 2020, recommending that Parliament approve the general principles of the Bill. The Scottish Government [responded](#) on 9 March 2020. The Parliament agreed unanimously to the general principles of the Bill on 12 March 2020.

Climate Change (Emissions Reduction Targets) (Scotland) Bill

5. The Committee concluded its scrutiny and [reported at Stage 2](#) on the Climate Change (Emissions Reduction Targets) (Scotland) Bill in June 2019. Parliament considered the Bill at Stage 3 on 19 September 2019 and the Bill passed by a vote of 113 for, 0 against and 6 abstentions. [The Bill became law on 31 October 2019](#). The Bill has now been enacted and sets targets to reduce Scotland's emissions of all greenhouse gases to net-zero by 2045 at the latest, with interim targets for reductions of at least 56% by 2020, 75% by 2030 and 90% by 2040.

Legislative Consent Memorandums

Wild Animals in Circuses (No.2) Bill

6. The Committee considered the legislative consent memorandum on the Wild Animals in Circuses (No. 2) Bill June 2019. The Bill, introduced in the UK Parliament, put in place provisions to make it an offence for a circus operator to use a wild animal in a travelling circus in England. Clause 3 of the Bill extends to Scotland and contains a consequential amendment to the Dangerous Wild Animals Act 1976 (the 1976 Act). The Committee [reported](#) on 5 June 2019 and recommended that the Scottish Parliament approve the legislative consent motion.

ⁱ [Official Report of Meeting 3 December 2019](#) and [Official Report of meeting 10 December 2019](#).

Inquiries

Climate change

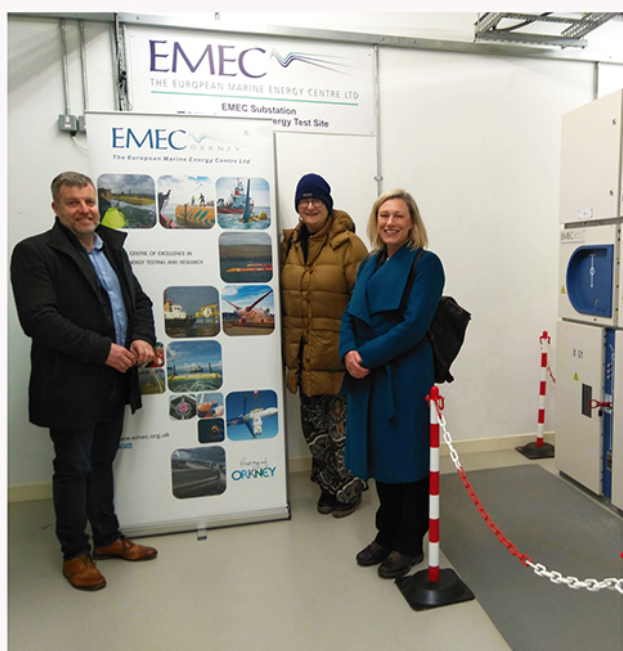
7. The Committee has been working to ensure that climate change is placed at the heart of parliamentary scrutiny, in response to the climate emergency. The Committee agreed an Action Plan, engaged with committees across the Parliament and in February 2020, agreed to appoint an adviser to support this work. The Committee also agreed its approach to COP26 on [25 February 2020](#). This included focusing on how parliaments can contribute to solutions to the climate crisis and effectively hold governments to account and writing to sister Committees across the UK to explore the scope for a collaborative approach. The Committee heard from the Committee on Climate Change (CCC) on [5 November 2019](#), on climate change Adaptation and considered the CCC's Annual Progress Report to Parliament (2019) on [25 February 2020](#).

Regional marine planning

8. The Committee has been scrutinising the experience of developing and implementing Regional Marine Plans. Following a call for evidence, the Committee agreed to investigate the issues raised in more detail with the Marine Planning Partnerships, and undertook visits to Orkney, Shetland and Clyde in November 2019. The Committee then met informally with Marine Scotland to explore the issues raised. The Committee has [agreed](#) to commission a briefing on international best practice to inform its thinking on these issues and intends to publish an interim report on its findings later in the year. The report will seek views on the key issues and questions.



