



OFFICIAL REPORT
AITHISG OIFIGEIL

Environment, Climate Change and Land Reform Committee

Tuesday 25 October 2016

Session 5



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ENVIRONMENT, CLIMATE CHANGE AND LAND REFORM COMMITTEE
8th Meeting 2016, Session 5

CONVENER

*Graeme Dey (Angus South) (SNP)

DEPUTY CONVENER

*Maurice Golden (West Scotland) (Con)

COMMITTEE MEMBERS

*Claudia Beamish (South Scotland) (Lab)
*Alexander Burnett (Aberdeenshire West) (Con)
*Finlay Carson (Galloway and West Dumfries) (Con)
*Kate Forbes (Skye, Lochaber and Badenoch) (SNP)
*Jenny Gilruth (Mid Fife and Glenrothes) (SNP)
*Emma Harper (South Scotland) (SNP)
*Angus MacDonald (Falkirk East) (SNP)
*Mark Ruskell (Mid Scotland and Fife) (Green)
*David Stewart (Highlands and Islands) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Roseanna Cunningham (Cabinet Secretary for Environment, Climate Change and Land Reform)
Neil Ritchie (Scottish Government)
Chris Stark (Scottish Government)

CLERK TO THE COMMITTEE

Lynn Tullis

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Environment, Climate Change and Land Reform Committee

Tuesday 25 October 2016

[The Convener opened the meeting at 10:44]

Decision on Taking Business in Private

The Convener (Graeme Dey): Good morning and welcome to the eighth meeting in session 5 of the Environment, Climate Change and Land Reform Committee. Agenda item 1 is to consider whether to take item 4 in private. Do we agree to do so?

Members *indicated agreement.*

Petition

European Beavers (PE1601)

10:44

The Convener: Agenda item 2 is consideration of PE1601, by Andy Myles, on European beavers in Scotland. I refer members to the paper and invite comments.

David Stewart (Highlands and Islands) (Lab): This is an excellent petition, and I praise the petitioner for getting it to us today and the Public Petitions Committee for the work that it has done. Like many members, I have visited the Knapdale site in Argyll and have seen the trial at first hand, and I am very enthusiastic about the work that has been done in the Argyll area and the potential to extend it to other parts of Scotland. As members will know, there is some conflict because, in Tayside, there are beavers that, technically, are there illegally, which means that they can be shot by farmers.

It would be useful to write to the cabinet secretary to confirm when the decision on the legal status of the two populations might be made. I do not doubt the cabinet secretary's commitment, but given my experience in petitions—which, as you will know, is quite considerable—I think that it would be useful to know exactly what is happening. I know from experience in the Highlands and Islands that there are landlords who are quite interested in beaver reintroduction in their area. The species was native to Scotland, and its reintroduction is, as we have seen with sea eagles and so on in other parts of Scotland, a positive development.

The Convener: There have been indications that a decision will be reached before the end of the year, so we are now quite close.

Mark Ruskell (Mid Scotland and Fife) (Green): I support writing to the cabinet secretary on the issue. However, I should point out the numerous written questions on the issue going back over the past year and the fact that the hiatus is resulting in serious animal welfare issues, with beavers being shot in the Tayside area in particular.

If we are going to write to the cabinet secretary, I want to know a lot more than just when the decision is going to be made. I want to know what work is being done behind the scenes to try to introduce a management regime for beavers, what advice and support can be given to farmers and also the implications of a decision not to allow the introduction of beavers. What would be the implications for welfare and for Scotland's wider environment? Short of the committee actually

taking evidence on the topic, I would like a lot more information from the Scottish Government on the work that is happening behind the scenes to, I hope, make reintroductions successful in Scotland.

Claudia Beamish (South Scotland) (Lab): If the committee were to agree to write to the cabinet secretary, which is something I would support, I would also be interested in getting clarification on whether any secondary legislation—if there were to be any on any aspect; we do not have to go into details now—would come before the committee for consideration.

The Convener: It seems that we have a consensus that we should write to the cabinet secretary, taking account of all the points that have been made by members. Does the committee agree?

Members *indicated agreement.*

Greenhouse Gas Emissions Targets and Climate Change Adaptation

10:47

The Convener: Agenda item 3 is evidence on Scotland's greenhouse gas emissions targets and climate change adaptation. We are joined by the Cabinet Secretary for Environment, Climate Change and Land Reform, Roseanna Cunningham, and the following Scottish Government officials: Chris Stark, director of energy and climate change; Tom Russon, climate change policy advisor; and Neil Ritchie, environmental quality division.

Good morning, cabinet secretary. The first part of our meeting will focus on climate change mitigation, after which we will allow a slight change in the supporting officials and move on to climate change adaptation. I will begin by exploring the issue of the European Union emissions trading system scheme, important as it is, and how it might be affected by a potential Brexit.

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): At the moment, the short answer is that we do not know. We are not in a position to understand exactly how that is going to proceed. Obviously, it is vital for us to try to glean some information on that, but at this point it is too early to say what the situation will be. We are trying to assess the areas where we rely on EU legislation to support targets, and we are going to have to take account of that as far as possible. However, I suspect that the current uncertainty is going to play out for a little bit longer.

At the moment, therefore, I cannot give you a hard and fast answer on where some of the schemes will sit going forward. All I can do is make it clear that we are aware of the need for us to make that assessment and that we are trying to assess those areas, including the EU ETS. One thing that we are doing is looking to the Committee on Climate Change for any advice that it might be able to give us in that respect.

The Convener: On a slightly broader question, how much difficulty is the Brexit situation creating for your work on the new climate change plan?

Roseanna Cunningham: We are proceeding as if the timetable that we have at the moment is the one that will prevail. In the context of the climate change plan at least, that has to be the way that we proceed. We have an indicative timetable for Brexit. Most people are operating on the basis that, assuming article 50 is triggered

“before the end of March”,

which I think is the phrase that has been used, there will be an actual Brexit in 2019. We cannot operate on the basis that that is not the case, so we are currently operating on the basis that it is. We may have to come back and rethink some of that but, as I have said, we are asking the Committee on Climate Change to help us on the issue to ensure that, if possible, we can future proof some of it. To be honest, though, that will not be particularly easy.

The Convener: Thank you. Let us move on to some of the specific sectors, starting with energy. Claudia Beamish will ask some questions on that.

Claudia Beamish: Good morning, cabinet secretary and officials. I want to focus first on the contribution that renewable energy is making and can make to our greenhouse gas emission reduction by 2020. As you will know, the recent CCC report highlights that a significant increase in the rate of renewable energy installation will be required to meet the target of generating the equivalent of 100 per cent of Scotland's electricity from renewables by 2020. Matthew Bell made some positive remarks about that possibility. Will you comment on that for the committee?

Roseanna Cunningham: We have a pretty good and well-established energy policy framework in Scotland. Obviously, a great deal of work has been done on renewable energy; we have had ambitious targets that we are working hard to achieve. There has also been a lot of support for the development of local and community energy. Moreover, as the committee knows, we have done work on energy efficiency and a big programme in respect of that is planned.

We have made big strides forward, and I am grateful that the Committee on Climate Change has recognised that. However, there are a number of changes that we must factor in, including the very overt shift in focus of UK policy away from support for renewable energy, which has caused issues and concerns in the sector. We have to think about that. Obviously, new powers are coming to the Scottish Parliament. As our energy generation mix changes, we need to keep thinking about how that is going to move forward.

We also have our strengthened ambition in respect of tackling climate change and the continuing importance of the role of renewable energy in that. The committee is probably aware that my colleague Paul Wheelhouse is developing an energy strategy, which he intends to publish at roughly the same time as the draft climate change plan. We see those two things as being very close together.

As I have said, there are targets that we will want to meet. We have to work out how we can meet them in the changed landscape that we are

in, but we continue to have the ambition to do so. There is still a pipeline of renewable energy projects, and it is important to make it clear that things are coming through.

There has been a bit of damage to investor confidence as a result of decisions that have been taken elsewhere, and my plea to the UK Government is to give developers and investors a bit of clarity now in order for us to make the next step changes that we need to make.

The Convener: With regard to investor confidence and interference in the pipeline of projects that Matthew Bell referred to, I should highlight the issue with offshore wind, the progress of which is threatened with being undermined by a successful judicial review. How unhelpful has that been?

