



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Net Zero, Energy and Transport Committee

**Tuesday 28 May 2024**

**Session 6**



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Pàrlamaid na h-Alba

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**NET ZERO, ENERGY AND TRANSPORT COMMITTEE**  
**19<sup>th</sup> Meeting 2024, Session 6**

**CONVENER**

\*Edward Mountain (Highlands and Islands) (Con)

**DEPUTY CONVENER**

\*Ben Macpherson (Edinburgh Northern and Leith) (SNP)

**COMMITTEE MEMBERS**

\*Bob Doris (Glasgow Maryhill and Springburn) (SNP)

\*Jackie Dunbar (Aberdeen Donside) (SNP)

\*Monica Lennon (Central Scotland) (Lab)

\*Douglas Lumsden (North East Scotland) (Con)

\*Mark Ruskell (Mid Scotland and Fife) (Green)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Kersti Berge (Scottish Government)

Sarah Boyack (Lothian) (Lab)

Maurice Golden (North East Scotland) (Con)

Gillian Martin (Minister for Climate Action)

Màiri McAllan (Cabinet Secretary for Net Zero and Energy)

Graham Simpson (Central Scotland) (Con)

Annabel Turpie (Scottish Government)

**CLERK TO THE COMMITTEE**

Peter McGrath

**LOCATION**

The Mary Fairfax Somerville Room (CR2)



# Scottish Parliament

## Net Zero, Energy and Transport Committee

Tuesday 28 May 2024

*[The Convener opened the meeting at 09:05]*

### Decision on Taking Business in Private

**The Convener (Edward Mountain):** Good morning and welcome to the 19th meeting in 2024 of the Net Zero, Energy and Transport Committee.

Item 1 is a decision on taking items 4 and 5 in private. Item 4 is the committee's annual report. Item 5 is consideration of the evidence that we will hear this morning on the Scottish Government's climate change and environmental governance stocktake. Do we agree to take those matters in private?

**Members** *indicated agreement.*

## Circular Economy (Scotland) Bill: Stage 2

09:06

**The Convener:** Our second item of business is consideration of the Circular Economy (Scotland) Bill on day 4 of stage 2. Gosh, how time flies when you are having fun.

I welcome to the meeting Gillian Martin, the Minister for Climate Action, and her supporting officials. I also welcome Sarah Boyack, Maurice Golden and Graham Simpson. At last week's meeting, the committee ended the day's consideration of the bill having agreed to section 13 and disposed of amendments 66 and 67.

### Section 14—Littering from a vehicle

**The Convener:** Amendment 119, in my name, is grouped with amendment 120. I will move amendment 119 and speak to both amendments in the group.

I had hoped to get amendment 119 dealt with last week. It is a fairly simple amendment about littering from private vehicles. Before I go into detail, I remind members that, as a farmer with landholdings in Moray, I experience fly-tipping on a regular basis, whether that be from moving vehicles or from other vehicles that just stop and turf stuff out the back. It can be anything from bottles to builders' rubble. Bottles cause immense problems because they choke and kill my cows and their calves. I am therefore a little bit more bought into this problem, perhaps, than some others, but I know that everyone faces it.

In my lifetime, I have seen various campaigns to stop this, such as the dumb dumpers and don't be a tosser campaigns. All those campaigns have been to stop people throwing rubbish out of their windows. However, when we go up the A9, as I did on Thursday night, just after the bend on the dual carriageway at Dalnacardoch, there is a phenomenal amount of rubbish, which has obviously accumulated because of people throwing stuff out of windows in places where they think that they cannot be seen, and it is disgusting. We will all have places like that within our constituencies, where people just throw rubbish out of their windows because they do not care.

To my mind, the problem with that is simple. We have to pay somebody to come along and clear it all up, but, because rubbish is dumped in the most dangerous places on the road where there are no sight lines—that is why it is dumped there—we are often putting people's lives at risk to clear it up. I believe that we should send a strong signal to those people who think that it is appropriate to

throw things out of the window that that it is not appropriate. That is why my two amendments are, first, to increase the penalty charge to a minimum of £500 and, secondly and ancillary to that, to make sure that that penalty can be carried through.

People say that the point of the fixed-penalty notice should be that it applies to the act of throwing rubbish out of a window. That can be so, but the beauty of my amendment is that it relates to the owner of the vehicle, too. If somebody gets a fixed-penalty notice, the owner of the vehicle concerned—if it is a commercial vehicle—can be stung for the fine, which makes them responsible for their employees or the person who had the vehicle. That seems a logical move if we are to ensure that we keep our countryside and our cities beautiful by not throwing stuff out of the window.

**Jackie Dunbar (Aberdeen Donside) (SNP):** I am listening to what you say about fining the owners of vehicles, convener, but how on earth could, say, a bus company stop passengers from opening windows and chucking rubbish out? How could that happen with minibuses?

**The Convener:** Thank you for the intervention, and I am delighted that you are listening. I do not think that such a fine has to be mandatory; what I am saying is that, where a fine is imposed, the minimum level should be £500 to make it sensible. We also have to take into account the fact that a passenger throwing rubbish out of a window will be slightly different to the driver in a commercial vehicle doing it. Anyway, we all know that this happens, and we see it everywhere we go.

That is the premise of my two amendments, and I am delighted to throw the discussion open to other members.

I move amendment 119.

**Graham Simpson (Central Scotland) (Con):** I, too, have been listening very carefully to what you have been saying, convener, and it must strike a chord with probably every single member here. I have already mentioned litter picking during the course of stage 2. I am sure that most of us will have picked litter, and I recall how, when I was doing so in a wooded area next to the East Kilbride expressway, which is a dual carriageway, I saw litter everywhere. It had to have been thrown from vehicles. Of course, some of it had not been—there were sofas deep in the woods, for example—but a lot of it must have been from vehicles and it was inaccessible to the council. You have said, convener, that somebody has got to come and clear the rubbish up; sometimes that somebody is just a volunteer, not the council, and sometimes the litter, particularly bottles, can be left for years, unless somebody comes along and picks it up.

I do not have a vote on this, but if I had, I would be strongly supporting the amendments for the reasons outlined.

**The Convener:** Thank you. If no other member wishes to speak, I will call the minister.

**The Minister for Climate Action (Gillian Martin):** Thank you, convener. I understand the intentions behind your amendments. It is not appropriate to throw litter from a vehicle, and I understand the frustration that we all feel about the amount of litter on our roadsides.

The bill as drafted creates flexibility for the Scottish ministers to set the civil penalty charge at an appropriate amount and will also allow for consultation with local authorities and other stakeholders in respect of the amount. For those reasons, I cannot support the amendments.

Proposed new section 88C(5) of the Environmental Protection Act 1990, as inserted by section 14, provides a regulation-making power to ministers to set—and to increase—the amount that may be imposed by way of a civil penalty charge. The civil penalty regime provided for under section 14 allows the registered keeper of a vehicle to be issued with a civil penalty charge where an authorised officer is satisfied to the civil standard—that is, on the balance of probabilities—that a littering offence has taken place from the vehicle.

Amendment 119 would set the civil penalty vastly higher than the current fixed-penalty charge amount for a littering offence; I understand why you would want to do so, convener, but I note that the penalty is currently fixed at £80 and can be increased by secondary legislation to a maximum of £500. The amendment, therefore, would make the civil penalty amount for a littering offence from a vehicle disproportionate in respect of the nature of the offence—

**The Convener:** Will you take an intervention, minister?

**Gillian Martin:** Yes, I will.

**The Convener:** Thank you, and I am sorry to stop you in full flow. It would be helpful for me if, before you concluded your comments, you could give me an indication of what level of fixed-penalty charge would be appropriate for the owner of a vehicle who allowed rubbish to be dumped from it.

**Gillian Martin:** As I have already said, the appropriate amount would be determined in consultation with local authorities and there would be a certain degree of scrutiny of that through secondary legislation. It would not be for me to say at the moment what I think the level should be, because that would be determined in consultation. At the moment it is £80. Whether the amount

should be higher can be addressed as a result of what we are putting into the bill.

I will leave the matter there, in the interests of time. I am sorry that I cannot support your amendments in this group, convener. I understand the reason behind them, but I believe that setting the minimum charge at £500 is disproportionate.

09:15

**The Convener:** Before I do my summing up, Jackie Dunbar wishes to make a quick declaration.

**Jackie Dunbar:** Yes. I should have learned from the previous three days of stage 2 consideration to do this at the start, so my apologies. I refer members to my entry in the register of members' interests. I was a local councillor for Aberdeen City Council for the first year of this parliamentary session.

**The Convener:** Your actions have sparked Douglas Lumsden to follow you on that particular point.

**Douglas Lumsden (North East Scotland) (Con):** Yes: I will follow Jackie Dunbar on that. I remind everyone of my entry in the register of members' interests, which shows that I was a local councillor at the start of this parliamentary session.

**The Convener:** I will now wind up on this group. At this stage, I am disappointed that the minister is not prepared to give us an indication of what an appropriate level of fine would be. She suggests that going from £80 to £500 is disproportionate and unreasonable, but I would say to committee members that it is clear that £80 charges are not working. If £80 was working, we would not see all the rubbish that we do see along the edge of the road.

I absolutely believe that, by sending out a strong and clear message to people that littering from vehicles is unacceptable—

**Douglas Lumsden:** Will you take an intervention, convener?

**The Convener:** I will.

**Douglas Lumsden:** Do you have any idea of how many fixed-penalty notices have been issued over the past five years? Perhaps, because there is not a strong enough deterrent and nobody is getting caught, that is why it happens. Would you agree with that?

**The Convener:** I do not know the specific answer, although I tried to do some research on how many fines Moray Council had issued for fly-tipping, and the answer was very few, if any. I do not think that there were any, in fact.

I am happy also to give way to Bob Doris, who wishes to come in.

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** Like Jackie Dunbar, I have been listening intently. I am wondering whether the relationship with enforcement is not so much about the amount of the fine as about having effective enforcement in the first place. If someone throws something out of a car window knowing that they could be fined £80, they are pretty unlikely to do it. Likewise at £500. However, if they throw something out of the window thinking that they will not be detected, the size of the fine might not be the underlying deterrent. The deterrent is that you may be caught and a fine may be levied. What is your consideration of that point?

**The Convener:** You are of course quite right with your comments that it is all about enforcement. That is why I would support more policemen and policewomen on the streets, but if I tried to make that part of the bill, to ensure that enforcement was carried out, I might not get away with it.

I am happy to give way to Mr Doris again, but I will then conclude.

**Bob Doris:** This is really just for clarity. I am sure that you are not suggesting that we should employ more police officers simply to have a force for detecting people throwing litter out of car windows. There may be other uses for police resources.

**The Convener:** You are entirely correct but, if there are more policemen and policewomen on the streets, it is unlikely that crimes will be committed in the first place.

My argument is simple, and it is disappointing that the Government cannot support my proposal, especially as rural areas are blighted by this particular problem. There are areas of my farm at home where I do not put young calves next to the road, because the chances are that they will eat plastic bottles and choke on them. If that does not kill them, the veterinary bills will be considerably more than £500.

I will note the committee's vote but, if the minister is not going to support amendment 119, I ask her to come up with a figure and consider working with me later to work out an appropriate minimum figure.

The question is, that amendment 119 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

**For**

Lennon, Monica (Central Scotland) (Lab)  
Lumsden, Douglas (North East Scotland) (Con)  
Mountain, Edward (Highlands and Islands) (Con)

**Against**

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)

**The Convener:** The result of the division is: For 3, Against 4, Abstentions 0.

*Amendment 119 disagreed to.*

**The Convener:** My amendment 120 was debated with amendment 119. As that amendment was not agreed to, I will not move amendment 120.

*Amendment 120 not moved.*

*Amendment 115 moved—[Douglas Lumsden].*

**The Convener:** The question is, that amendment 115 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

**For**

Lumsden, Douglas (North East Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)

**Against**

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Lennon, Monica (Central Scotland) (Lab)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)

**The Convener:** The result of the division is: For 2, Against 5, Abstentions 0.

*Amendment 115 disagreed to.*

**The Convener:** Amendment 68, in the name of Graham Simpson, has already been debated with amendment 5. I remind members that amendments 68 and 69 are direct alternatives.

*Amendment 68 not moved.*

*Amendment 69 moved—[Graham Simpson].*

**The Convener:** The question is, that amendment 69 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

**For**

Lumsden, Douglas (North East Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)

**Against**

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Lennon, Monica (Central Scotland) (Lab)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)

**The Convener:** The result of the division is: For 2, Against 5, Abstentions 0.

*Amendment 69 disagreed to.*

**The Convener:** Amendment 70 has already been debated with amendment 5. I remind members that amendments 70 and 71 are direct alternatives.