Marine inquiry fact finding visits to **Orkney, Shetland** and the **Firth of Clyde**.



Source: The Scottish Parliament 2020

Biodiversity funding

9. In [September 2019](#) the Committee explored the Scottish Biodiversity Information Forum Review of the Biological Recording Infrastructure in Scotland. The Committee expressed concern that Scotland is not on track to meet the 2020 Aichi target and asked the Scottish Government to prioritise and commit sustained resources to fund biodiversity work as a matter of urgency. The Committee has also been considering how a new system of 'public money for public goods' might be used to support biodiversity work following the UK exit from the EU.

Scottish Water investment plan

10. In [November 2019](#) and in [March 2020](#) the Committee explored the investment priorities and plans of Scottish Water. The Committee heard from Scottish Water, Business Stream, Water Industry Commission for Scotland and the Customer Forum for Water in Scotland. The Committee also explored how Scottish Water planned to meet net zero emissions targets.

Subordinate Legislation

11. During the course of the reporting year, the Committee scrutinised:
 - 7 SSIs subject to the affirmative procedure (including 2 enhanced affirmatives);
 - 10 SSIs subject to the negative procedure; and
 - 4 SSIs and 5 SIs in relation to the European Union (Withdrawal) Act 2018.

12. The Committee took evidence on number of statutory instruments and was the first subject Committee to consider an affirmative SSI remotely. Evidence on SSIs included:
 - Revised regulations establishing a Register of Persons Holding a Controlled Interest in Land, which were subject to an enhanced affirmative procedure, reporting on [4 February 2020](#). This followed the Committee's report on the first draft Regulations, published in [November 2018](#).
 - Right to Buy Land to Further Sustainable Development (Eligible Land, Specified Types of Area and Restrictions on Transfers, Assignations and Dealing) (Scotland) Regulations 2020, reporting on [20 March 2020](#).
 - The Conservation (Natural Habitats &c.) (Miscellaneous Amendments) (Scotland) Regulations, reporting on [29 October 2019](#).
 - The Deposit and Return Scheme for Scotland Regulations 2020, which were subject to an enhanced affirmative procedure. The Committee heard from a number of stakeholders, engaged widely with the public and reported on the initial draft regulations on [10 December 2019](#). The Committee considered the final draft regulations, reporting on [7 May 2020](#).

EU Scrutiny

13. The Committee continued its scrutiny of the impact of EU exit on environmental policy in Scotland and appointed an adviser, Professor Colin Reid from the University of Dundee, to support this work. Scrutiny included consideration of four Scottish statutory instruments and five notifications of Scottish Government consent to UK statutory instruments made under the European Union (Withdrawal) Act 2018. The Committee also considered the environmental impact of the Agriculture (Retained EU Law and Data) (Scotland) Bill and the UK Agriculture, Environment and Fisheries bills.
14. The Committee took evidence from the Cabinet Secretary for the Environment, Climate Change and Land Reform on a number of occasions to keep up to date on relevant issues. The Committee also heard from Michael Gove MP, the then Secretary for State for Environment, Food and Rural Affairs, on 15 May 2019. The Committee took evidence on environmental principles and governance post-exit on 14 January 2020 and agreed to continue its scrutiny via the UK Environment Bill and when the Scottish Government announces its proposals for environmental governance structures.

Petitions

15. The Committee progressed its important work on several petitions during this period, considering petitions PE01490: Control of wild goose numbers and PE01636: Require that all single use drink cups are 100% biodegradable, at its meeting on [1 October 2019](#) and PE1758: End Greyhound Racing in Scotland on [10 December 2019](#). The Committee wrote to petitioners to keep them updated and sought regular updates from the Scottish Government on the work needed to advance several of these petitions, such as the Grouse Moor Management Review Group Report.