Roseanna Cunningham: I do not want to get drawn into what might continue to be live proceedings. However, I always take the opportunity to remind everybody that climate change is potentially a bigger threat to biodiversity and the health of the natural environment than might otherwise be appreciated. What we need to do about climate change has to be paramount.

The Convener: Thank you. Finlay Carson has a question.

Finlay Carson (Galloway and West Dumfries) (Con): I think that most people accept the large part that onshore wind farms play in renewable energy, but what pressures are there to approve schemes that might not be appropriate just to reach the 2020 targets? Just last week, for example, the objections of local communities to a wind farm at Larbrax were overturned on appeal. Will there be added pressure for inappropriate schemes to go ahead to reach the targets?

Roseanna Cunningham: I always operate under the assumption that very large schemes, no matter whether they be in the renewables sector or anywhere else, will result in pressures for all sorts of different reasons. That is why the processes that we have in place have been put in place. Not everybody will agree with every decision, but we cannot say that the pressure is greater or lesser in any one particular case than in any other.

I have seen the publicity surrounding some very big planning decisions, but that publicity affects just about every planning decision to a greater or lesser extent. I do not recognise any sense in which there is a bigger driver in any one particular area.

Obviously, as far as renewable energy is concerned, we are trying to look across a range of potential sources. That is what is important, and it is one of the reasons why the debate about

offshore renewables is very important. As we have seen, that does not mean that it is not controversial. Such decisions will always be taken on the basis of the individual project and will stand or fall on the best evidence that there is. From time to time, disagreements will lead to further action. I do not think that we can ever rule that out.

11:00

Claudia Beamish: Cabinet secretary, will you talk about the development of storage for renewable electricity and heat? Will you also talk about development of the grid, which some people think is a bit rickety and might not be appropriate for some of the development that is happening?

Roseanna Cunningham: There are issues to do with the grid, which have been played out—that takes me back to what Finlay Carson was saying about big projects and potential challenges. Not many years ago, a massive grid development became the subject of a huge debate. Improvements to the grid will always be considered but are not necessarily uncontroversial. Developers can come forward, quite rightly, with arguments about infrastructure, which is what we are talking about in this context, but that does not mean that a project will be plain sailing, even if it is put forward as a huge improvement.

Energy storage is a huge issue. It is one of the issues that sits alongside the conversation about the development of renewable energy; it is a debate that has to be had when we are talking about developing renewable energy. If we can get it right, it can help to reduce overall energy costs and help us to meet our targets.

There are different proposals. Pump-storage hydro is a proven means of large-scale energy storage, and we would like there to be some move on the part of the UK Government to remove investment barriers so that new projects in the area can be built. We are supporting the demonstration of new energy storage technologies and our local energy challenge fund can be used to fund the deployment of large-scale, joined-up approaches to local renewable energy generation and use. Of course, energy storage will be a significant part of the minister's energy strategy, which will be published in January, as I said.

We accept that energy storage is a key part of the development of renewable energy, in particular. I think that that is probably a given with just about everybody.

Mark Ruskell: You said that there is a pipeline of electricity generation projects, but there are questions about projects' economic viability, given the reduction in subsidies at Westminster, which you mentioned.

What about other issues, such as business rates? A lot of projects could be hit by dramatically increased business rates, which could tip many of them into unviability. Would such issues come to the Cabinet sub-committee on climate change? Would the minister raise the issue with you? How do you deal with issues that are in another minister's portfolio but might have an impact on the delivery of generation in Scotland and our ability to meet targets?

Roseanna Cunningham: Those are the kinds of conversations that we have. When we discuss climate change, we discuss a range of things that cross a variety of portfolios. We must always have in mind what the consequences of a decision that is taken somewhere might be for a completely different area. In a sense, that is why we have to deal with such things across Government, because we are trying to achieve a balance across the whole of Government, which takes as much into account as it can do in the circumstances.

There may well be a conversation to be had, down the line, about business rates for renewable projects, but I imagine that other sectors would say, "Hang on. If you're going to start making sectoral adjustments, why are you only looking at one sector?" That is a conversation that we would have to have. We would need to take into account how that issue would play out across the whole economy. None of these things is easy and none of them involves a decision that can be made by a minister just sitting and making pronouncements from behind a desk. They have to be thought through and modelled very carefully.

Mark Ruskell: As the cabinet secretary with responsibility for climate change, how do you show a leadership role on that particular issue?

Roseanna Cunningham: The Cabinet sub-committee is effectively the place where that is driven, but that does not mean that I can overrule every single one of my colleagues on issues; it means that we have to have a conversation about the implications and consequences of decisions that are being made. Whether the effect of those decisions can be balanced out elsewhere is a constant conversation that is had within Government on a variety of issues, not just on this one. We are not simply making pronouncements; we are actually having to work through and understand the implications and consequences of decisions that are made.

The Convener: To develop that slightly, then, the question is whether you, as the person who chairs that committee, are satisfied that it is helping better to embed climate change thinking in the work of the Government right across portfolios.

Roseanna Cunningham: Very much so. To a greater or lesser extent, every one of my

colleagues now has to factor that in to what they are thinking about and doing. I talk to my colleagues fairly constantly to ensure that they are aware of any issues that arise, particularly on my desk. My officials will tell you that I do that with them, too, if I see issues that they may not necessarily have picked up. It is a constant process. Sometimes ideas look as if they might be some kind of magic bullet and then, when you go behind that and look closely at them, they turn out not to be as straightforward as you might imagine.

The Convener: Let us look at renewable heat.

Jenny Gilruth (Mid Fife and Glenrothes) (SNP): Good morning, cabinet secretary. You will know that the CCC report recommends stronger implementation of a number of policies to support the generation of heat from renewables and that, while the target for 2020 was to deliver 11 per cent of heat demand from renewables, as of 2014 we were hitting only 3.8 per cent. This is quite a specific question. Would you encourage builders of new housing developments to put in pipes for district heating, as Richard Dixon suggested to us in a previous evidence session?

Roseanna Cunningham: I would hope that all building would begin to move towards that. Of course, in the context of the previous conversation that we had, we would immediately be confronted with developers saying: "That's fine. We can do whatever you ask us to do but it'll put the cost of everything up." We would then be looking at a conversation about how we would proceed with that and we would have to think about the implication for the affordability—or unaffordability—of the houses.

I am not saying that what you suggest would necessarily create a big issue on its own, but it is not the only thing that we might want to include in new-build regulations—I have a shortlist of my own, thank you very much. However, all of those will compound the developers' response, which would be: "That's fine, but it raises the unit cost of everything that we build." Further, because those proposals would affect only new build, we would still face an enormous question about the existing housing estate and how we could begin to do something about that, which is a huge challenge for every one of us. We have some support measures in place and things that we are trying to do, but changing the regulations for new build—which might take a year or two—and then having them apply to new build thereafter would not necessarily impact on an enormous number of houses.

There is a bigger conversation to be had about this issue, and, as I said, the proposal that you mention is not the only thing that I would want the new-build side of the argument to consider.

Alexander Burnett (Aberdeenshire West) (Con): Good morning. Having been in business for more than 10 years in renewable energy, particularly renewable heat, which I mention in my entry in the register of members' interests, I am glad that you are talking about lack of clarity being a barrier to investors. Specifically on renewable rates relief, are you aware of the problems with the current lifting of the exemption and the fact that there is no clarity about what will happen from April next year? I appreciate that there need to be conversations with colleagues, which you will sometimes be able to win, about whether such reliefs should be in place. However, at the moment, as well as council officials having problems in implementing the current changes to the rules, no one has any understanding of what is going to happen from April next year.

Roseanna Cunningham: You are getting into an area on which I would find it difficult to comment. Those discussions should probably more properly be had with either the finance secretary or the local government minister, particularly as they relate to specific questions. There is a broader issue about rates that I have already discussed, but I do not want to get myself into the position of making Government policy for colleagues.

Alexander Burnett: That is understood. As you mention, the issue touches other colleagues' remits. Are you aware of the issue currently being a barrier to any private investment in renewable energy?

Roseanna Cunningham: It has not been made clear to me by colleagues that that is the biggest barrier, and it has certainly not been put on my desk. The removal of support for renewables at Westminster is a much bigger issue than the rates issue that you are talking about.

The Convener: The matter has now been raised with you, cabinet secretary, so you are aware of it.

Roseanna Cunningham: Yes. The committee has raised the matter, so we will make sure that it is flagged up and passed on. However, as I said, the bigger issue is the removal of support for renewables.

The Convener: Thank you. Angus MacDonald will briefly finish off this section.