*Amendment 70 not moved.*

*Amendment 71 moved—[Graham Simpson].*

**The Convener:** The question is, that amendment 71 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

**For**

Lumsden, Douglas (North East Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)

**Against**

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Lennon, Monica (Central Scotland) (Lab)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)

**The Convener:** The result of the division is: For 2, Against 5, Abstentions 0.

*Amendment 71 disagreed to.*

*Section 14 agreed to.*

**After section 14**

*Amendment 72 not moved.*

**Section 15—Powers to search and seize vehicles, etc**

*Amendment 116 moved—[Douglas Lumsden].*

**The Convener:** The question is, that amendment 116 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

**For**

Lumsden, Douglas (North East Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)

**Against**

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Lennon, Monica (Central Scotland) (Lab)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)

**The Convener:** The result of the division is: For 2, Against 5, Abstentions 0.

*Amendment 116 disagreed to.*

*Amendment 117 moved—[Douglas Lumsden].*

**The Convener:** The question is, that amendment 117 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

**For**

Lumsden, Douglas (North East Scotland) (Con)  
Mountain, Edward (Highlands and Islands) (Con)

**Against**

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
Dunbar, Jackie (Aberdeen Donside) (SNP)  
Lennon, Monica (Central Scotland) (Lab)  
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
Ruskell, Mark (Mid Scotland and Fife) (Green)

**The Convener:** The result of the division is: For 2, Against 5, Abstentions 0.

*Amendment 117 disagreed to.*

**The Convener:** Amendment 73, in the name of Graham Simpson, has already been debated with amendment 5. I remind members that amendments 73 and 74 are direct alternatives.

*Amendment 73 not moved.*

*Amendment 74 moved—[Graham Simpson].*

**The Convener:** The question is, that amendment 74 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

**For**

Lumsden, Douglas (North East Scotland) (Con)  
Mountain, Edward (Highlands and Islands) (Con)

**Against**

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
Dunbar, Jackie (Aberdeen Donside) (SNP)  
Lennon, Monica (Central Scotland) (Lab)  
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
Ruskell, Mark (Mid Scotland and Fife) (Green)

**The Convener:** The result of the division is: For 2, Against 5, Abstentions 0.

*Amendment 74 disagreed to.*

**The Convener:** Amendment 75, in the name of Graham Simpson, has already been debated with amendment 5. I remind members that amendments 75 and 76 are direct alternatives.

*Amendment 75 not moved.*

*Amendment 76 moved—[Graham Simpson].*

**The Convener:** The question is, that amendment 76 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

**For**

Lumsden, Douglas (North East Scotland) (Con)  
Mountain, Edward (Highlands and Islands) (Con)

**Against**

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
Dunbar, Jackie (Aberdeen Donside) (SNP)  
Lennon, Monica (Central Scotland) (Lab)

Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
Ruskell, Mark (Mid Scotland and Fife) (Green)

**The Convener:** The result of the division is: For 2, Against 5, Abstentions 0.

*Amendment 76 disagreed to.*

*Amendment 77 not moved.*

*Sections 15 and 16 agreed to.*

**After section 16**

**The Convener:** Amendment 169, in the name of Lorna Slater, is in a group on its own.

**Gillian Martin:** Amendment 169 responds to requests from local authorities for powers to issue fixed-penalty notices in relation to offences and regulations under section 140 of the Environmental Protection Act 1990, which ban the supply of environmentally harmful items. That was initially raised in the context of the single-use plastics ban, and it was raised by trading standards during the consultation on the draft regulations banning the sale and supply of single-use vapes.

At present, the only option for local authorities is to report any offences under those kinds of regulations for prosecution. Amendment 169 would add a new provision to the bill to provide a regulation-making power for ministers to enable local authorities to issue fixed-penalty notices to individuals or businesses for offences in those kinds of regulations. It would allow for more effective and proportionate enforcement of those offences and would give powers to local authorities that already exist in the rest of the United Kingdom.

I move amendment 169.

**Monica Lennon (Central Scotland) (Lab):** I welcome the amendment and agree with the intention of having more effective enforcement. That theme has come up already in the debate on the bill. What assessment has the Government made of the resourcing requirement around it? We know that additional expectations on local authorities, particularly regarding enforcement, take time and resource on the ground. What assessment has been made and are there opportunities to work a bit smarter in that area?

**Gillian Martin:** The amendment is a result of local authorities asking the previous minister to have it in place. As I mentioned, their only recourse was to get the police involved and they wanted to be able to issue fixed-penalty notices. I do not have any information about a resourcing implication arising from that. It was local authorities that came to us and said that they wanted that power, so I am making the assumption that they have the resources in place

to do that. They are obviously having things reported to them and they feel powerless.

Trading standards already enforce the powers, but the amendment gives local authorities the tools to do the same. If there were any resourcing implications, I imagine that local authorities would have brought that to my, or the previous minister's, attention and they have not done so.

**Monica Lennon:** Thank you.

**The Convener:** No other member wishes to speak, so I ask the minister to wind up.

**Gillian Martin:** I was finished already.

*Amendment 169 agreed to.*

*Amendment 170 not moved.*

### **Section 17—Duty to make information publicly available**

*Amendments 171 to 173 not moved.*

*Section 17 agreed to.*

#### **After section 17**

**The Convener:** Amendment 174, in the name of Lorna Slater, is grouped with amendment 180.

**Gillian Martin:** Zero Waste Scotland is Scotland's circular economy expert. Over the next decade, it will play a pivotal role in accelerating and inspiring transformation in our economy and society, so that resources are valued to their maximum extent and market opportunities are opened up in Scotland as a result. Zero Waste Scotland will work with businesses, local authorities, public body partners and communities, on behalf of the Scottish ministers, in the development and delivery of key policies, such as those that are set out in the circular economy and waste route map and the circular economy strategy that is proposed in the bill.

Amendments 174 and 180 will ensure that relevant legislation that is applicable to Scotland's other public bodies will now also apply to Zero Waste Scotland. That follows a decision made by the Office for National Statistics in April 2023 that Zero Waste Scotland be classified as a public sector organisation as it is largely funded and directed by the Scottish ministers. Work is well under way to transition the organisation to become an executive non-departmental public body of the Scottish Government.

The amendments insert a new schedule into the bill to bring Zero Waste Scotland into various pieces of legislation that apply to public bodies and will bring its governance and accountability requirements into line with other public bodies. Those requirements have been agreed with the Zero Waste Scotland board and are consistent

with duties placed on environmental and economic public body delivery partners that work alongside the organisation to deliver environment and economy outcomes of the national performance framework.

09:30

In particular, Zero Waste Scotland will be subject to the requirements of the Freedom of Information (Scotland) Act 2002, its ministerial board member appointments will be regulated by the Commissioner for Ethical Standards in Public Life in Scotland and its board members will be required to comply with a code of conduct. It will be required to maintain or improve women's representation on its board and carry out impact assessments for island communities when exercising its functions. It will also be required to have a records management plan, to provide information on expenditure and the exercise of functions and to comply with statutory public procurement requirements.

It is our intention also to ensure that Zero Waste Scotland is subject to equalities duties, but those cannot be imposed via amendments in the bill and will be imposed separately under secondary legislation.

**Maurice Golden (North East Scotland) (Con):** What is the estimated cost of the transition for Zero Waste Scotland?

**Gillian Martin:** I will have to get my officials to give me that information. I am happy to write to you. I do not have information on any cost in particular. Zero Waste Scotland is keen for the transition to happen. I am looking at my officials. *[Interruption.]* I will write to you.

**Maurice Golden:** Thank you.

**The Convener:** I would rather that you write not to Mr Golden but to the committee so that the committee can understand the answer. We will ensure that he gets a copy.

**Gillian Martin:** Mr Golden has been here so much that I have almost begun to think of him as part of the committee. That is probably what happened.

I move amendment 174.

**Mark Ruskell (Mid Scotland and Fife) (Green):** I underline the importance of Zero Waste Scotland. It is a trusted body that is able to look independently at some of the big issues around how we move to a circular economy. It has done some incredible work.

The move to make Zero Waste Scotland a public body and put it firmly and squarely into the public bodies legislation is good. It underlines the organisation's status. That is hugely important

because, going forward, we will need the independent and scientifically robust work that Zero Waste Scotland does. I know that it works closely with industry on that.

Zero Waste Scotland's role is critical and it is good to see it being underlined in the bill. I put on record my thanks for the leadership of Iain Gulland, who has been phenomenal over the years.

**The Convener:** I am a little concerned that we are about to vote on something that I do not know the costs of. That is an uncomfortable place to be. I agree with the principle of what you are trying to achieve, minister, but I might be concerned if it were to cost the entire Scottish budget. However, you have given us no indication.

**Gillian Martin:** This is not something that I had in my notes, but my officials tell me that it is funded via existing grant aid. If there is any more detail that I can get the committee, I will.

I hope that everyone understands the reasons for the change in the status of Zero Waste Scotland. It speaks to the fact that so many amendments that we have had over the past four weeks have sought more accountability. Giving Zero Waste Scotland the status of an executive NDPB will improve accountability for its data and actions.

**The Convener:** You have summarised very eloquently why I want to support it. The problem is that, if it is funded by existing grant aid, something else will have to be given up. You cannot get the same service out of a £1 note or a £1 coin.

**Gillian Martin:** There are no material additional costs to the running of Zero Waste Scotland. Zero Waste Scotland will just be more accountable, as I set out in my remarks. It will have a duty to have a board that has equal representation, for example, and it will have more accountability and public sector duties associated with it. However, operationally, there will not be additional costs.

**Bob Doris:** When additional duties, responsibilities and accountabilities are placed on public bodies, the answer that we get from the Government all the time is that existing resources will suffice to cover those. Saying that is, therefore, not an unexpected step, but how will the Scottish Government ensure that the body is sufficiently funded going forward? What monitoring process is in place to make sure that there will be no additional burdens? We have been given reassurances that there will not be, but will there be on-going monitoring of the funds of the organisation and would it approach the Government if it felt that it needed additional resource?

**The Convener:** I am sorry. I sparked this, and I have done it wrong. As convener, I will take the rap on the knuckle. Questions can be put to the minister and she will get a chance to answer them all when she winds up at the end. That is the way it should have been done. I benefited from breaking the rules myself, so I apologise. I will bring in Graham Simpson and then ask the minister to conclude.

**Bob Doris:** I apologise, convener. I was just—

**The Convener:** I know—you were following my lead. I was entirely wrong, Mr Doris, which I have already accepted. Thank you for pointing it out again.

**Graham Simpson:** I am with you, convener. I think that we can accept the principle, but it is not really good enough for the minister to come with an amendment that she does not know the cost of. First, she said that she did not know the cost of it, and then she said that it was zero cost. It is a bit confusing. Every bill has a financial memorandum, so you need to know the cost of things. I think that you need to know the cost of the amendment. That is pretty basic stuff when we come to legislating. I imagine that the committee will probably vote for the amendment if it comes to a vote, but process-wise, that is not the way it should be done.

If any other member had lodged an uncosted amendment, the minister would be criticising them—rightly so—for bringing forward uncosted amendments. She would probably have said, "I cannot support the amendment at this stage because we do not know the cost." I will throw that back at the minister. She has come here with something that is uncosted, and then, when a piece of paper was passed to her by an official, she suddenly says that there is no cost. Which is it, and where is the evidence?

**The Convener:** Mr Simpson, I understand your point, and I will turn to the minister. Of course the minister will get bits of paper passed to her—I would expect briefings from my clerks—because she cannot have everything right there. That is the point of having the officials around the table, so I am not going to accept that criticism of her.

Minister, I am happy for you to wind up now.

**Gillian Martin:** Thank you for that, convener. Obviously, if there is not a material difference in the budget that is required for something, it will not be in my notes or in the presentation that I give you. The amendment is really about the material difference that it will make in the responsibilities and the accountabilities of Zero Waste Scotland. If there is not an associated cost with that, of course the cost is not something that I will have highlighted. Obviously, convener, you have every right to ask me whether there is an associated

cost, and I did not have that in front of me. My officials have very kindly given me detail of that. There will not be any material cost in that change. Zero Waste Scotland receives almost 100 per cent of its funding from the Scottish Government, and operations are based around Scottish Government priorities and processes.

The committee is about to decide on the amendment. As a result of that decision, there will again be a reflection on whether it means a change to the financial memorandum ahead of stage 3, although it is not expected that it will do so.

To reply to Mr Doris, as he and the committee know, the Scottish budget takes into account what is required of public bodies, and budgets are set accordingly during the budget process.