Draft Budget 2020-2021

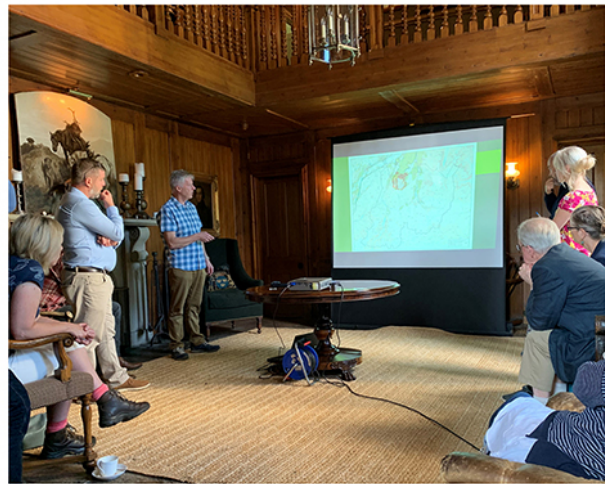
16. The Committee focused its [Budget scrutiny](#) on preventative spend, the carbon impact of the capital budget and fiscal measures. The Committee sought evidence on preventative spend and heard from experts and academics on tax powers and charging. The Committee highlighted that the UK exit from the EU will significantly impact funding streams supporting environmental objectives. The Committee proposed improvements to the supporting information on the Budget, particularly in relation to the carbon impact of spend, to ensure that the long-term carbon impact of spend is assessed and reported on. The Committee proposed a collaborative approach and a remit for a joint Scottish Parliament/Scottish Government working group to progress this work and is waiting for confirmation on the remit from the Scottish Government. The Committee considers there are opportunities for the environment in changing behaviours through the use of fiscal measures. It is in the process of commissioning a review of the scope of existing measures and practice elsewhere and hopes to continue to focus on exploring the potential of such measures to support objectives over the remainder of the parliamentary session.

Equalities

17. Equalities considerations are mainstreamed throughout the Committee's work. The Committee explored the equalities impacts and potential barriers to engagement with the Deposit and Return Scheme. Views were sought from a range of people within the following groups: island and rural communities; older people; people with learning and or physical disabilities; young people; and people who are socially and/or economically excluded. The Committee held workshops in the Western Isles, with the Tenant Participation Advisory Service, with the Learning Disability Alliance Scotland (LDAS) and with the Scottish Youth Parliament. The Committee also sought the views of young people, with twelve schools, thirty-six classes and students of Edinburgh College offering their views on the Scheme.
18. The Committee also proactively sought to increase the diversity of those giving evidence. During the reporting year, the Committee heard from 174 witness - of which, 77 (44%) were female. The Committee heard from 65 Scottish Government witnesses - 59% of whom were female.

Outreach and Engagement

19. The Committee continued its programme of outreach and engagement. It pursued the issues raised in the deliberative engagement event held early in 2019 considering how a new system of 'public money for public goods' might be used to support biodiversity work following the UK exit from the EU and commissioning a report on the findings from the University of Edinburgh. The Committee trialled a digital engagement tool to canvas views on the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill. The Committee engaged across island and rural communities; with older people; people with learning and or physical disabilities; young people; and people who are socially and/or economically excluded as part of its consideration of the draft Deposit and Return regulations. The Committee undertook fact-finding visits to explore land management and environmental enhancement in the Cairngorms National Park and to explore flood management in Inverness, meeting land managers, members of the communities and officials. The Committee also undertook visits to the Clyde, Orkney and Shetland Marine Planning Partnerships in November 2019, to inform its Regional Marine Planning inquiry.



Committee fact finding visits to explore **land management** and **environmental enhancement** within the **Cairngorms National Park**



Source: The Scottish Parliament 2020



Committee fact finding visit to a
flood management project in
Inverness



Source: The Scottish Parliament 2020

Meetings

20. The Committee met 31 times during the Parliamentary year.