Angus MacDonald (Falkirk East) (SNP): We have heard from Jenny Gilruth that the 11 per cent target for renewable heat is quite challenging. However, there are some exciting district heating proposals in my constituency that capitalise on the petrochemical industry. The idea was first mooted about 60 years ago, and it is good to see Grangemouth's industries finally getting around to it.

In evidence to the committee, Lord Deben said that the difficulty is in

“getting people to think differently”—[*Official Report, Environment, Climate Change and Land Reform Committee*, 13 September 2016; c 8.]

not just with regard to district heating but with regard to ground-source heat pumps and air-source heat pumps, for example. What can the Scottish Government do, in looking at behavioural science, to ensure a change in the mindset, to make sure that district heating, air and ground-source heat pumps and solar panels are the public’s first consideration, as they already are in the Nordic region and in Germany?

11:15

Roseanna Cunningham: There is a huge amount of work still to be done in that respect. We are actually doing a fair amount of work on people’s understanding of what is and is not available and how, from their perspective, the issue should be looked at. I imagine that, at the moment, this issue is often still a long way away from people’s awareness and understanding; indeed, the behavioural changes that are required in some of these areas are quite significant. This is not the only subject in which that might become an issue. For what it is worth, my assessment at the moment is that, outside of the small number of people who are taking this up and deliberately pursuing it themselves, the vast majority of people are not thinking along these lines.

However, we are doing a tremendous amount of work behind the scenes to try to understand what actually gets people to change their decision making. Obviously, there are some big issues such as finance that will often be the principal driver for most people, but we are conscious of the fact that if we do not achieve some of these behavioural changes, we will not get some of the broader step changes that we want.

A programme of work is being carried out. I do not want to get bogged down in too much detail, but work is being done with policy makers and key stakeholders using the individual, social and material—or ISM—tool, which involves facilitated workshops that take account of the behavioural aspects of the climate change plan policies. After all, this goes beyond simple issues such as ground-source heat pumps and so on; it ranges over a whole series of different things. To a certain extent, we are trying to establish what actions on our part will actually maximise the potential to meet potential behavioural change halfway. We are in the process of doing that; I expect that the work will include the kinds of conversations that you have mentioned, but a lot more than that will also be included.

What I can say is that a summary of the work that we are doing will be published alongside the draft plans, so you will see some of the specific work that is being done on behavioural change. You might find that interesting.

The Convener: When you talk about publishing the information, cabinet secretary—

Roseanna Cunningham: I talked about publishing a summary of the work.

The Convener: When you publish that, it might also be useful to learn what has been looked at and discarded and to have an understanding of why those things have been discarded. In our work, we often hear suggestions about things that might be tried; it might well be that the Government has looked at such suggestions and has, for a variety of reasons, decided that they are not viable. It is, at least some of the time, useful to know what has been looked at and why it has not been taken forward.

Roseanna Cunningham: We will take that on board. Obviously, in developing the climate change plan, we will come across things that we might consider only quite briefly before thinking, “Well, that really isn’t viable.” The particular model that we are using helps us model some of that decision making.

The only thing that I will say is that we can feed a lot of things into our model that we might not necessarily be considering seriously but which we might want to see the potential outcomes of. That list could be extraordinarily long, if we took it at its widest, but I presume that you are talking about suggestions that we perhaps seriously considered and then set to one side.

The Convener: Yes, the serious ones.

Roseanna Cunningham: Perhaps they were premature. Sometimes these things might be good ideas but they might just be premature.

The Convener: I am simply flagging that up as something that we might wish to explore, given that we will be doing a lot of work around the climate change plans.

David Stewart has some questions about modal shift.

David Stewart: Good morning, cabinet secretary. I ask you to look ahead to future climate change targets. You will be well aware that transport accounts for 28 per cent of Scotland’s emissions. The issue goes back to a point that Mark Ruskell made: although you are not directly responsible for transport, you chair the Cabinet sub-committee on climate change, at which issues to do with good practice will be raised. For example, I do not think that there is any argument about the fact that modal shift will reduce CO₂

emissions or that the use of ultra-low-emission vehicles is another form of excellent good practice across the world. The adoption of such good practice will help us move towards meeting our targets in the future.

How does that work in practice? What day-to-day relationship do you have with the Minister for Transport and the Islands in ensuring that best practice is adopted?

Roseanna Cunningham: I have a day-to-day relationship with every one of my colleagues, but not every interaction with my colleagues will be about such specifics. The sub-committee on climate change is the key formal setting in which such matters are discussed, but that does not exclude other conversations taking place. If I say that there are bilaterals between me and other colleagues, that might be overstating it but, in a sense, that is the process that I am involved in.

To an extent, that process mirrors the conversations that the Cabinet Secretary for Finance and the Constitution has to have with colleagues. After the formal discussions have taken place, he will have a conversation about what is manageable. I do the same thing. I am aware that the Minister for Transport and the Islands accepts that much of the focus on the climate change plan is liable to be on transport because it was flagged up as a key area in which progress needed to be made. He is not in any doubt about that. What he proposes as a mechanism for reducing the contribution that transport makes to our emissions will be a matter for him and the relevant cabinet secretary. From my perspective, as long as it achieves what we need it to achieve, how they come to a decision about the right way of doing that is a matter for them. That is the difference.

I could mention particular proposals that I have heard about. I go back to the discussion about new build. I have picked up the fact—this relates to the earlier point about everything in the EU being interconnected—that in 2019 the EU intends to introduce a new directive that would mean that every new-build house would require to have a charging point for electric vehicles. That takes us from a conversation about new build to a conversation about transport. Mr Stewart asked what might be possible. When I saw that proposal, I flagged it up to the transport minister and to the local government minister, because I thought that they might not have seen it and might find it interesting. Whether that comes to pass will be a matter for them, but I have ensured that they are aware of the idea.

David Stewart: That is a very good example of corporate planning at Scottish Government and European level. Many of us regret the Brexit vote—I will not drag you into discussion of that

now. The Scottish Government has responsibility for building regulations, which could be varied to bring in that measure; a European directive would not be required.

Roseanna Cunningham: A European directive would not be required if we chose to do that in the future. Many things that ostensibly emanate from EU directives are things that we would do anyway. Why would a Government not want to implement the measures in the flooding directive that came from Brussels? We would want to look at such proposals anyway. I think that any responsible Government would choose to do those things—or, at least, to think about them.

I return to our conversation. That would be another potential change to the new-build regulations. I presume that, in theory, it would be perfectly possible to do that but, again, we would have the same conversation about how we would do that with flats and what it would cost—we would have to get into all that. All those things have to be factored in. Of course, an EU directive is simply the starting point for the subsequent enacting of the legislation domestically, which is where those things would be discussed.

Although it popped up peripherally, the idea about charging points was interesting because it shows the point about working across a number of areas. Arguably, the inclusion of charging points with every new build would also help the housing sector to contribute to action on climate change in a way that might not otherwise have been immediately obvious.

The Convener: The extent to which that dialogue is going on with colleagues is very clear from what you have said, but to what extent is your hand being strengthened in the discussions by the use of the TIMES model? It means that there is no way that any sector can hide from its responsibilities to make a contribution to tackling climate change. Is the model quite a useful tool?

Roseanna Cunningham: It is extraordinarily useful. Although I was not the relevant minister at the time, I understand that the previous climate change plan did not have the advantage of the TIMES model. It permits us to feed in things to see how those actions would then play out. I do not want to overstate it. I think that some of the officials might say that the danger is that we might treat the model as though it were an all-singing, all-dancing oracle. It is not. However, it gives us a real sense of what the outcomes would be or what might be required. In a sense, that goes back to what Mark Ruskell, I think, asked about what actions we might look at and then reject, as well as what we might feed in to the system for the longer term.

The directive that I referred to will appear in 2019. By the time that that was enacted domestically, it would be even later. However, having seen it, I cannot get it out of my head, so there are perhaps conversations to be had about a range of issues on which we would not necessarily have to wait for the EU to tell us what to do.

Kate Forbes (Skye, Lochaber and Badenoch) (SNP): My question is about attitudes to transport. I was quite surprised during the witness sessions because I thought that one of the problems with transport was in rural areas where there are longer journeys and people are more dependent on private vehicles, but the CCC report and the evidence that we received mentioned that the problem is in cities, where people are dependent on cars for short journeys. As an MSP for a rural area that surprises me, because there are far more alternatives for people to use in cities, such as shared public transport, rather than their depending on private transport. What can you and the Government do to change attitudes, whether that is through communication, education or incentivisation, to try and encourage people to use alternatives where they exist?