I do not accept Mr Simpson's criticism of the way in which I work and the interactions that I have with my officials, but I also do not accept that I am putting—

**The Convener:** Sorry, minister—

**Gillian Martin:** Can I continue?

**The Convener:** No. With the greatest respect, I have chided Mr Simpson for his comments, and I do not think that it is up to you to chide him again. I have done it once, so please do not do it again. I am happy for officials to pass you information—that is why they are sitting at the table with you. I have made that entirely clear. I do not think that it is worth continually pushing on that, so I ask you to sum up without further chiding.

**Gillian Martin:** I did not intend to chide Mr Simpson; I intended to answer him. If there was any material difference as a result of the amendment, I would have brought that to the committee. There is not and, therefore, I did not have the information in front of me. I hope that the committee is now satisfied that it has all the information that it needs to make a judgment on the amendment.

**The Convener:** Thank you. I assume that you are pressing the amendment, minister.

**Gillian Martin:** Yes.

*Amendment 174 agreed to.*

**The Convener:** Amendment 207, in the name of Maurice Golden, is in a group on its own.

**Maurice Golden:** Amendment 207 is on waste reprocessing infrastructure. I should point out that, for the amendment to take effect, legislation is not required, but it is in the spirit of the Scottish Government's bill, which introduces legislative requirements on, for example, the circular economy strategy, even though that does not require legislation.

The background is that the Scottish Government commissioned an excellent review of incineration by Dr Colin Church. I would like that to be mirrored across all waste reprocessing infrastructure. The review on incineration was conducted too late, but it identified overcapacity for Scotland. There is an opportunity to widen the scope and to commission an independent expert or somebody else to look at opportunities on which Scotland can capitalise, and then produce a report. For example, there could be anaerobic digestion linked to feedstock mapping. There could be a focus on our island communities such as Orkney, which would be a prime example—the report could identify an opportunity for an AD plant there.

**Mark Ruskell:** Does the member agree that part of the issue is that some aspects of waste processing have naturally fallen more in the realm of the energy strategy and thinking about how we meet energy needs—that is particularly the case with energy from waste—and less in the circular economy space? Historically, the issue has fallen between the stools of energy and waste, but you seem to be suggesting that it should absolutely be seen as part of waste processing infrastructure.

**Maurice Golden:** Yes—definitely. Scotland can send a signal to the market. For example, if the Scottish Government report that is proposed in the amendment said that, due to its analysis, there should be a plastic recycling facility, that would send a signal. I would suggest that we should have such a facility, but it would be down to the experts to focus on that. The report could be on an electric arc furnace or turbine refurbishment. There are a host of opportunities in this space, and the Government guidance could ultimately influence the market. There is clearly a gap.

We know that there is enough plastic in Scotland to work with a plastic recycling facility, but we do not have one, so let us get experts to guide the market in that space.

09:45

**Graham Simpson:** I wonder whether the report could set out what is being recycled now and what is not. Mr Golden and I are aware that certain products that people put in their recycling bins are not actually getting recycled. I wonder whether the report could go into that level of detail. If it did, it would be of great interest to the public and it would help us to address the gaps.

**Maurice Golden:** Definitely. A good example of that is absorbent hygiene products. Is there enough capacity in Scotland for a plant that recycles them back into food-grade plastic? I do not know the answer to that, but that is what I would like the amendment to achieve.

There are policy decisions layered on that. As we have discussed, within the scope of absorbent hygiene products, for example, the Scottish Government might look at that and say that we could have a recycling plant but, from a policy perspective, it would like to have real nappies, so it is not keen to pursue a recycling plant. Alternatively, the ideas could dovetail and work together. Until we have the information, it will be very difficult for the Government to make those policy calls, but it would be an excellent starting point to move up the waste hierarchy and allow investment—whether it be private sector or Government investment—in jobs, ultimately.

If we follow the let-the-market-rip approach, we will not have the job and climate change opportunities here in Scotland and we will end up with unintended consequences.

I move amendment 207.

**The Convener:** Thank you very much. I am just looking around to see whether any other member wishes to contribute.

**Mark Ruskell:** I will comment very briefly, convener. I thank Maurice Golden for acknowledging Lorna Slater's work in commissioning the review on incineration. That came on the back of a lot of cross-party frustration that, about five or six years ago, the Government did not have a handle on what was coming in terms of incinerators and what the demand was in Scotland, given that they have a role but it is very much at the bottom of the waste hierarchy rather than the top. More planning on infrastructure is needed.

I would be interested to hear the minister's response to the amendment, because I am sympathetic to legislating for something in that space in the bill. I am not sure whether it should be in the exact form of words that we are considering at stage 2, so I will listen to the minister's view on that. If it is not, something could be proposed at stage 3 that is perhaps a little bit more elegant and gives a little bit more flexibility for the Government to respond.

The basic point is that we absolutely need to be planning for the future in terms of waste and energy.

**The Convener:** Thank you very much, Mark. No one else wishes to speak. Minister, would you like to respond?

**Gillian Martin:** Yes, thank you, convener. I listened carefully to Maurice Golden and I respect the intention behind amendment 207. I support the ambition to increase the visibility of existing and planned waste reprocessing infrastructure. I can see the benefits that it can bring for drive and investment but, at the moment, I do not consider

that, as it is drafted, the requirement should be in the bill. I would value having time to consider the amendment more carefully, including evaluating costing, timing, the feasibility of developing a report, the impact on other commitments and whether commissioning an independent review would be a more appropriate strategy.

We mentioned the report that was undertaken in relation to incineration that was referred to by a couple of members, particularly Mr Golden. Within the draft circular economy and waste route map, data and infrastructure are identified as key areas of focus that will underpin the circular economy transformation that we need to deliver. That underlines the importance of identifying future strategic infrastructure requirements for Scotland as a whole and, taking a place-based approach, for local needs. That is linked to national planning framework 4.

**Douglas Lumsden:** It sounds as though the minister will not support amendment 207. However, from listening to Maurice Golden, I think that it is important to set out exactly the direction of travel, so that people can make investment decisions. If that is not going to be in the bill, can the minister say when that information will be forthcoming? I think that it is needed, and that it would bring a lot of investment.

**Gillian Martin:** I will come to that, but I would rather address the issue at the end of my response to Mr Golden. I hope that Mr Lumsden is happy with that.

Recycling co-design is an example of our approach. Local government will give explicit consideration to future infrastructure requirements to support the delivery of high-performing services, alongside there being an assessment of the potential for multiple local authorities to collaborate or partner and an assessment of the potential efficiencies and economies of scale that are on offer, which is relevant in relation to attracting further inward investment. That is part of the recycling co-design process, which is fundamental and runs throughout the bill. That will complement the development of Scotland's residual waste plan to 2045, which will investigate and make recommendations on Scotland's long-term infrastructure requirements to manage waste. There are processes and collaboration in place that address the issue directly.

If Mr Golden does not press his amendment today, I would be happy to work with him to consider the merits of publishing a report such as the one that he mentions. I am not yet convinced that a provision for that has to be included in the bill, but I am willing to consider whether such a report is required as part of our broader work on the circular economy.

**The Convener:** I call Maurice Golden to wind up and press or withdraw amendment 207.

**Maurice Golden:** Mr Ruskell was right to point out that, during the previous parliamentary session, the Greens and Conservatives voted for a ban on incineration—I think that, later in the session, Labour came on board, too. It was Lorna Slater who commissioned that excellent report from Dr Colin Church, which is part of an evidence-based approach to waste reprocessing infrastructure. However, I would suggest that what was done came a decade too late. That was not the minister's fault; it was a matter of timing. Timing is critical. If we are in a climate emergency, we need to act quickly.

I thought that one option would be for the infrastructure report to perhaps be given to Zero Waste Scotland, as additional duties will not cost anything.

With regard to the overall thought process, the minister said that the issue that we are discussing is a key area of focus. However, I worked on a 2015 bioeconomy report in Orkney and, almost a decade later, there has been no progress on establishing an AD plant for Orkney. Many communities throughout Scotland are missing out while we appear to be asleep at the wheel.

The other aspect that I would point out, which the minister raised, is that the issue needs to be above local authority level. If an individual local authority is considering having, for example, a plastic recycling facility, it will conclude that it does not produce enough plastic to warrant a plastic facility, even if it collected all of it. I say that with no disrespect to local authorities, because the fact is that, for such a facility, you need a scale of supply above that which a local authority will be able to collect, which means that a local authority will not make a decision to establish one.

**Gillian Martin:** It is possible that Mr Golden missed what I said about an assessment of the potential for multiple local authorities to collaborate or partner, in order to avoid the scenario that he described.

**Maurice Golden:** I accept that, but many pieces of waste reprocessing infrastructure would require a Scotland-wide approach, so “multiple” would have to mean around 25 local authorities. I am not saying that local authorities should not be involved—they very much should be involved—but the issue must be managed at a very high level. That is not a requirement for every facility, because something like an AD plant could be managed at a local or even community level. It would be useful to give local authorities an indication of what is achievable in their area, and they should be very much part of the process in relation to such facilities.

However, for certain other facilities, you are really looking at a Scotland-wide scale, and—let us be brutally honest—in relation to many of those facilities, Scotland will be competing with Birmingham, Manchester and London for the finance to build them. That is why the gap must be bridged through the use of private finance—which I think that the report that my amendment proposes would help to secure—or through the Scottish Government using taxpayers' resources to provide grants.

**Mark Ruskell:** You mentioned materials recovery from disposable nappies as being something that could be done in a nationwide facility. Could you reflect on the facility in Fife that was developed to deal with soft plastics—the kind of plastic films that are extremely difficult to recycle and reuse? The facility was developed on the back of a contract with Fife Council, but it perhaps did not receive the scale of material that it would if it were working on a national basis. Perhaps that is another example of a situation in which it might be useful to have a report that looks at the national infrastructure that is required for a problem that all local authorities have, as well providing a more detailed regional consideration of AD and other facilities that councils could collaborate on.

**Maurice Golden:** That is an excellent point. Fife has been in the vanguard of rolling out recycling facilities, right back to the start in 2005. There are two parts to the issue. The first concerns the evidence: on the point about soft plastics, we need to know what sort of scale of material is required for such a plant. The second part to the issue is the requirement, once we have that information, for a policy decision to be made. That is where advice needs to be given to local authorities because, on a tonnage basis, local authorities might decide that they do not want to collect soft plastics because they get less per tonne for that waste. However, if there is an ability to recycle that material, the decision perhaps goes beyond the financials.

The Scottish Government or Zero Waste Scotland have a key role to play in guiding local authorities and the market in terms of the Scottish Government's vision for Scotland in relation to what infrastructure and jobs can be provided. As the member points out, where the decisions are left to local authorities, the situation can be very difficult. I do not know the finances regarding the Fife facility, in particular, but perhaps it would have made a meaningful difference if Clackmannanshire, Stirling and Dundee had also been part of that consortium. That is an example of a situation in which it would be helpful for Government to get involved and provide a signal not just to the market but to local authorities.

I have heard the minister's comments and I would be delighted to work with her on the issue. Therefore, I seek to withdraw amendment 207.

*Amendment 207, by agreement, withdrawn.*

*Section 18 agreed to.*

### Section 19—Commencement

*Amendment 175 moved—[Maurice Golden].*

**The Convener:** The question is, that amendment 175 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

#### For

Lumsden, Douglas (North East Scotland) (Con)  
Mountain, Edward (Highlands and Islands) (Con)

#### Against

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
Dunbar, Jackie (Aberdeen Donside) (SNP)  
Lennon, Monica (Central Scotland) (Lab)  
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
Ruskell, Mark (Mid Scotland and Fife) (Green)

**The Convener:** The result of the division is: For 2, Against 5, Abstentions 0.

*Amendment 175 disagreed to.*

*Amendments 176, 78, 177 and 178, 79 and 179 not moved.*

*Sections 19 and 20 agreed to.*

### At an appropriate place in the Bill

*Amendment 180 moved—[Gillian Martin]—and agreed to.*

*Long title agreed to.*

**The Convener:** Thank you very much, minister, and thank you to your officials. The bill will now go to the chamber for stage 3 consideration on a date that is yet to be determined.

We will have a short pause to allow a change of witnesses.

10:01

*Meeting suspended.*

10:16

*On resuming—*

## Climate Change and Environmental Governance

**The Convener:** The third item of business is an evidence session to take stock of Scottish Government climate change and environmental governance. I welcome to the meeting Màiri McAllan, the Cabinet Secretary for Net Zero and Energy, and her supporting officials. David Signorini is the Scottish Government's director of environment and forestry; Annabel Turpie is the director of Marine Scotland; Alison Gilfillan is the head of strategy, stakeholder engagement and skills at the offshore wind directorate—a huge area—and Kersti Berge is the director of energy and climate change.

I think that you would like to make a brief opening statement, cabinet secretary.

