



Stop Climate Chaos Scotland

Input to Smith Commission

October 2014

Introduction

Stop Climate Chaos Scotland (SCCS) is the biggest civil society coalition in Scotland, with 60 organisations campaigning together on climate change. Our members include environment, faith and international development organisations, trade and student unions and community groups. We are a non-party-political Scottish registered charity.

We welcome the opportunity to input to the Commission, though, like others, we have significant concerns about the short window of opportunity for formulating a position and making a submission. We recognise the Commission is working to a fixed timetable, however we call for as much engagement as possible with civil society and the wider public throughout this process and beyond.

As a diverse coalition, this submission does not necessarily reflect the views of all SCCS members but rather reflects issues that they are raising individually or collectively.

Summary of recommendations:

Recommendation 1: The Commission must consider whether any further devolved powers will or will not better enable Scotland to meet its climate commitments.

Recommendation 2: In making its recommendations, the Smith Commission must stress the importance of devolved powers being used to meet Scotland's climate commitments, including the emissions reductions targets in the Climate Change (Scotland) Act 2009.

Recommendation 3: We ask the Commission to consider whether further devolution of energy policy could potentially tidy up the often-conflicting mix of devolved and reserved powers, enable Scotland to develop new approaches to energy policy and address the challenges and opportunities of harnessing its distinctive renewables potential.

Recommendation 4: The Commission should consider whether formalising Scotland's international development programme may assist Scotland's commitment to and action on climate justice.

Recommendation 5: The Commission should consider whether further devolution of transport could better enable Scotland to develop its transport policy and to reduce emissions from this sector.

Recommendation 6: If air passenger duty is to be devolved, we ask the Commission to provide a clear recommendation that the power should be used to help meet Scotland's climate change targets.

Recommendation 7: We ask the Commission to consider whether the further devolution of aspects of energy efficiency and fuel poverty would better enable the improvement of energy efficiency in Scotland's specific housing stock, thereby contributing to Scotland meeting its climate targets.

Recommendation 8: The Smith Commission should consider how Scotland's contribution in devolved policy areas including climate change, can be represented in a more meaningful manner within international forums.

Principles underpinning our input

Climate change is the most important and pressing issue facing the world. Global greenhouse gas emissions continue to rise and are now 61% higher than they were in 1990 (the baseline year)¹. At the same time, global temperatures are increasing² and climate impacts are being felt across the world. The Intergovernmental Panel on Climate Change, which brings together thousands of climate scientists from across the world, confirms these facts in great detail in its most recent suite of reports³.

Scotland, along with other rich nations across the world, bears its share of the historical responsibility for climate change, caused by human activities and the related increased greenhouse gas emissions in the atmosphere. Some of the world's poorest people are already suffering the severe impacts of that climate change. We therefore have a moral duty to address this issue, by reducing Scotland's emissions and assisting those in other parts of the world already affected by climate impacts.

While climate change is not reserved to Westminster, the cross-cutting nature of this issue means that many areas which directly affect its mitigation in particular are reserved. We therefore believe the Commission must consider whether any further devolved powers may or may not better enable Scotland to meet its climate commitments. In particular, the Commission should consider whether any further devolution would improve the coherence of governmental action on climate change and therefore improve its effectiveness.

Recommendation 1: The Commission must consider whether any further devolved powers will or will not better enable Scotland to meet its climate commitments.

Assessment of current situation

The Climate Change (Scotland) Act 2009 goes beyond the UK legislation of 2008 in a number of areas, including: a 42% emissions reduction target by 2020 (UK target is 34%) compared to 1990 levels; it includes emissions from international aviation and shipping; and it places a three-part duty on all public bodies in relation to climate change. This legislation was passed unanimously with the support of all five political parties in the Scottish Parliament.

It is imperative that the commitments set out in this Act, including all emissions reduction targets, are realised. Thus far, the levers currently available to Scottish Ministers, particularly in the areas of transport and energy efficiency of buildings, have not been used to their full effect to reduce emissions in line with this Act. In fact, all three of Scotland's annual emissions targets so far have been missed⁴.

Given this, we are continuing to encourage the Scottish Government and Parliament to implement the measures required within devolved competencies to further reduce emissions, in line with the Act. Alongside its recommendations, the Smith Commission has made clear its findings will be based on the principle of 'powers for a purpose'.

Recommendation 2: In making its recommendations, the Smith Commission must stress the importance of devolved powers being used to meet Scotland's climate commitments, including emissions reductions targets in the Climate Change (Scotland) Act 2009.

However, we also recognise that a number of currently reserved areas have a significant impact on greenhouse gas emissions, such as energy and international aviation and shipping. Given the Smith

¹ www.wmo.int/pages/mediacentre/news/index_en.html#globalcarbonbudget

² www.wmo.int/pages/mediacentre/news/RecordheatinAugustJune-August.html

³ <http://www.ipcc.ch>

⁴ <http://news.scotland.gov.uk/News/Scotland-on-track-for-2020-climate-target-d63.aspx>

Commission's remit is to agree on a package of 'substantial and cohesive new powers'⁵ to strengthen the Scottish Parliament within the UK, we will address these reserved areas in more detail below.

In reviewing the current context, it is also important to note the Scottish Government's welcome commitment to climate justice. Through the Scottish Climate Justice Fund, the Scottish Government provides funding to people in developing countries that are suffering the impacts of climate change right now. The fund provides £6m over three years and is additional to the Scottish International Development Fund. It supports climate adaptation projects in Malawi, Rwanda, Tanzania and Zambia, with a focus on water-related adaptation⁶.