Roseanna Cunningham: A great deal has been done over a number of years to try and do that. The investment in the rail network, for example, is an indication of that. Money is going into various things. It comes back to that behavioural question. I know what you mean, because the continued reliance on private modes of transport in built-up areas where there are a plethora of alternatives that do not make things more difficult—certainly in the cities they would make journeys faster than they would be if a car was used—suggests that there is something fairly deep-seated about the use of the car that will be difficult to shift.

Those of us who represent areas with a big aspect of rurality will know that there are not many alternatives in them, but the rural journeys are not those that are causing the biggest problems. Rather, it is the city journeys—the urban journeys—that are causing the biggest problems.

11:30

I hold my hands up and admit that I have never owned a car. I observe the psychology of car use and find it interesting, but my observation suggests that it is so deep seated that it will be extremely difficult to get people away from car use. I do not have an easy answer to that. We can put all the money in the world into things, but if people simply will not make the change we will have a bit of a conundrum to deal with.

The Convener: I presume that that is a workstream for somebody as we move into the climate change plan.

Roseanna Cunningham: The transport minister will need to address precisely how we can achieve that shift.

There are one or two interesting examples that go both ways. I do not have information about this so I may be wrong, but I think that, since the period when the Forth road bridge closed in the winter, which resulted in people having to find other ways to get to work, not all those people have gone back to using their cars. I have heard that only anecdotally, but that has been suggested.

As I said, there is something quite deep seated about car use. I suspect that, for most people, the car is almost an extension of their home rather than a mode of transport.

The Convener: Okay. We will move from the roads to the skies.

Mark Ruskell: We talked earlier about trade-offs. The Government has a policy to cut air passenger duty and perhaps even remove it at some point. There will be a climate impact to that. Which other sectors will pick up the slack? When that policy is put into the TIMES model, is it transparent which other sectors will have to move faster?

Roseanna Cunningham: I am not responsible for handling the TIMES model—you will be glad to hear.

Mark Ruskell: One of your colleagues might be.

Roseanna Cunningham: That is the kind of thing that needs to be looked at. I go back to what I said earlier: we have to make decisions that balance across the whole of Government. The Climate Change Committee indicated that what we propose is manageable. We could have a discussion about air passenger duty per se, but we can fit the policy in and make it work. It is not about who or what else will have to bear a bigger burden, because that could be spread around a number of areas. It is about balancing that with the jobs and growth that we want, too. We need to make climate change mitigation work for the economy and the economy must be at the forefront of my mind as well.

Mark Ruskell: Sure. There is a need to look for win-wins, and we have talked about some of those this morning. However, surely, you would have a much clearer answer to questions about areas in which Scottish Government policy is increasing emissions if you could point to where Scottish Government policy is reducing emissions and if there was clarity about how the emissions budgets were working between sectors. If you could tell me

that, yes, cutting air passenger duty would increase climate emissions, but you would make a cut somewhere else and you could say how you would fund that cut, that would answer my question. Otherwise, it is just in the mix.

Roseanna Cunningham: But it is in the mix. We are not necessarily making a mechanistic correlation that one thing happening in one place will result in a specific thing happening somewhere else. That is not necessarily how it will work.

The Convener: Given the nature of our climate targets and the implications of the Paris agreement, the answer, surely, is that that addition to our emissions has to be taken into account. There is an addition to our emissions, which must be counteracted, and more, elsewhere.

Roseanna Cunningham: Well, yes. Sorry if I misunderstood the question, but I thought that Mark Ruskell was asking whether, if we are doing X there, there is a specific X over in another place that balances that out. That will not necessarily be the case, though. We could be looking to get a small increase across a range of areas to balance something out.

The point that I was trying to make is that we cannot necessarily point to A and B and say, "Those two things are inextricably linked and, because we've made a decision on A, we've had to make a decision on B." It may not be a specific decision on B. We might say, "We've made a decision on A, which means that B, C, D, E and F will all have to step up a little."

That is a decision that is agreed across Government, though. It is a decision that we will all be thinking about. It will not necessarily relate to a particular policy. We do not have a set of scales where we are balancing one discrete item of decision making against another. It does not necessarily work that way.

Mark Ruskell: I appreciate that but, at the end of the day, we are chasing fixed carbon equivalents and reducing carbon emissions. There needs to be a budget, and there needs to be a climate action plan—the third report on proposals and policies—that makes some of those trade-offs and is explicit about what can be saved and where we will have to take a hit in other areas. At some point, we will, as a Parliament, have to scrutinise that and understand that policy coherency.

Roseanna Cunningham: Absolutely, but the point that I am making is that a direct line will not necessarily be drawn between one policy and another. It will not necessarily work like that. We have indicated that we are prepared to work harder across all other areas to ensure that we can achieve the economic growth that we think that that particular policy will help us to achieve

while driving down overall emissions. That is how we are working this.

Chris Stark has offered to explain the TIMES methodology, if the committee is interested in it.

The Convener: We very much are, but we do not have a lot of time today. As Chris Stark knows, an event is taking place in Parliament that will go into TIMES in detail; it is open to MSPs of all the relevant committees. Thank you for the offer, but we will pass on it today if that is okay.

Jenny Gilruth will develop the transport theme.

Jenny Gilruth: My question goes back to Kate Forbes's point about developing modal shift, but also brings in freight and transport. In a previous evidence session, Tom Rye mentioned the planning decisions leading to car-dependent communities. I appreciate, cabinet secretary, that you have spoken about how people often view their cars as their second home. I agree with that sentiment.

The CCC report flagged up the limited modal shift from cars to other forms of transport and the need to provide rail connections to support freight moving from road to rail. In my constituency, there is a campaign group to reestablish the Levenmouth rail link. The link is a vital area of development for my constituents, but is also supported by Diageo, which is a huge local employer and business. Diageo has told me that it would look to use rail if there was a rail connection there. How would you seek to link transport and modal shift in the context of the sub-committee?

Roseanna Cunningham: I am sorry—I am not really sure what you are asking me.

Jenny Gilruth: About joining up transport, with the transport minister, with the climate change agenda. That modal shift from road to rail—

Roseanna Cunningham: That will be part of the transport minister's consideration, too. Those are all the kinds of things that would be factored in. If there is an increase in the use of rail for freight as opposed to road, that will be factored in.

I know that the committee does not want to have a big conversation about the TIMES model, but sometimes I have to ask questions as well, because I am not an expert on it. I assume that what the model can do is say what can be achieved if we can get a 10 per cent shift from road to rail for freight.

Chris Stark (Scottish Government): Yes

Roseanna Cunningham: That is the kind of thing that we can do, and which, therefore, can be looked at.

Chris Stark: The model can completely accommodate those things. To stress the earlier point, it is only a model—

Roseanna Cunningham: It is not an oracle.

Chris Stark: The beauty of the model is that it is constrained, so a choice in one area means a different choice somewhere else. Those questions will be easier to answer once we publish the climate change plan in January.

Roseanna Cunningham: That goes back to an earlier discussion about the fact that you might feed in something thinking that it will be great news, only to find out that it does not do what you thought it would. That is helpful, too.

The Convener: If transport is the biggest issue, the second biggest is agriculture. Emma Harper will ask about that.

Emma Harper (South Scotland) (SNP): I thank the cabinet secretary and her officials for attending today.

I am sure that we are all aware that we need better evidence when it comes to evaluating, monitoring and tracking our agricultural emissions, as Matthew Bell stated in the Committee on Climate Change. I am interested in the cabinet secretary's views on that committee's assessment that more emphasis must be placed on cutting emissions from the agriculture sector by, for example, promoting organic soil management and reducing use of chemical fertilisers. Recently, I read that the Intergovernmental Panel on Climate Change has stated that 89 per cent of agricultural emissions can be mitigated by improving soil carbon levels.

Roseanna Cunningham: The message from the Committee on Climate Change was clear about which areas had performed extremely well in climate change amelioration, and which we have to look to for a much greater contribution. Transport and agriculture were the two areas that were flagged up.

There are some challenges for agriculture. There are issues about how agricultural emissions are calculated—it is not as straightforward as we might hope. Brexit also brings its own challenge in terms of the industry's capacity to implement significant change in the future. Further, there is a big monitoring and enforcement issue around potential mitigation measures: you can put in place as many mitigation measures as you like, but if you cannot enforce or monitor them, it will be hard to ensure that the sector will give you what you want.

