

SCOTTISH CLIMATE CHANGE BILL CONSULTATION

CONVENTION OF SCOTTISH LOCAL AUTHORITIES WORKSHOP REPORT

February 8, 2008

This report details the issues raised at the above event, held as part of the consultation on the Scottish Climate Change Bill.

CONTENTS

	Page
Welcome highlighting the main points raised in the opening remarks.	1
Questions and Answers providing a detailed account as a largely verbatim transcript.	2
Workshop discussions <ul style="list-style-type: none">• Theme 1: Delivering on commitments.• Theme 2: A new framework – building on existing practice.• Theme 3: Reporting and scrutiny of central and local government.• Theme 4: Changes to legislation to enable local government to take action <p><u>All</u> points arising in these sessions are identified by theme and sub-theme, and summarised in bullet points (they are not verbatim transcriptions). Note: These were often made by individual participants, and there were many areas in which there was no consensus view given. However, where there was a clear balance of view, this is noted.</p>	8 15 19 26
Closing remarks highlighting the main points raised	36

WELCOME

Councillor Alison Hay, COSLA spokesperson for Regeneration and Sustainable Development, welcomed participants, and stressed the importance of climate change to local government, and the urgency of the issue.

Cllr Hay suggested that there is a need to look at how local authorities can support current efforts to address climate change, and build upon the many existing successes and examples of innovation. She stressed the importance of working in collaboration and partnership with the Scottish Government, in the spirit of the new relationship, which is less “top-down” and is based upon mutual respect. She identified the need to look at how the Bill will promote joined up working.

The 80% reduction target was introduced, as was the need to consider the key role of local government during the discussions throughout the morning, in the overall context of the “big picture” (which Cllr Hay noted is the focus of most of the consultation document). She also identified that there is a need to look at the Bill in the current context of Single Outcome Agreements.

In terms of the consultation process, Cllr Hay noted that COSLA and local authorities would submit separate written responses. COSLA will also create a small Task Group, which will run alongside the consultation to ensure that local authorities’ concerns are heard.

Cllr Hay also noted that work on climate change does not end with the Bill. It will be a priority in COSLA’s Business Plan, and this will lead to the opportunity for the Climate Change Task Group to grow in scope, and to address related work. This, in turn, will help to ensure that the issue is kept at the top of the local authority agenda. She also called for a Ministerial Climate Change Steering Group, with representatives of government, business and the public sector. It was noted that the Concordat has improved access to Cabinet Secretaries and Ministers, and is leading to better relationships between local authority officers and Government. Although it was suggested that it will take time for the partnership to settle, it was identified that this will bring benefits in the future.

Cllr Hay concluded by suggesting that it is in everyone’s interests to have a bill that will promote joined up working and act as a spur to further action.

Kevin Moroso from the Scottish Government then sought participants’ permission for the sessions to be recorded.

Susie Gledhill from the Scottish Government provided an outline of the consultation paper. This was followed by a question and answer session which is detailed below, largely verbatim.

QUESTION AND ANSWER SESSION

Cllr Alison Hay (COSLA); Susie Gledhill (Scottish Government); James Fowlie (Team Leader, Regeneration and Sustainability, COSLA).

Q1 How can there be two baseline dates?

A Susie Gledhill - The 1990 date refers to CO2. The F gases were not around in 1990, so the 1995 date refers to those.

Q2 We had a big public meeting the other night, and there were concerns about the M74 coming through the South Side of Glasgow. From the document, transport is omitted from targets. You see combined heat and power, but the roads programme in Scotland just now is massive. When measuring the emissions from a motorway, it's not just the actual motorway. What we're seeing with the M74 is they want to build retail parks along the route, and more roads mean more cars. I'm trying to get at how real this aim is from the Scottish Government on tackling climate change, when the combustion engine is probably the biggest emitter. It should be coming up here in supporting measures. Transport is not mentioned, how we're going to tackle it. Cycling can work, more user-friendly things. In Glasgow, we have over 2 dozen railway stations along the M74 route, where you can't get in with a buggy, or wheelchairs. That should be before you build a motorway. That should be tackled first, to say to people, come and use public transport, not drive to the airport. Overall, the document is good, but I hope it raises lots of topics.

A Alison Hay - From the COSLA perspective, at the start of the new session, were looking at items for the Business Plan and one of the top priorities is sustainable transport. This ties in with everything in the Bill, and believe that local authorities should be encouraging people to take the healthy option with transport, and to make it sustainable. It is something that can't be ignored.

Susie Gledhill – The difficulty between what transport emissions are forecast to do and climate change is one of the reasons why there is a Minister responsible for both climate change and transport and planning, to try to get to grips with some of those difficulties. There are a lot of opportunities. The Scottish Government is trying to bring forward work to try to measure the carbon impact of different policies and programmes. That won't be ready immediately, but over the next couple of years ago they want to do that so that there is clear information available, for better accountability and credibility. There is opportunity here. Congestion charging is a controversial issue, but that is one way. Equally, if there are other issues, such as provisions to ensure better access to public transport, to make it more accessible, this would be an opportunity.

