



The Scottish Parliament  
Pàrlamaid na h-Alba

Gillian Martin MSP  
Acting Cabinet Secretary for Net Zero  
and Energy

By email only

**Net Zero, Energy and Transport  
Committee**

c/o Clerk to the Committee  
Room T3.40  
The Scottish Parliament  
Edinburgh  
EH99 1SP

[netzero.committee@parliament.scot](mailto:netzero.committee@parliament.scot)

Friday 23 August 2024

Dear Gillian,

### **Climate Change (Emissions Reduction Targets) (Scotland) Bill: Policy Intentions**

Thank you for your letter of 11 July 2024 regarding the Scottish Government's policy intentions for the upcoming Climate Change (Emissions Reduction Targets) (Scotland) Bill. I write on behalf of the Committee in response to that letter and the Scottish Government's "position paper" on the new Bill, published on 2 August.

Given the Scottish Government's wish to expedite the Bill through Parliament, and the strong public interest in ensuring it is fit for purpose, especially in light of experience with targets set out in current legislation, this letter seeks clarification or further information on a number of points. Where possible, we would appreciate responses on those points to be provided prior to the Bill being introduced; where this is not possible, it would be helpful if further information could be provided in the relevant supporting documents to the Bill.

### **Timetable for the Bill**

It is our understanding that the Scottish Government wishes to expedite the Bill through Parliament to avoid running into statutory deadlines to publish the next Climate Change Plan (CCP). Under the current terms of the Climate Change (Scotland) Act 2009, the Scottish Government must allow 120 days of parliamentary scrutiny on the draft CCP and time for consideration of representations received during the statutory scrutiny period, in advance of the final version being laid in March 2025.

We recognise that the Scottish Government will wish to avoid laying a draft CCP that sets out how it will meet its statutory 2030 goal to reduce emissions by 75%, given the Climate Change Committee's (CCC) finding that this target is "no longer credible": a finding which the Scottish Government accepts. On the other hand, public and stakeholder confidence in any new target-setting regime would be strengthened by this new approach having demonstrably been examined thoroughly, through robust Parliamentary scrutiny.

We would appreciate insight on whether the Government has considered first bringing forward separate legislation with the much narrower purpose of amending the current statutory requirement to lay the draft CCP by autumn 2024 and seeking Parliament's consent to do so expeditiously. This could provide the Parliament, and the Scottish Government itself, with more time for consultation and scrutiny on carbon budgeting.

### **The process for parliamentary scrutiny of carbon budgets**

The annex to your letter and the position paper indicate that the Bill will require the next CCP to be brought forward "as soon as practicable after the carbon budget levels are set through secondary legislation."

In the 2019-2024 House of Commons session, the [Environmental Audit Committee](#) worked to strengthen the scrutiny procedure for UK Government proposals for the Seventh UK Carbon Budget. A key proposal was that when UK Ministers announce the proposed level of the Seventh Carbon Budget, they should simultaneously lay before UK Parliament a draft carbon budget delivery plan, to enable parliamentary scrutiny to assist in identifying the most appropriate ways to reduce emissions and meet future carbon budgets. This was broadly accepted by the then [UK Secretary of State for Energy Security and Net Zero](#).

It would be helpful to know if the Scottish Government has considered these proposals, or other examples of parliamentary scrutiny of carbon budgets (and the associated plans), to inform its approach.

### **Additional areas where further information is requested**

**2040 interim target.** As far as we are aware, the Scottish Government has not publicly stated whether it intends to also revise the current statutory target of a 90% reduction in greenhouse gas emissions by 2040 relative to the 1990 levels. If the Government proposes revising this target, it would be helpful if information could be provided on the scientific basis for this and what consultation has been undertaken.

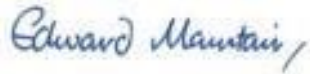
**Time periods for carbon budgets.** The annex to your letter and the position paper state that secondary legislation will be brought forward to "set a carbon budget for 2026 to 2030 and each successive period of five years, up to and including the net zero target year in 2045." This would mean that carbon budget periods in Scotland would not align with the UK carbon budget periods. It would be helpful if the Government could set out why it has decided to take this approach and whether alternatives were considered.

**Monitoring and reporting of carbon budget targets.** The annex to your letter and the position paper state that the Bill will “maintain the current rhythm of annual reporting on greenhouse gas emissions and on the CCP”, with the Scottish Parliament continuing to receive annual reporting on each substantive chapter of the most recent CCP and on emissions reduction. It would be helpful if you could set out whether any changes to the current approach have been considered, to ensure optimal transparency and availability of data for scrutiny by the Parliament and others, and to build public confidence that effective systems are in place to ensure that further targets are not missed.

**Devolved competence.** The annex to your letter states that the Bill will “seek to amend the relationship between the CCP and emissions reduction targets to more accurately reflect the limits of devolved competence and the powers of Scottish Ministers when delivering emissions reduction across our economy and society.” We note that this issue is not mentioned in the position paper. It would be helpful if the Government could set out in more detail how it intends to amend the relationship between the CCP and emissions reduction targets, with regards to consideration of devolved competence.

We thank you in advance for providing the Committee with this additional information to help in our scrutiny of the Bill.

Yours sincerely,

A handwritten signature in blue ink that reads "Edward Mountain".

Edward Mountain MSP  
Convener  
**Net Zero, Energy and Transport Committee**