On soil health, I remind the committee that last year we announced the introduction of compulsory soil testing—this Government is already committed to it. In the subsequent period, we have

been working hard with scientific, environmental and industry stakeholders on the detail of how that will happen. I have said that there are broad challenges; they apply even in this area. Obviously, compulsory soil testing is going to be part of the climate change plan—this is a rare occasion on which I can tell you about something that will be in it—and there will be a separate consultation on the compulsory soil testing scheme subsequent to the draft climate change plan being published.

Action is going ahead in this area. We recognise a lot of the issues and we are already working towards the development of workable solutions.

11:45

The Convener: You talk about the challenges that exist, and it has come over loud and clear in the evidence that we have taken that, in terms of both mitigation and adaptation, we are missing a trick with peatlands at the moment; we could get far more return from those. The UKCCC is looking for an action plan by the end of 2017, for those areas to be under restoration by 2030 and for the introduction of a monitored delivery programme. In fairness, the number of restoration projects doubled between 2012 and 2015, but we are still nowhere near hitting the target of 21,000 hectares, which is deemed to be achievable. Do you accept the criticism that we are not yet there with peatlands?

Roseanna Cunningham: There is still a lot to do—there is no doubt about that. We are currently looking at the potential for peatland restoration to be moved up to policy status in the climate change action plan, so it is a live issue for us. Research at the moment is assessing the carbon benefits of peatland restoration, building on the IPCC's technical guidance, and will be published next year. Some things are moving on, but it is an area in which we think that more can be done, so we hope to put in place policies that will ensure that it will be done.

Mark Ruskell: Let us return to compulsory soil testing. It is very welcome that it will be part of the forthcoming climate action plan. When I asked a written question about the matter recently, it was interesting that you, rather than Fergus Ewing, answered it. Who leads on such issues in the Cabinet sub-committee on climate change? In this case, would it be you—with stakeholders including the NFU Scotland—working to make such a scheme effective or would it be Fergus Ewing? How are such matters discussed and agreed at the Cabinet sub-committee?

Roseanna Cunningham: The Cabinet sub-committee does not necessarily discuss every one of the very individual issues—some of them would

be the subject of conversations that we have regularly regardless of whether there was a sub-committee. Up until May, the two ministerial portfolios were one and we are still working out the parameters of each.

The Cabinet Secretary for Rural Economy and Connectivity has the lead on agriculture, but because I am the Cabinet Secretary for Environment, Climate Change and Land Reform, the environmental aspects of the agriculture debate fall to me. He is the lead on aquaculture, but I lead on the environmental aspects of that. In some cases, I and the Cabinet Secretary for Rural Economy and Connectivity have to work together. Yes—I will have direct conversations with stakeholders that people might assume are stakeholders on only the other side, but are, on certain issues, my stakeholders, as well. That is just the way it is. The two-portfolio method of dealing with issues is working. I argue that there are, potentially, conversations to be had even more widely than just between myself and Fergus Ewing.

The committee must also discuss with its partner committee—the Rural Economy and Connectivity Committee—which issues you will take up and which issues it will take up, although it may take up an issue that you have an interest in and there might be some crossover. That is never going to go away—you will never have a system of government in which everything is so siloed that there is no crossover. So, if I answered Mark Ruskell's question on soil testing it was because there is a clear understanding that soil health and its environmental aspects are, principally, for me to discuss. The issue is important for Fergus Ewing, too, however, because the whole of agriculture depends on it.

The Convener: Thank you. That is useful.

Maurice Golden has questions about recycling and food waste collections in rural and island communities, and about the circular economy.

Maurice Golden (West Scotland) (Con): I refer members to my entry in the register of member's interests with regard to Zero Waste Scotland.

Cabinet secretary—you will be aware that the UK Committee on Climate Change recommended that new policies are required to boost recycling and food waste collections in rural and island communities. What are your thoughts about that? Clearly, there is a requirement for some sort of collection and disposal infrastructure throughout the rural and island communities. You might want to separate food waste from dry mixed recycle with respect to solutions. Has any work been done with regard to recycling to assist local authorities in meeting the Scottish Government's climate change targets.

Roseanna Cunningham: Most committee members will be aware of the household recycling charter, which is voluntary. Twenty councils have signed up to it, including a number of island and rural local authorities. It is seen as helpful and a lot of work is being done with councils to help them with the charter.

We have a circular economy strategy that is set out in the "Making Things Last" document—of which, I am sure, Maurice Golden is aware. It includes a high-level ambition that every household in Scotland have access to a food waste service.

We are committed to reviewing the exemption from food waste collection in rural areas. We will discuss with local authorities how to take that forward, because obviously it needs to be looked at.

We have an ambitious target for reduction of food waste, and we will consult on whether it should be statutory. We are currently engaging with businesses and others to agree the key actions that would be required to deliver progress in that area.

I should say that 75 per cent of households have access to a food waste collection service. That represents 1.8 million households, which is up from 300,000 in 2010, so we have already made a huge step-change in this area. As I said, we are already discussing with local authorities whether the exemption from the separate food waste collection that applies in specified rural areas is sustainable.

Lots of things are happening. We are trying to achieve as many of them as possible on the basis of widespread agreement, with people accepting that this is actually the right way to move forward. The household recycling charter gives us the potential for the kind of process change across the board that will make it something that also helps the economy, because it will create business opportunities that would not exist if people had to deal with 32 different systems.

Maurice Golden: I recognise that there has been a major-scale roll-out of separate food waste collections, although that 75 per cent figure obviously does not include the rural and island areas.

As you review the exemption for local authorities from the requirement to collect food waste separately, will you—either directly or through your agencies—come up with potential solutions? Obviously, opportunities might arise as a result of those councils beginning to collect food waste separately. Smaller-scale solutions might be appropriate in places such as Orkney and Shetland, but those local authorities might not have the expertise that is required to deliver them.

Roseanna Cunningham: That will be an interesting conversation to have. The Government may be able to suggest solutions, but we are not the only person in the conversation. I am actively seeking from the wider public sector and the private sector potential solutions. There are real opportunities for economic development even on a smaller scale, which might happen in Orkney or Shetland. It will not always be the Government that comes up with solutions. I am excited by the huge amount of engagement across Scotland as we begin to look for potential solutions.

I do not know whether members follow me on Twitter: I am beginning to feel the urge to talk about growing mushrooms on coffee grounds. That kind of thing can take hold. I ended up growing mushrooms on coffee grounds after attending a presentation by three finalists from Scotland who were going with their business ideas to a massive Europe-wide competition for which each country in Europe was putting forward three folk. It was striking that the three who were chosen from Scotland were chosen out of 57 submissions, which was the highest number of submissions that had been received by any country in Europe—not relatively but in absolute terms. Scotland stepped forward with 57 potential entries—a greater number than came forward even in France or Germany.

We must, therefore, look with some optimism to the people out there who are beginning to come forward with the solutions that we will need at very different scales to achieve what we are trying to achieve. I am optimistic because it looks as though something out there in Scotland has caught fire and people are thinking about potential business opportunities in food waste. That is what we want.

The Convener: Thank you for that, cabinet secretary. Let us move on to the scope that we have to boost progress and cut emissions from the business, industrial and public sectors.

Claudia Beamish: We have just discussed some exciting aspects of the cutting of emissions in the business sector. Are there any areas in the public sector or in industry on which it is important to focus? Are you able to tell the committee about progress in development of the public sector leaders forum or an equivalent for this Parliament, having brought in the mandatory targets, so that we can explore how that is developing?

Chris Stark: The public sector leaders forum predates my being in my current job and, indeed, Ms Cunningham being in hers. There was a place for public sector leaders to come together and discuss such issues, but we have removed that bit of apparatus and there is now a different apparatus with a different name. I would not want to mislead the committee—we are not giving the

issue lower priority; in fact, we are probably giving it higher priority given the amount of money that we are spending on energy efficiency measures in the public sector. If the committee would like to hear more about it, I am sure that one of my colleagues would be able to talk about some of the apparatus that has been put in place in the public sector to handle that.

Claudia Beamish: It would be helpful if officials could write to us on that. The issue will be on-going, and it will be interesting to see whether there have been any real differences in progress among public sector bodies. Other members will want to ask questions about that.