**The Cabinet Secretary for Net Zero and Energy (Màiri McAllan):** Yes, convener—thank you very much. Good morning to you, and to members of the committee. I will take this opportunity to make some short remarks.

I note that, since I accepted your invitation to appear before the committee, we have had confirmation of a surprise or snap UK general election. Apart from my colleague the Minister for Climate Action, who has appeared in respect of the continuance of legislation, I am probably the first minister to appear before the committee since the election was called. Now that we are facing that election, the First Minister has sought advice from the permanent secretary as to what is appropriate for ministers to commit to or confirm as things that we intend to pursue while we are in a pre-election period. The First Minister is awaiting that advice from the permanent secretary and, until I am in receipt of it, I must err on the side of caution when it comes to future plans and confirmed commitments. All of that is in the context of the First Minister having set out his high-level priorities last week and his intention to set out a programme for government in June. That is all under consideration, and I have to be careful about what I say today.

I will, however, cast my comments back to set the scene for our discussion. First, Scotland nearly halved its emissions between 1990 and 2021, while our economy grew by 57 per cent—which is a very helpful statistic, I think. We continue to decarbonise faster than the UK average, and I believe that Scotland is in the process of becoming a renewables powerhouse.

That progress will continue. In this financial year alone, we have committed £4.7 billion to support

the delivery of our climate goals. On 18 April, we announced a new package of climate action measures to support our transition to net zero. It was always my intention for that policy package to be taken forward alongside the already committed-to actions this year, not least the Land Reform (Scotland) Bill, the Circular Economy (Scotland) Bill, agricultural transformation and work to decarbonise Scotland's buildings.

I have confirmed the need for a climate bill to make adjustments to our legislative framework in the name of facilitating continued progress. I am sure that the committee will wish to get on to that today, so I will say no more on it.

In the meantime, I note that the committee has had a number of helpful sessions, not least with the Auditor General for Scotland, whose comments on our improvements to climate governance in the Scottish Government I welcome.

It has continued to be a busy period for climate action in the Scottish Government in relation to budgetary matters, policy matters and legislation. With the new First Minister placing the climate among his top four priorities and being halfway to net zero, we are well placed to continue delivering, which is my focus.

**The Convener:** I am conscious of what you have said. I am also conscious of what the Presiding Officer said in the chamber last week about the need to continue with the work of the Parliament without politicking going on in the background. There is a fine balance there.

It appears that I, as convener, get the chance to ask the first question. We heard earlier this year that we were not going to meet our net zero targets and that there would need to be a climate change bill. We have heard various iterations of when that will be introduced and what it will consist of.

Will you enlighten us, as a committee, as to when it will be introduced and what will be in it?

**Màiri McAllan:** I shall, convener, to the extent that I am able to, given the pre-election period.

There is a little bit of context that is important for us all to wrestle with, which is how it came to be that we have to—as I described it—adjust our legislative pathway to 2045. It bears discussing that grounding our emissions reduction pathway in scientific advice is the best and only way to approach it.

It is worth remembering that, when the Parliament set the 75 per cent reduction by 2030 target, the Climate Change Committee's view at the time was that 75 per cent went beyond what was reasonably feasible or within the number of pathways that it had set out. If I remember

correctly, it recommended that a target of 64 to 68 per cent would have been right for 2030.

The Government at the time wished to be ambitious, and I understand that my predecessor, Roseanna Cunningham, recommended 70 per cent. It was then a Scottish Labour Party amendment that took it to 75 per cent, which the whole of the Parliament got behind—except, I think, Green colleagues, who, as I understand it, wanted to go a little higher.

I set out that context because, following the passage of the bill, the Climate Change Committee's advice was:

“we find that the legislated 2030 target of a 75% reduction in Scottish emissions goes beyond any of our five scenarios for emissions reduction by that date.”

I say that to make absolutely clear that it is not any inaction by the Government in the meantime that has necessitated the need to change the pathway. It was always beyond what was possible, and the legal obligation around it has crystallised under the climate change plan, so I must now change it to make progress.

I want to introduce the bill as quickly as possible. Indeed, there are deadlines by which it must be done, not least in relation to the production of the draft climate change plan under the current framework. However, I cannot confirm today when it will be introduced. As I said, that work would have been under way in respect of our programme for government. Due to purdah and the advice that we await, I cannot give a timeline.

What the bill will include will be clearer to the committee once the bill is published. However, during my statement, I set out my intention that we would seek advice from the Climate Change Committee on the new trajectory to 2045 and retaining 2045 as the net zero target; that we would move away from annual targets, which the CCC confirmed in its recent letter are susceptible to annual fluctuations in weather, for example; and that we would move to a carbon budgeting approach—again, always set according to advice from the Climate Change Committee.

**The Convener:** I made the observation to you that the statutory deadline means that the bill would have to be introduced no later than November to allow it to be agreed to and passed through the parliamentary system by the end of March. However, given that it is going to cause—to my mind—a huge amount of interest outwith the Parliament, I would suggest that trying to rush it through without giving the committee proper time to take evidence on it would be a huge mistake. We need to be given that time. I think that the committee would rather that it was sooner rather than later so that we can trawl for input from people across Scotland. I am not entirely

convinced why you are not in a position to say when it will be introduced or give us an indication of whether it will be a two-page bill to remove targets and change it from a climate change plan to carbon targets. Will you give us that indication today? It would be helpful.

**Màiri McAllan:** I cannot confirm today when the bill will be introduced, but I completely take on board your comments about the committee requiring sufficient time for scrutiny. I want that to happen, too. Of course, you are right to point out the deadline under the current regime for when the climate change plan would be due. That is uppermost in my mind.

I cannot confirm the content of the bill today, but I have indicated the main points of the bill. I also go further: it is very much my intention to keep the bill as slim as possible. I want to retain as much of the original framework as possible and make the adjustments that are necessary for continued progress.

**The Convener:** I hear your comments, minister. My slight push back is that the committee has started stage 1 consideration of the Land Reform (Scotland) Bill, which is a large bill. I remind you and members around the table that I am a farmer in Moray and a landowner, although the size of my holding will not be affected by the bill. That is on the table; it will require a considerable amount of work, and I expect problems coming down the track to balance the legislative programme that is there. It would be wrong of me not to mention that, which I have done.

On the basis that I am not going to get much more information on that, I move to Mark Ruskell for his questions.

**Mark Ruskell:** I return to 2019, the setting of the target and the aftermath of that. You say that the advice of the Climate Change Committee was to go for a lower target, but, in 2020, it wrote to Roseanna Cunningham, who was the cabinet secretary at the time, and said that, although it would be “extremely challenging” to meet the 2030 target, it did not recommend changing it. Indeed, the CCC pointed to a number of areas in which it was looking for accelerated action from the Government. Those were an

“Earlier start to engineered greenhouse gas removals ...  
Early decarbonisation of the Grangemouth cluster ...  
Accelerated scrapping of high-carbon assets”

and

“Additional retrofit of hybrid heat pumps.”

In retrospect, what lessons has the Government learned from the setting of the climate change plan that followed the 75 per cent target? It appears that, in 2020, you had strong warnings from the Climate Change Committee about where ambition

and action needed to be ramped up, but that did not appear in the climate change plan.

**Màiri McAllan:** I want to come on to lessons learned, because I see the forthcoming bill as being the lessons that we as a Parliament have learned since we, rightly, set very ambitious targets a number of years ago.

It is worth first exploring a little more what Mr Ruskell rightly says about the CCC’s advice in the aftermath of the passage of the legislation. That goes to the core of the CCC’s function as a statutory adviser. It has to advise on the legislation as it is set. Therefore, it was not going to advise the Government and the Parliament to change the legislation. Elected politicians had made that decision, and its role was to give advice on how to fulfil it.

In that letter of December 2020 to Roseanna Cunningham, the CCC set out some scenarios, as Mark Ruskell says, that “could potentially reduce emissions” and that

“the Scottish Government may wish to consider”.

Among those were, as Mark Ruskell says, an early start to engineered greenhouse gas removals. That relates to what we call BECCS, which is bioenergy with carbon capture and storage, or direct air capture and storage. The CCC considered at the time that those would come on stream around the early 2030s. Its advice was that their coming on stream earlier could assist us in reaching our newly set targets. However, carbon capture and storage infrastructure coming on stream was almost entirely in the gift of the UK Government. The fact is that we have not seen that it could be done earlier, as the CCC advised; indeed, we have seen a slip in the deployment of carbon capture and storage. I point out that one of the first interventions was not something that the Scottish Government could directly control.

10:30

The CCC’s second recommendation was early decarbonisation of the Grangemouth cluster, which, again, clearly relied on the deployment of carbon capture and storage as a key means of industrial decarbonisation. We all know that, for a variety of reasons that we do not need to get into right now, CCS has not been deployed across the UK at the speed at which we thought it might, never mind on an accelerated timetable.

There are certainly lessons that I wish us to learn, the most important of which must be to follow the independent advice of bodies such as the Climate Change Committee when it comes to setting our targets. I ask colleagues across the Parliament to work with me in doing so when we come to look at the new bill. I will seek advice from

the Climate Change Committee on the appropriate levels of the carbon budget. I intend to follow that advice and I ask the Parliament to do so, as well. We also need to set a framework that is capable of recognising that contextual issues will arise from time to time, not least pandemics and wars on the continent, which, to an extent, disrupt our ability to make transformational change.

I reflect on the fact that we are a devolved nation. We seek to implement transformation right across our economy and our society, but not all the tools that we need to do so are in our gift. I point back, for example, to the deployment of CCS.

**Mark Ruskell:** You point to a number of areas where dependencies on the UK Government exist; indeed, we need to understand how much they continue to limit our ability to meet the 75 per cent target. However, there are areas, such as heat pumps, that the Climate Change Committee pointed out as areas for action back in 2020. We have only just gotten proposals for a heat in buildings bill, regulations and an action plan on heat in buildings. It has taken the best part of four or five years to get to a point where a plan is in place for that, and we do not yet have a plan for the decarbonisation of the Grangemouth cluster.

You are now the cabinet secretary in post; this is a different Government now. What can be learned in order to ramp up action? We have seen a failure to deliver action from the climate change plan. Although it was, I believe, cross-party committees of this Parliament that pointed to well over 160 recommendations for improvement on the back of the climate change plan, I do not think that the Government took on board all those concerns.

We are now left with a deficit of action, which will remain, regardless of what the target is set at or whether we move towards a five-year carbon budget. Low-hanging fruit is still sitting there, waiting for action, and we are not seeing progress at a sufficient enough scale.

**Màiri McAllan:** I entirely respect Mr Ruskell's views, but I disagree that there is low-hanging fruit left. I suggest that the actions that we now need to take to close the remaining half of our targets are some of the most difficult, as they go right to the heart of the way in which people live their lives.

On the legislation that you rightly refer to in respect of decarbonising our homes, the Government is legislating for what will happen in every home in the country. That is not low-hanging fruit; it is deeply complicated, multifaceted and not entirely deliverable by public money, and it requires genuine cross-working. It is absolutely essential for making the progress that we need to

make in emissions reduction, and therefore we must take it forward.

I push back against the point that anything that must be done now is low-hanging fruit. I will never say that the Government has done everything that it can or that we have absolutely maxed out and nothing else is required. That is simply not the case, and it will not be the case until it is 2045 and we have reached our mid-century target.

However, I do not accept that there has been inaction by the Government, not least because of everything that we have achieved in recent years, but also because we all know that the target was beyond what was credibly deliverable in the eyes of climate scientists at the time.

**Mark Ruskell:** It is not for the CCC to advise on all aspects of climate science; its role is to give advice to Governments about pathways to meet the targets that have been agreed. The 75 per cent target gave us only a 50 per cent chance of hitting the target of limiting the temperature increase to 1.5 degrees if there was similar action across the world to meet emissions reduction targets.

The climate science is quite clear: we are struggling. Ideally, we need to go a lot faster and further on carbon reduction, but doing so has butted up against political realities and the powers of the Government. What have you learned from that? There is a moral imperative to keep the 75 per cent target in place and to go faster and further, but clearly, for a range of reasons, the Government has struggled to get close to that. What have you learned about what is an acceptable pathway forward, and how can we balance that against the moral imperative that still exists?

**Màiri McAllan:** I agree with you about the moral imperative. I also agree that the transformation that we need, which I talked about, is never going to be deliverable without—as you described it—butting up against contextual and economic factors and issues, from across the Parliament, with getting legislation passed. There is no pathway to net zero that is without complication, but we pursue it nonetheless because of the imperative that you talked about.

You spoke of political realities. There have been issues that the Scottish Government has tried, but not managed, to get cross-party agreement on. I do not want to labour that point too much, because my core issue is that the pathway was always beyond what was achievable. Therefore, I will say that that has not caused us to have to change the 2030 target, but it has not helped. I point to the issues that we faced on low-emission zones, the deposit return scheme being completely derailed by the Scotland Office and other matters.