Key areas for the Commission's consideration

There are a number of key areas which could be devolved and which potentially have a significant impact on how Scotland can address climate change. These are:

Energy

Energy is currently largely reserved to Westminster. However, secondary legislation has devolved aspects of these powers including the power to vary the level of the Renewables Obligation in Scotland and consent for power stations greater than 50MW onshore and 1MW offshore. Recent changes have meant that Scotland has lost the power to vary financial incentives for renewable technologies.

At the same time, planning is fully devolved. Scotland has used these powers to set a target to produce 20% of all energy from renewables by 2020 (UK target 15%), and aims to decarbonise electricity generation by 2030 (no UK target). Most notably, the Scottish Government has used its planning powers to rule out new nuclear power stations, although supporting life extensions to existing capacity⁷. These conflicts have resulted in disagreements over issues like transmission charges, Electricity Market Reform, support for renewables and subsidies for nuclear power.

Recommendation 3: We ask the Commission to consider whether further devolution of energy policy could potentially tidy up the often-conflicting mix of devolved (e.g. planning) and reserved (e.g. energy regulation) powers, enable Scotland to develop new approaches to energy policy and address the challenges and opportunities of harnessing of its distinctive renewable potential.

International development

Whilst international development policy is reserved to Westminster, Scotland has a successful International Development Fund and Climate Justice Fund. These funds go beyond the UK International Development Budget, to which Scottish taxpayers also obviously make their contribution.

Scotland's approach to climate justice has been recognised internationally, including by United Nations Climate Ambassador and former President of Ireland, Mary Robinson. We would therefore encourage the Commission to consider whether formalising Scotland's international development programme may also assist Scotland's commitment to and action on climate justice.

Recommendation 4: The Commission should consider whether formalising Scotland's international development programme may also assist Scotland's commitment to and action on climate justice.

Transport

Transport is mostly already devolved, though a number of areas remain reserved to Westminster including, for example, road signage and administration and control of the railway network.

⁵ <http://www.bbc.co.uk/news/uk-scotland-scotland-politics-29712514>

⁶ <http://www.scotland.gov.uk/Topics/Environment/climatechange/climatejusticefund>

⁷ <http://news.scotland.gov.uk/News/Scotland-s-response-on-nuclear-power-553.aspx>

Transport in particular is an area where the Scottish Government already has powers to do much more to reduce Scotland's emissions from this sector, but is not yet sufficiently focused on creating a sustainable transport system, with just 2.5% of the total transport budget in Scotland being allocated to sustainable and active travel, the lowest carbon forms of transport. Greenhouse gas emissions from Scotland's transport sector remain at around the same level as they were in 1990, so much more must be done in this area if Scotland is to reduce emissions by 42% by 2020 and 80% by 2050.

Recommendation 5: The Commission should consider whether further devolution of transport could better enable Scotland to develop its transport policy and to reduce emissions from this sector.

Air travel is one of the fastest growing sources of emissions and Scotland's share of international aviation emissions has more than doubled since the baseline year of 1990⁸. It has been suggested that air passenger duty could be devolved to Scotland⁹ and could be considered in order to help reduce emissions from this sector. If it were to be devolved, we would call for carbon implications to be fully considered.

Recommendation 6: If air passenger duty is to be devolved, we ask the Commission to provide a clear recommendation that the power should be used to help meet Scotland's climate change targets.

Energy efficiency

Building legislation and the promotion of energy efficiency are both devolved, but principal energy efficiency schemes are UK-wide, including the Energy Company Obligation and the Green Deal. Scotland has the power to develop additional schemes and, unlike England, Scotland still operates a taxpayer-funded scheme to tackle fuel poverty, focussed on area-based delivery (Home Energy Efficiency Programmes Scotland).

Scotland has unique housing challenges: high fuel poverty¹⁰, lots of hard-to-treat historic properties, rural, off-gas-grid homes, colder and more extreme weather and other specific issues, that we believe may warrant more targeted Scottish interventions. Further devolution could open up the possibility of more taxpayer funded schemes or the development of market-based schemes that are designed for the specific nature of the housing stock in Scotland.

Recommendation 7: We ask the Commission to consider whether the further devolution of aspects of energy efficiency and fuel poverty would better enable the improvement of energy efficiency in Scotland's specific housing stock, thereby contributing to Scotland meeting its climate targets.

Scottish representation at international meetings

SCCS has long supported Scotland's Climate Change Minister taking part in the United Nations Framework Convention on Climate Change (UNFCCC) process as part of the UK delegation. Given that the Scottish Parliament is responsible for setting legislation about climate change, creating a distinctive policy environment in Scotland, and given that Scotland has a distinctive geography and environment, we believe it is important that a Scottish Minister is able to contribute the particular and distinctive circumstances of Scotland to these discussions, as part of a UK delegation.

Recommendation 8: The Smith Commission should consider how Scotland's contribution in devolved policy areas including climate change, can be represented in a more meaningful manner within international forums.

Consideration could also be given to strengthening the mechanisms for Scottish Ministers to make direct representations at the EU level on devolved matters including climate change.

⁸ <http://www.scotland.gov.uk/Resource/0045/00452084.pdf>

⁹ See Scottish Parliamentary Motion S4M-10185 from Keith Brown MSP on 2nd June 2014

¹⁰ <http://www.scotland.gov.uk/Topics/Built-Environment/Housing/warmhomes/fuelpoverty/ScottishFuelPovertyForum>

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Stop Climate Chaos Scotland (SCCS) is a coalition of organisations campaigning on climate change, including environment, faith and development organisations, trade and student unions and community groups.
Stop Climate Chaos Scotland is a charity, registered in Scotland