12:00

Roseanna Cunningham: Perhaps on the more general side, we understand the need to establish some kind of baseline for public sector emissions. That will allow us to measure progress and set future targets. I think the first reporting deadline is 30 November 2016—although I have not actually seen anything yet. That work is on-going.

On the potential for boosting progress, some of the programmes that have already been announced will be done across a variety of sectors—business, industry and the public sector. For example, the energy efficiency programme will be a co-ordinated programme to improve the energy efficiency of homes and of buildings right across the commercial, public and industrial sectors—domestic and non-domestic buildings. A massive overall investment is committed to that, and it will help us to achieve our targets. Work on that is under way. That is one of the areas that my colleague Paul Wheelhouse will principally be dealing with.

The programme is being designed in partnership with a wide range of stakeholders, including councils, which will pilot action in a range of domestic and non-domestic buildings. Eleven pilots will potentially be supported over this financial year, with further funding planned for next year. The pilots are not in only one sector; they are across the board.

There are things that are already in place that will begin to deliver what we need. In some areas, we are going back to getting people to understand that it is often in their best interests to make the changes that are required to ensure that our emissions targets are met. Also, to be frank, it will save them money in most cases, if they could only get their heads around the idea. That is an on-going discussion.

The Convener: I have two questions with which to wrap up. The first concerns the UKCCC's recommendations in three areas: that RPP3 would include

“clear and measurable objectives”,

would

“focus on a core set of policies that will have the biggest impact”

and would

“enable effective monitoring of progress.”

How do you react to those proposals?

Roseanna Cunningham: I react to them in the way that you would expect, which is to accept that they are areas that the UKCCC feels need to be examined carefully. We are, in fact, doing that.

The climate change plan will have clear commitments and it will help people to understand the impacts of policies. That goes back to some of the earlier discussions. We intend to include a monitoring and reporting framework in development of the plan. In that sense, we are responding. Obviously, that framework will need to ensure that the delivery of policies is effectively monitored. It will make it possible to track whether policies are having the desired effect, which is important. That means that we will also have to ensure that there are mechanisms through which to adjust an approach if circumstances change over time—we might find that a policy that started out well is not achieving what we want. We have to be able to do that.

There are key policy issues to be addressed in the plan; I do not suppose that any of them are news. The investment in the national infrastructure priority on domestic energy efficiency is big.

The proposed warm homes bill will support accelerated deployment of renewable and district heating. There is also the reduction in transport emissions, which we have already discussed, and carbon sequestration through peatland restoration and forestry. Those big key policy issues will be addressed in the plan. Members will have more detail when the draft plan is published in January.

Mark Ruskell: One of the implications of the Paris agreement is that we will probably need to look at having a net zero emissions target at some point. Have you sought advice on that from the UKCCC?

Roseanna Cunningham: I think that we have, but I think that we are committed to having that target in any case. I understand that the UK Government also plans to do that, although it has no timescale for it. That target might move us on more properly to the discussion that we will have to have about the proposed new climate change bill, which obviously comes off the back of the Paris agreement. However, we do have that target in mind.

The Convener: To be clear, we will see the reflection of the Paris agreement in the proposed new climate change bill rather than in RPP3.

Roseanna Cunningham: Yes. The climate change plan that we are now preparing comes, in effect, from the 2009 act. The new decisions on what will be required once the Paris agreement comes into effect, which I think must be imminent, will be reflected in the new legislation. I presume that that will be the subject of a separate set of conversations for the committee.

The Convener: Okay. That wraps up this part of the meeting. I suspend the meeting for five minutes, and then we will look at adaptation when we resume.

12:07

Meeting suspended.

12:15

On resuming—

The Convener: Welcome back. Our next discussion is on the implementation of the Scottish climate change adaptation programme. We will cover the issue of land use, starting with biodiversity.

Maurice Golden: Cabinet secretary, I am looking for a little bit of clarity on the Scottish climate change adaptation programme. A number of policies and proposals have been published, but very few of them—only seven, in fact—are time bound. How will they be monitored?

Roseanna Cunningham: As I have said, the climate change plan will include a very serious look at, for example, monitoring and enforcement. We are a lot further away from our response to the Committee on Climate Change’s adaptation report; that will not happen until May. However, I work on the assumption that, in looking at upping the potential for monitoring and enforcing, we need to look at that across the board, including adaptation.

We have a lot of data and expertise to monitor and assess, and we are doing quite a lot of that work, but I accept that the expectation is that we will do more. Given that the Government is ambitious about what it is trying to do, that will be included in the response.

The Convener: Thanks. We will now look at the marine and coastal environment.

Claudia Beamish: Although marine issues were not raised under mitigation, I very much hope that there will be more on them in the new climate plan. Obviously, I am not asking for any comment

on that now—I just wanted to put that on the record.

On adaptation, you will know that, with regard to marine issues, the Committee on Climate Change noted:

“One reason that more is not happening is that there is no national vision for what should be happening.”—[*Official Report, Environment, Climate Change and Land Reform Committee*, 27 September 2016; c 16.]

It recommended that

“The Scottish Government should, by the end of 2017, set a long-term target for ... intertidal habitat”.

Do you have any comments on how those issues are progressing?

Roseanna Cunningham: There is, of course, a national marine plan, which ensures that coastal changes are considered in decision-making and planning processes. It also requires that future regional marine plans be aligned with what we might call terrestrial development plans and to reflect coastal areas that are likely to be suitable for development. That would have to take into account the most recent flood risk and flood hazard maps and forthcoming coastal erosion vulnerability mapping. Some of that has still to emerge.

Those plans also have to reflect areas in which some kind of managed realignment of the coast might be appropriate. Obviously, the local authorities are the coast protection authorities in Scotland, and only a few local authorities currently have shoreline management plans. Therefore, things are still moving and potentially changing in the area.

A potentially mobile coastline is something that most countries will have to think about in future, and we will look at that in the national coastal change assessment for Scotland that we are undertaking. That research is being carried out now, and the information that we get from it will be essential in any future management planning and will help inform decisions.

Claudia Beamish: I am really trying to seek reassurance for the committee on what the Committee on Climate Change’s statement about the lack of a national vision. I understand what you are saying about the marine national plan and the regional plans, but are you looking to develop a national vision for the mitigation of marine issues?

Roseanna Cunningham: I am sorry, but I thought that we were talking about adaptation.

Claudia Beamish: I am sorry—that was my mistake. I am quoting—

Roseanna Cunningham: I understand that. We are trying to take steps to look at—

Claudia Beamish: I meant adaptation. That is what the quote relates to. I am sorry for the confusion.

Roseanna Cunningham: In order to develop the policy that is needed, we need to do the research that we are currently doing, which will give us the information that will allow us to begin to see what is required. In that sense, it is work in progress.

The Convener: On the subject of apologies, I should have acknowledged that Gavin Barrie from the international adaptation and climate justice team has joined the bench of officials.

Given that we covered peatlands in the previous session, cabinet secretary, I am going to leave that topic alone for now and move on to forestry issues.

Kate Forbes: A point that arose in the review of our progress on climate change mitigation was that we are not yet planting enough trees. With regard to adaptation, how can we ensure that our obligation to plant more trees as part of mitigation allows us to boost forest species diversity and mitigates the threat of pests, which were two main threats identified in our witness sessions?

Roseanna Cunningham: There is a real need to strengthen our natural environment’s ability to adapt to what might be the potential impact of climate change. Of course, a potential impact that people tend not to think very much about is the arrival of pests and diseases, which are not things that we have necessarily had to deal with hitherto.

Lots of control and plant health regulation issues are implicated in that, too. Long-term forest plans and woodland creation schemes will have to comply with a forestry standard to ensure that the right decisions are being made to achieve that healthy environment; after all, the forestry environment must be healthy, too. It is a question not just of planting trees but of ensuring that what you plant and where you plant it will lead to success.

We are trying to encourage managers to plan for forest resilience as well as growth. That means diversity of planting and allocating no more than 75 per cent of any unit to a single species, because that is what creates problems.

Those are all issues that we have to tackle with regard to the broader issue of forestry expansion. It is not as simple as saying, “We are going to grow a lot of trees”; there has to be a lot of management behind that to ensure that what you grow is going not only to be sustainable but to help with potential problems that may result from climate change. We have to ensure that that is part of the adaptation process. Growing trees is about not just mitigation but adaptation.

The Convener: We will move on to the built environment.