The other issue that you raised involved the powers of the Scottish Government. I have had to give a lot of thought to that. We do not have powers over energy, which is a huge policy area that is critically important to the net zero pathway, and, at times, it has been difficult to work constructively with the UK Government. There have been times when we have done so really well, such as on the emissions trading scheme and the zero-emissions vehicle mandate, but there have also been times when it has not worked. For example, the Scottish Government has been pushing for changes to fuel duty and other matters, such as CCS, for a long time, but making those changes has not been possible.

In future, I ask for as much consensus as we can possibly get across the Parliament, particularly for the more benign matters that we have to proceed with. I have to be clear about the realities of trying to do this as a devolved Government, but I always commit myself to trying to work with the UK Government—and in the context of the election, any incoming Government—to make the fastest progress possible.

**Monica Lennon:** Good morning. I am listening carefully, and I am looking for some clarity. During my time in the Parliament, I do not think that I have ever heard the Government say that the targets were not realistic or achievable, until recently. In recent years, I have heard the Scottish Government, rightly, be proud of the targets and the ambition, and that has been communicated not only in Scotland but around the world, particularly during recent conference of the parties—COP—summits. Is it the case that the Scottish Government was not being clear and straight with the public?

**Màiri McAllan:** No. The facts of the matter are there in black and white from the time when the CCC advised Parliament on what was credible and what was realistically achievable. However, the Parliament, on a cross-party basis, set the targets. Thereafter, it was the Government's responsibility to do everything within our power to see that we got as far towards meeting them as we possibly could, hence our desire to strain every sinew to find policies that would meet the targets and to herald the fact that Scotland had been so ambitious. That reminds me that it was not necessarily a bad thing for the Scottish Parliament to have done, because it drove progress. However, I now have a legal obligation to produce a plan that can—like for like and policy for policy—meet that target.

That target was never within a pathway that the CCC could find. If I do not change it, I will not be able to produce a climate change plan that is capable of fulfilling my legal obligations. I have to

do that now. The target drove progress in the past, and setting it was not the wrong thing to do at the time to demonstrate ambition, but I have to undo the impediment now so that we can keep moving forward.

**The Convener:** I am sorry; the deputy convener wants to come in but there is something that I want to understand. You are still producing a climate change plan. That is what you just undertook to do, is it not?

**Màiri McAllan:** Under the current statutory regime, we obviously have to produce a climate change plan, but I need to change that statutory regime to tweak the 2030 target and a few other bits and pieces. However, it is still very much my intention that, once the bill is passed, the obligation to produce a plan will remain and we will do it against the new carbon budgets as set.

**The Convener:** You want to produce a plan, but what you are going to do with the bill is push the publication of that plan until some time in the future. Is that what you are saying?

**Màiri McAllan:** As it stands, my intention is to use the new legislation to, among the other things that I have noted, change the timing for the production of the climate change plan so that it can come once we have the new trajectory and the new targets. A huge amount of work has already been done to produce a plan against the existing framework. I cannot solve the existing issues and, therefore, I cannot publish that plan. However, it is my intention that we should move very quickly to recast the emissions targets around carbon budgets and, very soon after, have a climate change plan that meets the targets with policies that are capable of reducing emissions.

**The Convener:** I just observe that, if you are scrapping the requirement to produce one climate change plan in the legislation and not producing the new one at the same time, it makes it difficult for Parliament.

**Ben Macpherson (Edinburgh Northern and Leith) (SNP):** Good morning. I want to go back to what you said about external events. During the passage of the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, which I recall very clearly, there was significant debate about the achievability of the targets, based on the CCC's evidence, particularly during the stage 3 proceedings. Then, of course, we had the global pandemic. Do you want to say any more about how challenging that period was, with the redeployment of civil servants, the loss of time to introduce legislation, the impact on our ability to collaborate with local government and other stakeholders on implementation, and a general constraining of the financial resources of the Scottish Government? From memory, that affected

the preparation of most recent climate change plan, which Parliament managed to conclude just before the 2021 election. That context is important in this wider debate. Do you want to say anything more about it?

**Màiri McAllan:** Yes. I was not in Parliament when the act was passed. I joined Government shortly afterwards, however, so I was involved in the pandemic response and, of course, in the exit from the European Union, which we all remember happened right in the middle of the pandemic. I do not think that it should be forgotten how much of a drain on capacity and resource that was for the Scottish Government, local government and the UK Government, as resources were pivoted to quite extraordinary and—at least in one of those cases—unexpected events. There is no doubt that that had an impact, not least on Government capacity, public finances and the public's ability to absorb further change and shock. We were talking earlier about the very important—albeit complicated—work on heat in buildings, and I have to consider the extent to which households are currently grappling with the cost of living as we work to take that forward. It must be considered.

10:45

However, I will end by saying that climate change and our associated goals have remained a front-running priority of the Scottish Government. Our economic recovery plan from Covid was about a green recovery; I know that the deputy convener will remember some of that work, too. We have, at all stages, put our actions in pursuit of climate and nature at the very front of the Government's commitments, even through that difficult period. We continue to do so, not least with the First Minister setting out last week that tackling climate change is among his four top priorities.

**Douglas Lumsden:** I want to dig a bit deeper into the timescales to see what you can and cannot answer, cabinet secretary. The latest point at which the climate change plan could be laid before Parliament is November this year—I guess that, as things stand, that would still be the case. However, that will not happen, because the bill removes that duty. Is that correct, and is it correct that you cannot set out the timescales for a new climate change plan today?

**Màiri McAllan:** That is correct on both fronts. It is correct that, under the current regime, a draft would be due by November this year. It is also correct that I have to introduce legislation that will amend that slightly. I cannot confirm exactly when the new climate change plan will be produced against the new targets, but it is my expectation that there will be as minimal a gap as possible, because I want to get a new plan published against the new targets as soon as possible.

**Douglas Lumsden:** So, it might be this year, but it might not be—we have nothing to go on yet.

**Màiri McAllan:** That is a really good question. It is a question that I have been asking and trying to ensure that the Government has a plan for. It will depend largely on when we can get advice from the CCC on an appropriate trajectory, and early indications are that that might come in the early part of next year. Last week, I met the interim chair and chief executive officer of the CCC to discuss that. Its carbon budgeting work for the whole of the UK is likely to be completed in the early part of next year, and the devolved assessments are likely to follow soon thereafter. That might be the point at which we are able to have clarity on the targets, and I would want a plan to be produced very quickly thereafter.

**Douglas Lumsden:** On the process after the Climate Change Committee releases that advice, you will come forward with a plan, which will include the new carbon budgets, if I am correct. That would come to this committee for scrutiny, and we would have plenty of time to scrutinise it at that point.

**Màiri McAllan:** Sorry—I should say that it would be a draft plan.

**Douglas Lumsden:** At that time, we would be going into the five-year carbon budget—that would all be part of the same process. Is that correct?

**Màiri McAllan:** It is my intention that it be bound up as closely as possible, so that we do not lose any more time than necessary in setting the targets and producing the plan against them. I add that it is very much my intention that delivery on all the work that is going on this year will continue in the meantime.

**Douglas Lumsden:** Is the energy strategy also linked to the climate change plan? Will the energy strategy have to wait until late 2025 or into 2026 before it can be finalised?

**Màiri McAllan:** No. I understand why you are asking the question, because there are a lot of complexities here. The energy strategy is not legally linked to the climate change plan, and it will not be delayed by what we need to do with the bill.

**Douglas Lumsden:** It has already been delayed. Do you know when we should expect to see it back?

**Màiri McAllan:** The energy strategy is nearing its final form. I am restricted in what I can say on what the Government intends to do for the rest of the year, because we are in a pre-election period, but I can say that the energy strategy is very much nearing final form, and it will not be delayed by the on-going work on the climate change plan.

**Douglas Lumsden:** I presume that you cannot tell us whether the strategy will still include a presumption against new oil and gas. Is that correct?

**Màiri McAllan:** I cannot confirm that. That will be confirmed when the document is published.

**Douglas Lumsden:** You said earlier that you would have liked energy to be devolved, and that one of the things that you would have changed is fuel duty. You seemed to suggest that that would make it easier for you to reach your targets. Did you support the freezing of the fuel duty by the UK Government?

**Màiri McAllan:** Could you elaborate on when the UK Government brought that forward, Mr Lumsden, just to give me a bit more context?

**Douglas Lumsden:** Yes. I think that fuel duty was frozen over the two most recent budgets. Did you support that freezing of fuel duty, or would you have liked to see fuel duty increased, which would potentially have made getting to your targets easier?

**The Convener:** I am just scratching my head because I am in uncharted territory, as a convener of a committee, as to whether that puts you into politics, cabinet secretary. I am just cautioning you on how you respond to that.

**Màiri McAllan:** Of course, and I appreciate that, convener. I will try to take it back to the generality, which is that my reason for raising the issue of fuel duty is not to comment on its current rates or the way in which it is currently organised. Instead, I point out that it should be reformed to have a climate focus and that, so long as it is in its current form, it is charging and overseeing something that I think needs to be reformed. I will not comment on the current rates and so on.

**Douglas Lumsden:** Okay, I will move on to something else. I am not sure whether you will be able to answer this, but, in the letter that you sent to the committee on 10 May, you said that there is

“A plan to deliver approximately 24,000 additional electric vehicle charging points by 2030”.

Can you clarify whether that includes the up to 6,000 charging points to be delivered by 2026? Does the 24,000 figure include that, or is it additional to the figure of 6,000 that has already been announced?

**Màiri McAllan:** I am just finding the text, Mr Lumsden, if you will give me one moment.

That forms part of the policy package that I set out with the statement, and I understand the committee’s interest in it. I am limited in what I can say about its development, but it is intended to be additional to the 6,000 charging points, to answer your question directly.

**Douglas Lumsden:** Okay. One of the other commitments in the letter was to develop

“a new integrated ticketing system that people can use across all public transport”.

There was something on that in the programme for government previously, so is that commitment something new or does it refer to something that was already announced?

**Màiri McAllan:** It is a development of what is a very common-sense measure, as far as I see it, which has been under development in Scotland for a number of years. It is a development in the sense that there are parts of Scotland where you can already travel with an integrated ticket—there are parts of our transport system where it has been rolled out—but the Cabinet Secretary for Transport will be looking to extend it across modes of travel right across the country. I understand that she is currently working on a business case and so on, because working with industry will be very important to making the system work.

**Douglas Lumsden:** Is there a timetable for that, or is that something that you cannot say?

**Màiri McAllan:** Unfortunately, I cannot say, but I am sure that the transport secretary will be able to.

**The Convener:** I am really scratching my head here. Thinking back to the time when I was convener in the previous session of Parliament, in 2019, when we had an election—I think that it was 2019, but we had a couple of elections in that session—I am not convinced in my mind that there were huge restrictions placed on what we could and could not discuss at committees.

I am nervous about the situation, cabinet secretary, in the sense that you have obviously sought advice on it and, as a convener, I have had no advice on it. After this meeting, I will take advice from the Presiding Officer, and it might well be that, in light of some of the answers you have given, we may have to get you back in to answer some of the questions.

I am just saying that I am struggling a wee bit, and I would ask you to be as open and clear as possible. I think that you were involved in the Parliament, although not as an MSP, at the most recent election, so you might remember what the advice was then.

**Màiri McAllan:** I understand your uncertainty, convener. I equally have uncertainty. I am not in receipt of the advice. The First Minister has sought advice for ministers from the permanent secretary, but we do not have that yet, which makes it a little more difficult. I am giving answers that are as full as I can make them. For example, in response to Mr Lumsden’s question on electric vehicle charging points, I confirmed a point about the policy—that the points are additional—but I could

not confirm the timeline. Even if I could, however, I am not the transport secretary. The detail of policies in packages that are outside my portfolio will be a matter for the relevant cabinet secretary.

**The Convener:** I think that we are going to see that cabinet secretary very shortly. Douglas, do you have any other questions?

**Douglas Lumsden:** No. I will leave it there. I am quite disappointed by how little can be said. In terms of politicising things, we have heard that the climate change target cannot be hit because carbon capture is reserved and because of Brexit and the pandemic, but we cannot seem to get any answers on transport, the decarbonisation of buildings or agriculture. However, I will leave it there, convener.

**Màiri McAllan:** On agriculture—

**Bob Doris:** Convener, I—

**The Convener:** Hold on. Excuse me. Until things change, I will be running the committee and I want to keep order and keep things sensible.