Q3 One of the slides, regarding microgeneration, said possible inclusion in the future. Microgeneration, particularly micro wind turbine – Scotland is close to being a world leader. We have at least 3 or 4 companies in Scotland producing various products, all of which are being held up by the planning process, which was going to be resolved on a GDPO basis under Sarah Boyack's Bill in the previous administration. This seems to have died a death, or been thrown back into the stewpot. Can we have some notion as to whether it's going to be brought forward as

a matter of urgency, rather than having a process? I mentioned this at a conference previously, and see no evidence that something has been done to bring this forward. All these companies are requiring the planning regulations to be more relaxed or more specific. Edinburgh was leading the way, and nothing's happening. If these industries are not given the right support, without having to go to public money, we risk the chance of losing a major export and indigenous industry.

Susie Gledhill – There is work going on to try to make sure that microgeneration is included within permitted development rights, but there also have been cases of people's gable walls being ripped off by micro wind turbines, so they are trying to get over some of the safety issues and how to make sure that only the tested technologies are permitted.

Follow up – A lot of work has been done by BRE and the British Wind Energy Association on this. I sat on the panel in Scotland, advising on the content of the Bill and that was a year and a half ago. There are plenty of accredited products on the market. This is an example where, to have this held back, Government gets severe stick, not just for microgeneration, but there are technologies coming forward that are held back because of the labyrinthine speed that things tend to move.

A Alison Hay – There is work going on, and it is tied up with planning, and we do need to be careful. It would be remiss of people to just say you can have a windmill in every single house. We need to be careful how we do this, but there is an imperative that we get it done fairly quickly and hopefully we can do this with the Government.

Q4 In terms of Bill, regarding the responsibilities of local authorities and public sector for their own travel to work policies, which seem from my experience to be down the whim of the local authority or the body to interpret or implement it. I have been trying in my own local authority to encourage them to have a situation whereby staff internally needed to travel as little as possible from home to work. For example, a librarian will do the same job in any library – why should they need to travel 5 or 6 miles to a library, rather than work at their local library. In Glasgow, where there are 36000 employees, surely there is a more rational way and it needs to be incorporated into the Bill. I don't see councils or public sector bodies just doing it voluntarily. There needs to be a better steer. It needs to be more enshrined in the legislation. Is that something we can do something about?

A Alison Hay – That is something the working group could take on board and we could steer that through things like Enterprise. My own council is looking at travel plans, but it will be very much horses for courses, because I come from a very dispersed rural council area, and trying to get somebody to cycle 14 miles in a hailstorm to their work is going to be difficult, but it is important to drive this through the working group.

Q5 Welcome the bit in the consultation which puts a lot of emphasis on carbon budgeting, as this is really key to reducing carbon emissions successfully. Agree that there should be something in the Bill which puts a duty on every body, local authority or public authority, and encourages others to reduce their carbon emissions, and reduce their carbon footprint, and do some carbon budgeting. How complex is that?

Take Edinburgh – there are people travelling into Edinburgh who affect our carbon emissions in cars coming in, or are they the outlying authority’s carbon emissions? We need to find some way of not double counting and of having an accountability by the people actually using the mode of transport. Encouraged to hear that there is a possibility of putting into the Bill the ability for city local authorities to introduce congestion charging. Think it is a disaster that Edinburgh didn’t have that. Hopefully, once the trams are up and running, and once things are working, people will see the real alternatives that are out there, in terms of city car club (which now has 1000 members and 50 cars). I’m talking about urban populations where you can make a huge change in carbon emissions, and I accept that rural areas are different. Wind turbines in Edinburgh are not going to work, but they would work in rural areas, and we should not be imposing on one area the solutions that work in others. There is a need to get that flexibility into the Bill.

A Susie Gledhill - Greenhouse gas emissions are already broken down by local authority area, but it might be inappropriate to target those, because, for example, if you have Grangemouth in your local authority area, or Cockenzie or Longannet, that will dominate your emissions, but you can take those out and look at the other emissions which are produced within your local authority area. Alternatively, you might think it is more appropriate to look at people’s consumption, and there are carbon footprinting models which can be used. One area has worked with academics to look at consumption based modelling, so there are different options. If that is something that you would want to see in the Bill as a duty, it can be explored in the workshops.

Q6 One of the biggest hurdles that planning has to overcome are the so-called environmental designations. It is clearly recognised in Europe that climate change is the over-riding priority, and that is in the Directives, yet the interpretation of the Directives that are used in this country do not put climate change at the head. They put so-called environmental protection, which actually prohibits renewable energy. Is it not time that ridiculous contradiction was addressed?