Mark Ruskell: During our evidence sessions, we have heard a lot about acceptable levels of flood protection. What do you see as an acceptable level of flood protection? We have 252 potentially vulnerable areas in Scotland, and 42 major capital projects will be funded over the next six years to protect communities, but many individual properties and communities will not qualify for funding. Where do we draw the line on that? How do we define an acceptable level of flood protection?

Roseanna Cunningham: All the decision making around that has been part of a process of discussion, particularly with COSLA, to ensure that we are capturing the greatest priority, and the funding is distributed on the basis of that priority. That is not an easy decision to make, and the consultation was very useful because it has meant that we can move ahead with the schemes that will potentially have the biggest impact.

If I turn it on its head, your broader question is about when we stop providing protection. At what point do we say, "You can keep fiddling, but you're never going to achieve 100 per cent protection"? Adaptation is about finding solutions, some of which might be quite small-scale solutions, and I am not sure that we are in a position to point to something and say that it is not worth bothering about any more—if that is what you are trying to get at.

Mark Ruskell: It is an interesting debate. When we get to January, there will probably be flooding events in Scotland again. Individual properties will be flooded out because they have received no individual property protection measures, and they will not be part of any major capital project to protect their communities either.

Roseanna Cunningham: Well, that may or may not happen—I do not know. We have responsibility for flood protection that goes from domestic protection all the way up to much greater structural protection. However, householders have responsibilities, too, and not all householders understand that they should be taking protection measures. Those measures will work only when the flooding is on a relatively small scale—they will not work if someone has a 3-foot raging torrent outside their window—but that responsibility exists across the board, from the individual home owner all the way up to the insurance sector. There is an enormous conversation to be had about that, and I do not think that we are at the point at which everybody has understood and bought into that responsibility.

The concern is that an area that has hitherto had no history of flooding might suddenly pop up

as an area at risk of flooding. That might happen. We now have what we believe is a properly thought-out process that deals with the areas of greatest priority—those that have been waiting a long time—and we will move forward on all those areas over a period of time. However, that is never going to preclude the possibility that new areas at risk of flooding will appear. I do not have a crystal ball.

Mark Ruskell: But do you think that it is acceptable that there are only three communities in Scotland in which householders can apply for individual property protection measures? Yes, some wealthier property owners may be able to fund those measures themselves, but people on benefits or low incomes may need support.

Roseanna Cunningham: Is that a local authority responsibility? Is it the local authorities that make that decision?

Mark Ruskell: It could be, but it would be an expense for local authorities if, on average, a property needed to spend £8,000 to protect itself. Who would pay for that?

Roseanna Cunningham: That takes us back to what the home owner—if it is a home owner—or the property owner can do. There is no magical person sitting with a great pot of money who can just dole it out. Everybody must take responsibility in some way, shape or form. You would need to give me a bit more information about the three communities that you are talking about, because I do not know where those are.

12:30

Mark Ruskell: There are three areas in Scotland where individual properties that are affected by significant flood risk can apply for subsidised measures to protect them. None of those measures is applicable anywhere else in Scotland, which—

Roseanna Cunningham: I presume that, in those three areas, the local authority has delivered a particular scheme.

Mark Ruskell: That is right. I am just asking whether you think that that is acceptable, whether more areas in Scotland should get that and, if so, who you think should fund it.

Roseanna Cunningham: I suppose that the easy answer is that, if three local authorities are already taking this approach, all local authorities could be looking at it. However, I do not know, and I do not want to step into a discussion on a matter on which different local authorities might have taken a different set of decisions for a very specific set of reasons.

I think that Neil Ritchie wants to add something.

Neil Ritchie (Scottish Government): I would like to make a brief comment. First, the level of flood risk was identified in the national flood risk assessment, which we will shortly be updating with the Scottish Environment Protection Agency.

With regard to the funding allocation, the First Minister announced in July that the bulk of the funding—80 per cent of it—was identified on the basis of supporting major flood protection schemes, and 20 per cent of that quantum is available to individual local authorities to support as they see fit individual measures such as property-level protection or natural flood management. I am not familiar with the three councils that you have referred to but, as part of the flood risk strategies and plans, a number of plan districts identified property-level protection as one of the suite of measures that they intend to undertake in the first cycle.

Roseanna Cunningham: Basically, this is one of the decisions that a local authority can take, but it might not be the only one, and different local authorities might come to different views. The Government is normally attacked for being centralist. Are you asking for such a decision to be taken away from local authorities? I do not know—is that what you are saying?

Mark Ruskell: It is a very difficult decision for local authorities to make under the current financial settlement. After all, it costs £8,000 a property to protect vulnerable properties. Just do the math.

Roseanna Cunningham: So what are you saying? Are you saying that we should not leave that to local authorities?

Mark Ruskell: I am suggesting that the Scottish Government needs to get round the issue of what is an acceptable level of flood protection in Scotland.

Roseanna Cunningham: But that was the subject of the big conversation that we had with COSLA and which came up with a different funding calculation. That kind of goes against what would normally have been the case in the past, and it was designed deliberately to capture the areas of greatest need and the highest-priority schemes. That huge conversation was had with local government, and it resulted in a change to the way in which the money went out the door. Without knowing the three local authorities in question and all the conversations that might or might not have been had, I find it difficult to comment specifically on the question.

The Convener: The UKCCC report states that although the number of properties that are protected against flooding has trebled between 2005 and 2015, that is still only 10 per cent of those that are reckoned to be at risk. As I

understand it, there is a plan to double that figure through to 2027, but again that would leave us well short of where we would perhaps need to be. I suggest that that reflects the scale of the problem in reality.

Roseanna Cunningham: It is not physically conceivable to do that kind of work for every single property in Scotland in the space of a year or two, so we have had a huge conversation as part of a prioritisation process.

The Convener: Let me take this a little bit further, cabinet secretary. Does the land use strategy offer potential opportunities to alleviate the threat and the scale of the threat?

Roseanna Cunningham: I suppose that the land use strategy allows us to have a look at the potential in that respect. Going back to the discussion on forestry, I am conscious that deforestation creates a bigger risk of flooding and that a contribution can be made by tree planting.

A land use strategy allows a strategic discussion to take place about how land use might impact on a number of areas. It can deliver multiple benefits, which potentially will include flood management. More specifically, I would think that that would be natural flood management, rather than what people often think of as flood management, which can still sometimes be hard schemes. For that reason, the land use strategy gives us a big opportunity. A couple of regional pilots are showing that the ability to engage strategically at the more regional level can bear real fruit. The use of natural flood management or the consideration of the impact of forestry, or the negative impact that deforestation might have had, will also help us going forward. We are still working through the land use strategy.

Alexander Burnett: I have a question on planning applications that have been granted contrary to SEPA advice. About three weeks ago, we learned that, in about 5 per cent of cases, planning permission is granted by local planning authorities or by ministers contrary to SEPA's advice on flooding. Follow-up questions to SEPA revealed that it has no analysis of how many houses are affected, which planning authorities are involved or any of the wider effects. How much of an issue is that? What steps might you take to address the matter so that we can see whether there are any forthcoming developments in areas that will be at greater risk?

Roseanna Cunningham: That takes us back to the conversation about individual planning decisions, which are taken on an individual basis. Scottish planning policy asks decision makers to take a precautionary approach in respect of flood risk and to apply the flood risk framework in decision making. There is also advice from SEPA.

Ultimately, in our system, it is for the decision maker to weigh up all of that in the balance and to consider all the factors before they make a decision. There will always be decisions that we agree with and decisions that we do not agree with, and I am not sure that we could ever get away from that. SEPA will give advice, which is part of the decision-making process, but it is not the only thing that is involved in that.

Alexander Burnett: Absolutely. I do not dispute the right to make those decisions, and perhaps the planning authorities are correct to take those decisions, given the advice. My question is whether any analysis has been done of cases where the advice is being ignored. Is there any record of why the advice is being ignored? How are houses that are built in areas against SEPA's advice being fed into the mix of the numbers that are now at risk?

Roseanna Cunningham: Are there specific areas where you think that the advice is being ignored as opposed to being part of the discussion? There is a difference between advice being ignored and its being part of a discussion that, at the end of the day, leads to a decision that does not go the way of the initial advice. A report has just been published by ClimateXChange that assesses the consideration of flood risk by Scottish local planning authorities. It looks at the effectiveness of planning authorities in implementing the national policy that I talked about in respect of flood risk and climate change.