I understand members' frustration, but I suspect that the cabinet secretary is frustrated as well that she cannot give all the answers that she might be in a position to give. Let us not have a go at one other over it. We will be in a much clearer position after the meeting, when I have taken advice. All that I can do at the moment, on the committee's behalf, is to push people to give us as honest, open and clear answers as they feel that they can give, without compromising their positions. Bear with me, Mr Lumsden. I will take advice after the meeting, because I find myself in a position that I do not understand.

Bob, have my comments answered your question? I hope that they have, but maybe you have another question that you want to ask.

**Bob Doris:** I have a comment, convener, which I think it is appropriate for me to make at this stage. I am not remotely seeking to undermine your role as convener. You mentioned how the committee feels about the evidence that we have heard, and we will convene in private to discuss and reflect on that. I would not want a narrative to be given in public as regards what the committee considers our position to be before we finish the evidence session and then come to a considered view as a committee. I think that it is appropriate to put that on the record, because we are in danger of painting a narrative that not all of us will share.

**The Convener:** I take that point. I think that I said that the cabinet secretary might be asked to come back to the committee. Of course, it will be up to the committee to decide what it wants to do, and we will discuss that in private later.

On that note, I am going to move on. Mark Ruskell has some further questions.

**Mark Ruskell:** Thanks, convener. The Bute house agreement provided the Government with a majority to drive through work in a number of areas of climate action, regardless of whether you see those as low-hanging fruit. You mentioned the reforms that are needed to empower householders to improve their homes so that they are low-carbon, cosy, cheap to heat and future proofed. What certainty can we get at this point about the introduction of the heat in buildings bill?

**Màiri McAllan:** I reiterate what I said about there being two sides of the coin when it comes to heat in buildings. The first side is that it is very complicated and we require a number of areas to come together, including the supply chain, skills, technology, public funding and private financing. It is a big piece of work and it needs very careful handling. The other side of the coin is that it is absolutely critical to Scotland's progress on emissions reduction. With buildings making such a large contribution to our emissions, there is no pathway to net zero without doing that work.

On that note, we have consulted on a series of proposals, as you know. We have received 1,700 responses or thereabouts—I apologise if that is not exactly the right figure—and we are currently considering them all and considering how the Government intends to take the matter forward.

**Mark Ruskell:** Okay, but the intention is still to introduce that bill. Is that correct?

**Màiri McAllan:** I fear that I am getting into confirming programmes for government. I await advice from the permanent secretary about whether I am allowed to do that in a pre-election period. Without speaking to legislative programmes specifically, I return to the importance that I place on the work that is being done and the active consideration of the 1,700 or so consultation responses.

11:00

**Mark Ruskell:** If there were no heat in buildings bill, would that make it incredibly difficult to meet any climate target or five-year budget—or whatever you want to put in place?

**Màiri McAllan:** Yes. The centrality of decarbonising our buildings to our emissions reduction pathway is such that, without that work, we would have a big gap.

**Mark Ruskell:** I could ask about lots of aspects of the Bute house agreement, but of particular interest to the committee is the proposed natural environment bill, which is critical to tackling the nature emergency. Related to that is the change in ministerial responsibilities. We no longer have a

minister with biodiversity as a headline responsibility in their job title.

Can you speak to us about the natural environment bill and where biodiversity sits? It is clearly not one of the four key priorities for the Government, but will you articulate where it now sits within Government, who is responsible for the bill and what priority it has?

**Màiri McAllan:** Yes, I will try to take all those issues. First, as I said earlier and the First Minister said in the chamber last week, climate change is one of four Government priorities, alongside eradicating child poverty, ensuring excellent public services and others. However, I would not take from the priority being framed as climate change the message that it excludes the natural environment, because the Government has always been clear that the climate and nature crises are twin, reinforcing crises and that they exacerbate one another when they are not dealt with and aid one another when they are dealt with.

On there not being ministers with explicit responsibility for biodiversity in their headline job title, I have sympathy with your concern in some respects but, if we tried to include every responsibility in a ministerial title, it would become unwieldy and difficult to manage. However, it is important to note that I, as the cabinet secretary, have responsibility for all the physical and marine environment and Gillian Martin, who was with you earlier, has specific and explicit responsibility for biodiversity, including endangered species, in her list of responsibilities, as published on the Scottish Government website.

**Mark Ruskell:** So, job titles are less important, but action is critical. Will there be a natural environment bill in this parliamentary session?

**Màiri McAllan:** That is akin to asking me to confirm legislative timetables and programmes for government, which I am not able to do because I await advice on what I can say in the pre-election period. I am sorry that I cannot confirm that. However, much as I said on the heat in buildings bill, I stress the importance of much of the work that Lorna Slater did under that umbrella, working for me as she was. Her work on the natural environment bill, the biodiversity strategy and its delivery plan was critical. I take the opportunity to reassert the importance that I place on the natural environment in our work to tackle the twin crises of climate change and nature loss.

**Mark Ruskell:** Through the Bute house agreement, there was certainty that, in this session of Parliament, there would be a natural environment bill and a heat in buildings bill. Do you understand the fact that there is now a lot of uncertainty among environmental non-governmental organisations and the general public

about whether the action to tackle the climate crisis and the nature emergency will be followed through in this session of Parliament?

**Màiri McAllan:** The ending of the Bute house agreement clearly means that we no longer have Green ministers. However, much of what we are referring to in respect of decarbonisation of buildings and the natural environment relates to Scottish National Party priorities that we were taking forward in advance of joining with colleagues in the Greens and will continue to take forward. We will look to work with colleagues from across the chamber in pursuit of those priorities.

**The Convener:** I fear that some of this discussion may have to wait until the First Minister makes his announcement on the programme for government. We will see when that will be. Monica, do you want to come in on that point?

**Monica Lennon:** Yes, convener. I heard what the cabinet secretary said about the heat in buildings bill—that she cannot confirm whether such a bill will be lodged in this parliamentary session. I will build on the point that Mark Ruskell made about providing clarity and certainty for industry and those that we rely on to create jobs. I am also thinking about what the Existing Homes Alliance said recently about the importance of providing the right advice and support for home owners and householders. I am aware that, in countries such as Ireland, there is a network of one-stop shops that provide end-to-end support and project management services for home owners to help them upgrade their homes.

We know that many people in our communities are ready to make changes, but that they do not have the confidence to do it. Putting aside what might happen with the legislation, can the cabinet secretary give an update on the work that is going on to make sure that people across Scotland have the right advice and support?

**Màiri McAllan:** Yes, absolutely. I will bring in my colleague Kersti Berge to talk about the work of Home Energy Scotland and other organisations. I have talked about the complexity of the heat in buildings work. Overcoming the substantial gap that exists between what we know needs to be done on paper and the public's expectations is one strand of that complexity. The regulatory review group stressed that point, as did the Existing Homes Alliance and, if I remember correctly, it came up in the committee's discussion with the Auditor General. There is a gap and it has to be plugged now in advance of work being done. There will have to be mechanisms for home owners to access advice on what is right for them and their building type, as well as advice on affordability and any green finance products that may or may not be available to them. We are currently building up that advice.

**Kersti Berge (Scottish Government):** The civil service's work on decarbonising buildings does not stop, because we recognise that, regardless of whether there is regulation, people need to have easy access to advice so that they can understand where they can go for support. We are working with Home Energy Scotland and have recently run a marketing and public awareness campaign about where people can get information on the type of clean heat installations that they can get and where they can get support for energy efficiency measures. That work is continuing; we know that we have a lot of work to do.

There are some positive signs of uptick in the number of people who have installed heat pumps, which demonstrates confidence. Heat pump installation grew by about 20 per cent between 2022 and 2023 and by about 113 per cent between 2020 and 2023. To some extent, there is an upward trend in uptake, but we recognise that there is more work to do in order to make it easy for people to undertake energy efficiency measures and clean heat installations.

**Monica Lennon:** It is helpful to hear that work is continuing. We need to make sure that people have trusted sources of information, because constituents sometimes tell us that they are a bit worried about some of the people who may call them randomly.

The cabinet secretary talked about the importance of finance and funding. Is the Scottish Government doing any work to look at how the land and buildings transactions tax could be used to incentivise home owners to invest in upgrading energy efficiency measures and installing zero-emissions heating sources?

**Kersti Berge:** We did not look at that as part of the consultation on the bill, but we are looking at all the options and levers that we have in order to drive the decarbonisation of buildings.

**The Convener:** I think that the next questions are from Bob Doris.

**Bob Doris:** Yes, they are.

My question follows on from Monica Lennon's question about one-stop shops being able to advise home owners on what they can do. I will take a slight segue: as part of the committee's post-legislative scrutiny work and efforts on deliberative democracy, we convened a people's panel to make some recommendations about how we could do more on climate action and climate change.

One of the things that the panel wanted to see in relation to climate action was a one-stop shop for members of the public—not just home owners—to go to for advice on what they can do to make a real difference on climate change. I am

conscious that £4.3 million was available for climate action hubs last year; it is £5.5 million this year. I have just checked this on my phone: that is £450,000 for Glasgow alone. I was a wee bit unaware of Glasgow's hub, but I will go and find out more about it, now that I am more aware of it.

How do we ensure that we get value for money for that spend? How do we ensure that the hub is well connected in every community? There is no point spending close to half a million pounds in Glasgow if communities are not aware of the hub's existence. I sit on this committee, but I was not aware of it—although that is remiss of me, of course.

**Màiri McAllan:** I take those points on board. I absolutely welcome the work of the people's panel and the work that the NZET Committee has done with it. I have already written to you, convener, with some responses. I take this opportunity to thank the committee and the people's panel for their contributions and recommendations. It is worth noting that we are due to conduct a review of our public engagement strategy on climate change, which we will do shortly, and the work of the people's panel will feed into that.

On climate action hubs, I often wrestle with the fact that everything that needs to be done in the name of emissions reduction and support for nature means significant change across the board and on a tight timescale. That can be very beneficial to communities, but it can create stresses. I very much believe that the best climate action is locally driven and locally appropriate, and that it is action from which communities can benefit.

That is the idea behind the climate hub network: it should be locally driven and locally appropriate, with trusted voices, as Ms Lennon was saying, communicating about issues of climate change in communities according to what is needed there.

You are quite right: we are providing around £20 million of funding during this parliamentary session to expand the climate hubs, and that has included £5.5 million this year. That is a significant chunk of money, and it gives us full coverage across the country in a locally appropriate manner. I take on board what you are saying about the hubs ensuring that they are well known, not least by locally elected representatives but also by the communities that they are serving. Kersti Berge and I have discussed in the past how we ensure that there is an appropriate analysis of the impact of hubs in relation to the funding that they are receiving. Kersti might wish to say something more about that—or Bob Doris might want to add something.

**Bob Doris:** Kersti, could I roll something else into that, as a follow-up question, rather than

coming in again later? For me, not as an MSP but just as a citizen of Glasgow, if I am at a local sports centre or health centre—or wherever I go—that is where I want the information made available to me. It is a matter of ensuring that climate action hubs are accessible to as many people as possible, and that information goes to the people, rather than have people go to the information.

There is also the issue of longer-term funding, but that is probably a question for the cabinet secretary rather than for you, Kersti. The people's panel was hoping for a longer-term commitment to allow the hubs to develop their networks and expertise.

**Kersti Berge:** The hubs do community outreach. I do not know if the Glasgow hub has been to your local football club, but hubs do that, and they do outreach in schools, too. I have looked at the evaluation. We started off with a couple of hubs, and I have looked at the evaluation of their reach. I do not have the figures here with me, but we do proper evaluation for the hubs, and we will continue to do that. They are still fairly new.

Going back to a point that the cabinet secretary made, there are many strands here. First, engagement with the public is absolutely critical as part of the net zero transition. We have the hubs, and we have our “Let's do net zero” campaign, which helps people understand the key actions that they need to take to support the transition to net zero. We have engagement campaigns in specific areas—and we have talked about the one on heat in buildings. There are a range of measures there.

We also have climate action schools, which help pupils and others to get involved in climate activity. On engagement, we are working on a number of fronts. We will continue to learn how to ensure that the hubs operate to best effect. Following this session, we want to ensure that they continue to engage effectively with other community organisations.

11:15

**Màiri McAllan:** On the point about funding, we are still working with annualised budgets—which are very stretched—and, as you know from various discussions, that makes it more difficult for us to provide certainty. What we can do, however, is provide policy certainty. I mentioned earlier the commitment of aiming for £20 million over the current parliamentary session. I cannot confirm more than that when we have an annualised budget, but the policy objective is there, and I hope that that provides some certainty.

**Bob Doris:** It does.

My follow-up question relates to the climate change people's panel. Its members were not big on long-winded policies and strategies—they wanted policy to be short, simple and easy to understand. That is similar to what the First Minister has said about having more concrete actions and fewer lengthy strategies.