There were some recommendations for change from that report but, in the main, it suggested that the planning policy and the guidance were up to date and robust and it did not show up any huge area of concern. If there are specific areas that you feel have been ignored—I make the distinction between something that has been ignored and something that has been discussed as part of the conversation—

Alexander Burnett: The point is that it is difficult to find out what is being ignored, because SEPA is not holding or producing a record of where advice is being ignored.

Roseanna Cunningham: SEPA gives advice and I suggest that the same question arises. SEPA will know if a debate is going on. I would be very surprised if SEPA advice was being ignored outright.

The Convener: I guess that the local authorities concerned will be aware if they have taken a planning decision and it has had unfortunate flooding consequences. Equally, if the Scottish Government had overruled one of SEPA's planning decisions, I am sure that it would be quick to tell the Government that it was having to deal with the consequences. Someone

somewhere must have that data or, at least, an awareness of it. It might not be SEPA; I understand your point, cabinet secretary.

Neil Ritchie: I am not aware of there being any database that records and quantifies the number of cases in which SEPA objections are not reflected in the final decision. I qualify my comment by saying that I am not a planner but, generally, if such objections remained in place, the case would be notified to ministers for consideration.

The Convener: Thank you for clarifying that.

Finlay Carson: I will jump back a bit. Matthew Bell of the UKCCC suggested that there is a disconnect in relation to the aspiration that is set out in Scotland's climate change adaptation programme of seeing no overall increase in the number of properties that are at risk. Does that suggest that the deal between the Scottish Government and COSLA is not robust enough or that there might not be sufficient funding to make sure that measures can be put in place to achieve that goal?

Roseanna Cunningham: I am sorry, but I am not 100 per cent clear about what you are asking. As the years go by and the flood protection measures are put in place, the number of houses that are at risk will decrease. However, it is a 10-year plan and it cannot be achieved overnight. The identification of the priority areas and the funding of the work that will be done for them will take place over 10 years. As each year goes by, the number of homes that are at risk ought to decrease.

Finlay Carson: Mr Bell suggested that there is a disconnect between the aspirations and the measures, which suggests that he does not think that the measures are sufficient to achieve the goal within the timescale. My question is really about whether that reflects the fact that the deal that the Scottish Government has with COSLA to deliver a lot of the schemes in local regions is not sufficient.

Roseanna Cunningham: I do not really understand that. The deal is about ensuring that we deal with the areas that face the greatest risk. If you are saying that there should have been a different conclusion to that conversation, I am not sure what it could have been. The old model would have involved simply divvying up the global sum of money pro rata between the 32 councils without an assessment of where the biggest risk was. That would have been a less successful outcome.

There is not really a disconnect. The issue is about where the greatest risks are and how we fix that. We now have a deal with COSLA that will ensure that the areas of greatest risk will be the

highest priority. As the schemes progress, houses will come off the at-risk register.

I have seen houses come off the at-risk register in Perth and Kinross, but there is always a net issue. I am maybe missing something about the question.

12:45

Neil Ritchie: My understanding, which is based on the briefing that I received from the CCC, is that the figure is in the context of the CCC looking out to 2050 and taking into account climate change projections. We will perhaps have a philosophical discussion about what that means in practice, given the success of what we are doing under the first plans, which were published last December. We are following actions against the identified national flood risk assessment and delivering them over a six-year cycle. Local authorities have the comfort of certainty that we will bring projects forward, and we have a funding deal for the next 10 years with COSLA.

The Convener: Cabinet secretary, I will wrap up this section with one final question. The UKCCC report states that

“A number of important strategic plans for Scotland’s infrastructure do not explicitly consider the need to build resilience”

and that it is

“not clear whether new infrastructure is being designed to account for current and future climate risks.”

From your perspective, is that consideration a given for the Scottish Government or are those concerns justified?

Roseanna Cunningham: The consideration is a given, because the Government deals with resilience all the time. It is not an issue that sits separately; we deal with it all the time, whether it is business resilience or resilience that relates to the reduction of risk for a householder and so on. We are not the only part of that conversation, because resilience is also a local authority responsibility and individuals have some responsibility for resilience.

The constant and standing issue of resilience is woven into everything that we do in different sectors. It can be as simple as the get ready for winter campaign, which concerns the transport resilience that we want to have in place, or it can be the hard resilience that we are talking about in the context of flooding schemes. Resilience is a huge concept.

The Convener: It is useful to get that on the record, given that the CCC raised the issue.

Roseanna Cunningham: I suspect that this is one of those areas in which we always want to

think that we could do more and do better. I do not want to give the impression that I think that it is all fine. We constantly keep the approach under review, and resilience is part and parcel of that. The fact that it is not always given a separate heading does not necessarily mean that it is not part and parcel of what is being done. I flag it up to my colleagues that they might want to think about at least signposting the parts of their infrastructure projects where resilience might be part of what they are doing.

The Convener: That would be useful. We will now look at emergency planning.

Emma Harper: At one of our previous evidence sessions, Martin Ogilvie from Dumfries and Galloway Council highlighted that the Civil Contingencies Act 2004 places a number of duties on bodies that respond to emergencies. He suggested that local authorities could be given an additional duty to promote community resilience. What are your thoughts on promoting community resilience through legislation? In Dumfries and Galloway, we have a persons-at-risk approach. What are your thoughts about promoting that more widely?

Roseanna Cunningham: Community resilience is identified as good practice in the existing document “Preparing Scotland: Scottish Guidance on Resilience”, so you can look at that if you want to. There is also specific guidance in “Building Community Resilience: Scottish Guidance on Community Resilience”, which was published in 2013.

As I said, we are constantly looking at the matter. That guidance recommends that all responder agencies—that is, the usual emergency agencies—take a positive and innovative approach to promoting community resilience, and it emphasises a multi-agency approach. I know from one of my previous incarnations as the minister with responsibility for the fire service that responder agencies deal with the issue all the time. They are constantly considering how they can improve resilience in their areas and in their communication and co-operation with other agencies. That is a constant conversation that they have.

There are roles to play across the spectrum—not just in the agencies but in local authorities, as has been mentioned. I always welcome good practice, but I return to the point that other local authorities might think about doing things in slightly different ways. That does not necessarily mean that they are wrong; it just means that they have come up with slightly different solutions. There is the voluntary sector as well.

It is really important that all that works together. Should we legislate for that? It is better if we can

have a co-operative effort rather than constantly reach for a legislative solution at the outset. I do not think that I am ready for that, but we need to think about the matter across the board.

The Convener: If you do not want to legislate—I understand that argument—is there a duty to encourage the sharing of best practice? If I recall correctly, Dumfries and Galloway Council has done work to share best practice on the geographic information system approach to persons at risk. The question is how we ensure that that approach to building resilience spreads out across the relevant authorities among the 32.

Roseanna Cunningham: It is probably fair to say that community resilience groups have appeared in other local authority areas; it is not the case that that is not happening. Those groups have an important role, particularly when it comes to vulnerable individuals.

I know from my former role as the fire minister that the fire service works hard in relation to vulnerable individuals. It tries to work in a co-ordinated way to ensure that issues are flagged up and that the response and cover are as quick as possible.

What Dumfries and Galloway Council has developed is one potential approach. I encourage all local authorities to look at good examples, but they might adapt those examples to different circumstances and come up with something that is slightly different. That does not mean that Dumfries and Galloway Council's choices are right or wrong; it means that they are the right ones for Dumfries and Galloway. People can correct me if I am wrong, but that is fundamentally meant to be the purpose of local government—making the choices that are best for local areas and that best fit their needs.

The Convener: I have a final question to wrap this up. How does the Scottish Government respond to the specific recommendations in the CCC's report on Scottish climate change adaptation progress that the Scottish Government should

"Identify a senior owner for each objective"

and set out actions with milestones and timescales to support delivery of each objective?

Roseanna Cunningham: I said earlier that our response to the report will be published in May 2017. We are still considering what that response will be. The Committee on Climate Change recognised that we have good plans in place. As for the specifics of what our response might contain, we are still at a fairly early stage and it is a little too soon for me to indicate what that might be. I think that we all agree that adaptation is a big

issue that needs to be addressed extremely seriously.

The Convener: Cabinet secretary, I thank you and your officials for appearing before us. The session has been useful. It will not be long before we are back looking at climate change matters, so I have no doubt that we will have you back in front of us in a few weeks' time.

At our next meeting, on 1 November, the committee will take evidence on biodiversity 2020 from a panel of stakeholders. As agreed earlier, we will now move into private session.

12:56

Meeting continued in private until 13:07.

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