What the people's panel has said, therefore, chimes with the First Minister's intention in that regard. In the light of that, what consideration have you given to adopting policy in that way to make it as easy as possible for all of us to do what we need to do to meet our climate change commitments? I am thinking of bite-sized chunks and policies that are easy to action, rather than referencing strategies and policy documents with long-winded narratives. People with busy lives want the answers or options put in front of them in bite-sized chunks that they can act on. That was a call from the people's panel. Are you considering that?

**Màiri McAllan:** I sympathise entirely with the people's panel's comments on that aspect. I often find myself wading through hundreds of pages of policy documentation and wishing that it could be more succinct, with more brevity. The Government has to challenge itself in that regard. I have talked about that a little in relation to our green industrial strategy, for example; I have asked for that to foreground the need for brevity and conciseness.

Sometimes the issues are deeply complicated, and if we are too brief, we are accused of failing to consider certain issues that are not covered in a document. However, that brings us back to the importance of community-led action, whether it involves working with the climate hubs—I recently visited the North East Scotland Climate Action Network Hub in Aberdeen—or with our climate cafes, one of which I recently visited in Dunkeld and Birnam. Those trusted and dedicated local advocates are capable of taking the complex policy documents that Governments have to produce and distilling them in a way that is appropriate for their communities. They do a fantastic job in that regard; I am pleased that we are able to support them, and I want to continue doing so.

**Bob Doris:** Okay—thank you.

**The Convener:** I see that Douglas Lumsden wants to come in. Is it on a point of clarification with regard to the questions that we have just heard, or is it about something from earlier?

**Douglas Lumsden:** It is about something from earlier, convener—I can come back at the end.

**The Convener:** Okay—I will just come back to you at the end, if I may.

We move to Jackie Dunbar.

**Jackie Dunbar:** Good morning, cabinet secretary. How will the proposed new draft national outcome on climate action support the urgent actions that are necessary to reach net zero greenhouse gas emissions and build Scotland's resilience to climate change?

**Màiri McAllan:** I am sorry, Ms Dunbar—is that in respect of the national performance framework?

**Jackie Dunbar:** Yes.

**Màiri McAllan:** Okay—I am just trying to remember the report on the national performance framework; I think that the update report was laid in Parliament on 1 May. It absolutely included a new commitment to climate action, which is about recognising the climate emergency and the extent to which, as I said earlier, climate change is at the core of decision making in Government.

If I remember correctly, it also brings us into line with the United Nations sustainable development goals, which the national performance framework was always intended to mirror. I think that those have moved on since ours have. I am very pleased to see the new target. I think that the Finance and Public Administration Committee is the lead committee for consideration of that, and it will be debated by the Parliament in due course.

**Jackie Dunbar:** When you updated Parliament on the climate policy package recently, you made it clear that full delivery of the Government's plan is contingent on the UK Government reversing the 9 per cent cut to Scotland's capital budget. Will you explain what the impact of that cut is on realising Scotland's climate ambitions?

**Màiri McAllan:** Yes. We were absolutely clear about that. Everybody who has heard the First Minister in recent days will have noted him making it clear that, while public finances are strained in the manner that they are, the cut makes decision making for Government much more difficult.

The spend that is required to tackle climate change is significant for the public purse—I have described it as being eye-watering in certain circumstances. Of course, that leads us to the fact that the public purse alone cannot meet that spend, so we will have to find ways of leveraging responsible private funding.

The cut of up to 9 per cent to our capital budget over the coming years is very damaging indeed. We have talked about heat in buildings. We know that doing what needs to be done in that regard has a significant capital cost. The cut puts the Scottish Government under significant pressure. We also see the impact manifesting in forestry. I know that, during the budget, my colleague the Cabinet Secretary for Rural Affairs, Land Reform and Islands grappled enormously with the issue of capital funding for forestry. That is important to

me, because it is critical to the emissions reduction plan.

I note that the Scottish Fiscal Commission recently reported on the extent to which Scotland is more exposed to high capital costs, particularly in the natural environment. That is critical to what we are trying to do on climate change, yet it is made so much more difficult by the UK Government not having inflation-proofed the capital budget and what that means for us.

**Jackie Dunbar:** Given that Scotland does much of the heavy lifting when it comes to harnessing the power of our natural capital in order to reach net zero, and that, for the whole of the UK to reach net zero, Scotland must do so by 2045—we have heard that in evidence before—is it not logical that Scotland should receive funding in line with the work that it will have to undertake?

**Màiri McAllan:** Yes, I would absolutely say so. Again, a lot of that comes from the Scottish Fiscal Commission's welcome analysis. Although I am saying that the costs of climate action are high, the SFC started off by making the really important point that the costs of inaction are so much higher. It is not a choice of whether we do it; we must do it. The SFC also pointed out that, because of the current fiscal framework, if Scotland is particularly exposed to a climate event, such as a flooding event, we do not have the flexibility to respond to that in the way that we might want to.

You asked about the interconnectedness of Scotland and the UK's objectives, and referred to the substantial weight that falls to Scotland in terms of costs because of how much we need to do in the natural environment. On that, forestry is the key example, although I would include peatland restoration, too. Those are critical to the UK's path to net zero, so I should very much like UK ministers to bear that in mind.

**Jackie Dunbar:** Okay. That is all that I have just now, convener. I may come back in later.

**Bob Doris:** My question has been mostly answered, but it gives me an opportunity to use an acronym that I was not aware existed until preparing for today's meeting: LULUCF—land use, land-use change and forestry.

The cabinet secretary alluded to the Fiscal Commission's report. That states that it is 40 per cent per person more expensive to meet our climate obligations in Scotland because of the nature of our landscape. That is where a bit of partnership working with the UK Government is perhaps needed so that we—that is, Scotland but also the wider UK—can do everything that we need to. Have there been any discussions in relation to that to date? If Scotland does reforestation and peatland restoration well, will that

help the UK to meet its overall climate change targets? Is that a joint endeavour?

**Màiri McAllan:** I, too, remember when I first came across the LULUCF acronym, Mr Doris.

It very much is a joint endeavour. In fact, although the UK's pathway to net zero is contingent on a number of things, it includes Scotland meeting its forestry objectives, which underlines how much more difficult the matter is made when capital budgets that are critical for forestation are cut when they come to Scotland.

I work with UK Government ministers and ministers in the other nations of the UK through a number of forums, not least the interministerial group for net zero, in which we take the opportunity to raise policy and budgetary matters. I assure the committee that the Scottish ministers—certainly, Gillian Martin and I, in respect of climate change—will take every opportunity to raise with the UK Government the need not only for policy progress in certain areas, but for good joint working and for budgetary priority to be given to climate interventions.

**Monica Lennon:** The Scottish Government's review of environmental governance concluded in October of last year. When does the Government intend to lay its statement in response to that review?

**Màiri McAllan:** I cannot confirm that today, Ms Lennon, not simply because of the advice that I am awaiting on future plans, but, more substantively, because of the complexity of the issue and the extent to which it is caught up in the Scottish human rights bill and the right to a healthy environment. Both those factors mean that I cannot confirm today when that report will be published. However, I can confirm that the responses to it and the evidence that the committee has taken are being closely taken into account.

**Monica Lennon:** Okay. I will try to stick to things that we can develop today.

We know that environmental stakeholders have been highly critical of the scope of the review—in particular, the level of consideration of environmental courts—and that some have called for a further independent review. Does the Government accept that the review that it published was too narrow in scope and has consideration been given to the need for a further independent review in the area?

**Màiri McAllan:** My focus just now is on fulfilling the obligations under the act, which are to publish our report, consult on it and report back. While we are doing that, I am not considering an independent review. I am also not currently considering an independent review, because it is

the Government's view that the reports—plural—that we published fulfil our obligations under section 41 of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021—the continuity act, as I will refer to it. However, the process is on-going and, as I have said, the feedback that we have received and the evidence that the committee has taken is all very much under consideration just now.

**Monica Lennon:** Really serious concerns have been raised, even as recently as last week. I note media reports that

“fragile and damaged marine life around Scotland's coasts is not being properly protected”

because the Scottish Government has repeatedly missed

“its deadlines to protect vulnerable marine life.”

The Marine Conservation Society and the National Trust for Scotland raised that issue just last week, and Open Seas has raised concerns, too. Those organisations point to multiple failings on the part of the Scottish Government in relation to marine conservation policy, citing a lack of proper oversight and governance. They have said that there is

“a failure to survey all the seabed and marine features”

and expressed concerns about marine protected areas.

Those are not my concerns; they are those of serious organisations. Can the cabinet secretary say anything today to reassure them, or are they all wrong?

**Màiri McAllan:** No, I do not think that the stakeholders are wrong; their views and their close concern for Scotland's oceans and seas are very important to me. I value their input, not least because citizen science forms a really important part of the work that we do on marine protection.

11:30

There are a couple of points to make. First, on the substance of the issue of marine protection, we are currently taking forward—albeit that it is, regrettably, somewhat delayed—our work to complete management measures within marine protected areas. The committee will know that we have 37 per cent coverage, with management measures in some of those areas, and we are now working to complete that in the inshore and offshore areas. We are also working to protect priority marine features. A huge amount of work is on-going on all that to identify the areas and the features that require protection and to assess the socioeconomic impact of whatever management measures are consulted on. I hope to make progress on all that very soon.

To put that in the context of the original question, which was about environmental governance, our report—I am still reflecting on the feedback on it—reflected what I think is an appropriate balance between the legislature, the Executive and the judiciary in Scotland. The Government's view is that that is currently serving well the issues of environmental law.

**Monica Lennon:** I think that you will say that you cannot answer my next question, either. The proposed human rights bill has been mentioned. What is the Government's view on the human right to a healthy environment? Are you still strongly committed to that, even if you cannot comment on that legislation today? How important is that to improving environmental governance?

**Màiri McAllan:** The existence of a right to a healthy environment that is properly accessible and judicable is a very important part of a human rights bill in Scotland. I cannot confirm the timetable for the human rights bill, not because of the purdah question but because it is the Cabinet Secretary for Social Justice who is leading on that bill. However, I can confirm to the committee that I and my officials in environment have been closely engaged with the development of the bill to date, including the question of a right to a healthy environment.

**Monica Lennon:** I have one final question. I want to get a sense of the Scottish Government's position on reviewing wider legislation, particularly in light of developments in the European Union. The committee received a letter from Lorna Slater, in her previous role, and I had a letter, too, in relation to my proposals on ecocide law. I welcomed Ms Slater's support and proactive engagement on that. What is the Scottish Government's position now?

**Màiri McAllan:** I am glad that you have raised that point, Ms Lennon. The Scottish Government's position has not changed. I am picking up that work from Ms Slater, and I know that she was closely involved with it. David Signorini and I were discussing it prior to coming to the committee. I know that you have undertaken your consultation on the proposal. At the same time, we are awaiting confirmation on the position from the EU.

David, if there is anything further that we can usefully update Ms Lennon on today, I ask you to do so. Otherwise, I can confirm that the Government's position has not changed with Ms Slater's departure.

**Monica Lennon:** Thank you.

**The Convener:** I am sure that you will take that up with Monica Lennon afterwards to update her, cabinet secretary. However, if the position has not changed, I am happy—

**Monica Lennon:** I would be happy to meet the cabinet secretary and her officials.

**The Convener:** Perfect.

We have a few outstanding questions, from Douglas Lumsden, Ben Macpherson and Mark Ruskell. Mark, was your question specifically related to that last issue?

**Mark Ruskell:** Yes, it was in relation to those questions.

**The Convener:** Okay. I will come to you first and I will then go to Douglas Lumsden and Ben Macpherson. I will then come to Graham Simpson at the end.

**Mark Ruskell:** I appreciate that.

Access to environmental justice is critical. It is a really hard-won and hard-fought-for right that communities around the world have struggled to achieve and to get commitments to from Governments. That access is enshrined in the Aarhus convention, which brought together parties internationally to agree those environmental rights.

It is very concerning that the Scottish Government is not in compliance with Aarhus. I know there is going to be another review of the situation in October, but on the back of your answers today, it seems that Scotland will remain out of compliance with Aarhus, and will remain, therefore, in a position in which citizens are going to struggle to get access to environmental justice. Does that concern you?

**Màiri McAllan:** I come back to my general point. The Government's view, having undertaken a review under the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, is that the current balance is serving access to justice well in Scotland.

On the specific point about Aarhus, I think that there were comments about the expense of accessing judicial review, in particular. In our report, we set out a series of pieces of on-going work that are intended to aid access to justice. That includes, as a core part, the right to a healthy environment and the development of that, which we have discussed previously. There is also the review of protective expenses orders, and the introduction in July 2022—I understand—of an exemption from court fees for Aarhus cases. In addition, there are matters relating to legal aid, which are not explicitly within my remit, but fall within the remit of the Cabinet Secretary for Justice.

We considered the question of compliance as part of our report, which is clear on the actions that are currently being taken in order to aid access to justice, because I understand that judicial review,

while it is a very important means of accessing justice, is expensive.

**Mark Ruskell:** Those are your views on the process, not on the merit or otherwise of decisions. If the view of those who oversee the Aarhus convention in October is that Scotland is still not in compliance with it, will the Government take action, or do you believe, as you just said, that the balance is right and what we are doing is fine?

**Màiri McAllan:** Our assessment of the situation is that there are bits of on-going work that will aid access to justice. One of those is the right to a healthy environment as part of a human rights bill. We have to take that work forward and allow it to conclude, and allow the Parliament to be part of that process. In the Government's view, that will aid access to justice, which is a very important issue.

**The Convener:** I call Douglas Lumsden.

**Douglas Lumsden:** I am just looking for clarification. The Government has said that the energy strategy cannot be released because we are in a pre-election period. However, while we have been in committee today, the Scottish Government has published its national events strategy. How can one strategy be released but the other cannot?

**Màiri McAllan:** Convener, I did not say that the energy strategy could not be released because we are in a pre-election period. The whole tenor of my description of my position today is that I am awaiting advice on what can and cannot be said in a pre-election period.

In my comments on the energy strategy, I said that it was not linked to a delay in the climate change plan, and it was, therefore, nearing completion and will be published in due course.

**Douglas Lumsden:** Okay—I apologise if I picked that up wrongly, but I am sure that I heard in the chamber that the energy strategy could not be released because we are in a pre-election period. I will double-check that in the *Official Report*.

**The Convener:** I think that everything will become clearer over the next 48 hours, when we understand what can be allowed. My understanding is that the Scottish Parliament still continues to function and ministers and civil servants will continue to do their jobs. It is announcements that would affect the UK election that cannot be made. Where announcements can be made, I am sure that the Government will push on with that.

Ben Macpherson has some questions.

**Ben Macpherson:** On that point, it has been interesting today to reflect on the point that, when there is a Scottish Parliament election, the Westminster Parliament is in no way constrained in the way that we will be in the weeks ahead. That is quite an inconsistency.

Moving to positive considerations, cabinet secretary, you rightly emphasised in your opening statement or earlier in the meeting—I cannot recall exactly when—the significant progress that there has been in renewable electricity production in Scotland since the passage of the Climate Change (Scotland) Act 2009. Building on that, there is significant further capacity that could be realised, and is going to be realised, in the years ahead. Part of the challenge is the number of projects coming forward, the diversity of those projects and the Government's rightful considerations of biodiversity and other issues.

The consenting process is quite challenging for those who are trying to progress projects on a variety of different technologies and infrastructure initiatives. I have raised in committee and in the chamber, as have other members, the matter of what action is being or can be taken to ensure that we have a robust, appropriate and timeous consenting process, so that projects that will be consented can be advanced as quickly as possible to realise the many advantages that they bring in terms of not just renewable electricity production but job creation, the attraction of investment and many other positives. Do you and your officials want to update the Parliament on those matters?

**Màiri McAllan:** Thank you, deputy convener. I will make a general point and then a specific one on consenting.

First, I consider the energy transition to be the single greatest socioeconomic opportunity that Scotland has faced in many years. It is the job of us all to make sure that things are aligned so that we can seize the opportunity in a way that benefits our economy and our people. Although the Government has much to do in all that, it can be boiled down to creating policy certainty. Our energy strategy will seek to do that, not least by setting capacity targets for each of the renewable sectors that Scotland can deploy.

The second part is having a stable and predictable regulatory regime, which is where planning and consenting come in.

The final thing that we can do is to use scarce public money well and prudently to go where the market might not go, for example, or to help to leverage in private funding.

On your specific point on planning and consenting, which is extremely important, I am reviewing the Government's performance in that respect on an on-going basis. If we take offshore

wind as an example, we are doing well: we are pioneering in not just the technology itself but the scale of what we are seeking to consent in the coming years. That is the case with ScotWind on its own, even before we consider INTOG—innovation and targeted oil and gas. I am sorry to use acronyms. My colleagues from offshore wind will correct me if I am wrong, but I think that the average time for the consenting of projects is 11 months for our part in the process. If I am correct, we have consented a number of projects. Perhaps Annabel Turpie can elaborate on that a little bit.

Marine consenting is just one part of the process, from option agreement through planning, consenting, contract for difference, operationalisation and so on. One of the biggest constraints in all that is grid connection. Although we will continually seek to improve what we are doing, and we are challenging ourselves to get the average time down, we currently see marine consents going through at an average of 11 months, whereas developers are getting grid connection dates in the mid-2030s. That underlines the importance of cross-UK working on the long-overdue upgrades of the electricity grid. I will hand over to Annabel Turpie to say a bit more on performance to date.

**Annabel Turpie (Scottish Government):** As the cabinet secretary has said, offshore applications received since 2015 have taken 11 months on average to determine. Prior to 2015, they took 18 months. We have recently consulted on improving guidance, and we have worked with developers and other groups to ensure that we continue to think about how we make it easier to get robust but timeous determinations.

I will provide a little bit of context. To date, we have consented 6,374 MW, and 689 MW of that was in April 2024 in the run-up to AR6. Again, it is about the interdependencies. I apologise—AR6 is the sixth allocation round, which is the round that the UK Government runs that sets the price in the contracts for difference. It is a big deadline in the consenting world.

The total installed operational capacity is sitting at 1,872MW. Again, that points to offshore wind as very much the start of the process, but the end of the process—getting turbines in the water, which is what we all want to see—involves a lot of groups across the UK, including the private sector, environmental non-governmental organisations and other sectors that are affected, and it involves planning. That is why, as the cabinet secretary said, we are joining up across the piece, because if we do not join up, we will not deliver what we need to deliver.

We want to improve consenting timeframes wherever we can, but we want the determinations

to be robust, because that is what helps to get the turbines working in the water.

11:45

**Ben Macpherson:** That was a helpful update. I am not taking away from the fact that there is a good average and that there is progress, but I think that it is important for all of us to seek to continue to refine and improve the process as much as we can, given its potential.

**The Convener:** We now come to Graham Simpson.

**Graham Simpson:** It is still morning, so good morning, cabinet secretary. Just to get it clear in my head, I go back to the very start, where we were talking about the climate change bill and the climate change plan. Currently, legally, you have to produce a climate change plan by November, but you want to delay that and introduce a climate change bill. Am I right in thinking that, in order for it to be legal for you not to have a climate change plan by November, you would need to have a climate change bill passed before that?

**Màiri McAllan:** Yes, that is correct. I tried to set that out earlier but I appreciate that it is complicated. Part of what the legislation needs to do is to change the date for when the climate change plan is due. It is currently due in draft by November, but that is under a framework that cannot be met.

**Graham Simpson:** The timescale is that the bill would have to be done and dusted by November?

**Màiri McAllan:** That is correct.

**Graham Simpson:** That is useful.

The Scottish Government still likes to keep pace with European regulations, so I wanted to ask about one that I have been following for a while now, which is regulation EU 2023/1804 on the deployment of alternative fuels infrastructure. I am not expecting you to be all over the detail of that, but it is now in place and it does a number of things. You have already been asked about EV charging. By the end of December 2025, there should be one recharging pool at least every 60 kilometres, or 37 miles, on the main road network in the EU.

The regulation also does a number of other things—I am sure that you can look it up afterwards—such as in relation to hydrogen infrastructure for road vehicles, liquefied methane for road transport, electricity supply in ports, electricity for aircraft, railway infrastructure to include hydrogen and battery power, and easy payment for EV charging.

As I say, I am not expecting you to know all this. I do not expect you to have the regulation in front

of you, but do you have the ambition to mirror that regulation here in Scotland?

**Màiri McAllan:** Convener, I will do my best. I appreciate Mr Simpson being clear that he knows that I do not have the detail of that in front of me. It goes back to the continuity act. Our desire and intention is to keep pace with the EU where it is practicable and in Scotland's best interests, so we will consider EU developments on a case-by-case basis. The constitution secretary, Angus Robertson, deals with the overarching approach to that work from a Government perspective. Given the content of what Mr Simpson has narrated, this particular directive—I think you said that it was a directive—

**Graham Simpson:** It is a regulation.

**Màiri McAllan:** The regulation will be of interest to the transport secretary principally, as well as to me, given the decarbonisation aspect.

**Graham Simpson:** It is a transport issue, but it is also an energy one—it involves the kind of energy that we use. I would like to see this provision apply across the UK, because if we are going to encourage people to use electric vehicles, we need more EV charging stations, which this regulation will make happen.

An example of where we are failing, which I think that the convener is well aware of, is the fact that, on the A9, we have not even designed in a service station, let alone an EV charging station. It seems to me that, if we want to mirror the EU, we need to be looking at exactly this kind of thing.

**Màiri McAllan:** Yes, I appreciate that having responsibility for co-ordination of net zero policy across the Government absolutely requires me to scope the issue right across all the departments, although I cannot give the committee absolute certainty on matters that are outside my portfolio.

On the point about EV charging, Mr Simpson is absolutely right: access to charging is critically important. I would take the opportunity to remind the committee that Scotland has the best and most fulsome network of public EV chargers per head of population anywhere in the UK outside of London, and the Government has recently committed to an additional 24,000 charging points by 2030. We recognise the point that Mr Simpson makes, and we are working on the deployment of EV charging, proceeding from a rather good position.

**Graham Simpson:** Perhaps you could write to the committee on the detail of the regulation. I will leave it there, convener.

**The Convener:** I have a simple question to end the evidence session. The Paris agreement suggested that we could limit temperature increases to 1.5°C, and there is a lot of scepticism

that that target can be met. So, on the basis that temperature increases will drive your climate change plan for the future, what temperature increase are you working to for Scotland to make sure that we have got the right plan in place?

**Màiri McAllan:** Yes, that is a very simple question, convener.

I will take the question globally and then address it from a Scottish perspective. As you said, there is scepticism about whether the 1.5°C target can be met. Of course, 2023 was the hottest year on record, and we surpassed 1.5°C for, I think, the whole year. However, that rise was not sustained and therefore the Paris agreement was not breached, but it is deeply concerning and unacceptable.

The global stocktake at COP28 and the work that came from that considered the commitments that have been made in terms of fossil fuel and so on and determined that the target of 1.5°C could be kept alive globally if the actions of states were in line with that.

In respect of Scotland's position—noting, of course, that Scotland cannot solve the climate crisis, but that the climate crisis cannot be solved without countries such as Scotland doing their bit—my understanding is that retaining 2045 in our legislation would keep us aligned to 1.5°C. I will ask questions of, and seek advice from, the Climate Change Committee when it comes to setting those carbon budgets.

**The Convener:** When you set your climate change plan and the plans for the future, you must have a temperature in mind that will be the temperature that you have to work to in order to achieve all the things that you want to do. I mean, if it gets too hot, you cannot achieve some of the plantings that you want to achieve or carry out some of the rewilding that you want to do, because areas might have dried out. I wondered, therefore, whether you had a temperature in mind. Are you just going to work to 1.5°C and keep your fingers crossed that it is going to be the right figure?

**Màiri McAllan:** It is not a case of keeping fingers crossed. There is consensus that a rise of 1.5°C is the point at which the dangers of climate change become unmanageable and, in some cases, irreversible. I understand that the 2045 target for net zero is aligned with a rise of 1.5°C. It is absolutely my intention that we will retain 2045 as our mid-century target, and then it will be for the CCC to advise me on the trajectory to get there.

**The Convener:** I thought that I always got the last question, but I see that Mark Ruskell wants to come in.

**Mark Ruskell:** Is it possible that the climate science may say that we need to meet net zero before 2045?

**Màiri McAllan:** I should not prejudge something as significant, expansive and complex as climate science, but I think that the consensus just now is that we should be working towards 1.5°C.

Incidentally, in respect of our adaptation work, the Climate Change Committee's advice is that we should prepare to adapt to a rise of 2°C and assess the risk of increases beyond that. I say that just for context.

**Mark Ruskell:** Do you think that there is potentially a pathway to meeting net zero before 2045, in terms of the action that is required?

**Màiri McAllan:** I think that 2045 remains the correct aim, and the CCC has recently confirmed its view that 2045 remains the correct net zero target for Scotland.

I am glad to take the opportunity in closing today to restate the value that I put on following science, so that what we do is feasible as well as ambitious.

**The Convener:** As those are all the questions that we have, cabinet secretary, I thank you and your officials for attending. Of course, this might be the last time that we see you before you go on leave, and, on behalf of the committee, I wish you well in the next few months.

11:56

*Meeting continued in private until 12:16.*

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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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