A Alison Hay – You are right to a degree, but although climate change is vitally important and we do need to do a huge amount to try and resolve what is going to be a catastrophic problem if we don’t take action, we do have to balance that against destroying some of the best scenery, the best environment that we have got, and it is a balancing act. We can’t just put up forests of wind turbines that take up every acre of rural landscape, because that would destroy something irreplaceable, and that people enjoy by way of recreation. There has to be a balance about what we do and it is going to be very tricky to get that right, but there are technologies progressing. We shouldn’t throw all our eggs into the wind turbine basket. We have wind power, we have solar power, and what Government and local authorities need to encourage is the research and development and the time needs to be put into pushing forward these new technologies at a faster rate than is happening at the moment. If we did that, Scotland could become a world leader in some of these technologies, and we could be out there promoting them. There are business opportunities for people. We get tied up with windmills because that’s what we have at the moment, but there are huge opportunities for further technologies and we need to be pushing these, and then we maybe get this balance right.

Follow up With respect, I never mentioned windmills. I said renewable energies. Indeed balancing, is that not recognising priorities.

A Alison Hay - Yes. James Fowlie – There needs to be a balance there, but what we need to do as part of this exercise is decide is the balance right at this point in time, given where we are? That's the debate that we're having here, and the debate that we should be having. Susie made it clear that if there are things that need to change there is a real opportunity within this Bill to change those things, and to look at it in the context of where we are now, what political priorities are, what environmental priorities are etc. Let's take that opportunity.

Q7 The best example I've seen over the last couple of months is that we've got a roadshow going round and it's showing the energy coming from our schools, and the energy that will come from our new school. Then I thought some of our offices that we have our staff in are not fit for purpose, and what kind of energy does it take to heat them for the staff, so we're doing many things. Buildings that are not fit for purpose, along with hot desking should be part of this. Also, relating to businesses, by 2050 there will be a huge amount of money in businesses, a million jobs in Britain alone and 100 000 in Scotland, and this should be a very important part.

A James Fowlie – There is a whole issue around a culture change, and local government, central government and a range of public agencies can do it is to provide a leadership role. You walk along Princes Street, and all of the doors are wide open, and they are pumping heat literally out the door. The lights are on all night. Why is that? It's a culture that you've got to be able to look into the shops and see what's in there. In some European countries, it's not like that and we need to look at things like that. We can't necessarily legislate for that, but we need to look at how we can provide some community leadership and change people's opinions and thinking.

Q8 Frustration with discussions on renewable energy when they tend towards wind, when we've got the most fantastic tidal resources potential around, and fantastic solar potential, because you don't need sunshine for solar power. What we've got to focus on is that it's not about energy generation, it's about energy reduction. We've got to focus on those three main centres – space heating (there is no longer any excuse why we should not be going for the zero emission space heating and the zero input house, and one council is producing some supplementary planning guidance on that); transport (taking in all of the forms of transport – one of the key assets Scotland has is that we are a pretty good maritime nation and we need to build on that asset – we need to take in the shipping and aviation, the international and cross border transport); and “everything else”, the third sector (which is not much talked about). One of the worries about counting this is that we simply export our heavy energy production uses. You build a concrete block offshore, and you ship it in by sea, and at that calculation, the carbon footprint of that concrete block is almost nothing. You built that concrete block in Scotland, quarry it, and the emissions are enormous. That's cheating.

A Susie Gledhill – The choice over the production of emissions versus the consumption is a pragmatic one, because it is so difficult to count the emissions of everything that we import, but equally the consultation makes clear that the last thing

the Bill is trying to do is trying to export emissions. Ultimately, we want to try and help climate change. If that means we're closing down heavy industry, ruining Scotland's economy and getting those things produced in other countries where it may emit more, that defeats the whole purpose. Ministers are alive to that, and it is about trying to design the framework in a way that takes that into account. In terms of the Government's National Performance Framework, the national indicator is the next tier down, and it is to reduce the global impact of our production and our consumption. That very clearly states upfront that nobody is looking to try and push the problem off into other countries and "cheat" but it is very difficult to try and count it within the targets – we may have to tackle it in another means, but there is no desire to try and export our emissions.

Q9 It's right that the Government is looking to the Adair Turner committee - there's no point in reinventing the wheel. The fact that you mentioned combined heat and power is quite interesting – can remember campaigning on that in the 1970s, it's not a new concept. A lot of things are not new, they just haven't been properly developed. If we had put a tenth of what we put into nuclear power into any of these things, we'd be home and dry now. Carbon technology – one of the things that is highlighted by this sort of course is my own ignorance of the detail, for example, of carbon technology, carbon footprints etc. One of the problems we are going to have is that if we, as a council, don't meet our waste targets, and these are EU imposed directives, we get heavily fined. I have a feeling that if we don't have some sort of stick as well as a carrot, they may be difficult to impose. For the best of reasons, councils may not quite meet their target. A previous speaker talked about rural areas. I have that problem. If I want to get to Edinburgh, I can be here with a half hourly service, but it still takes a couple of hours on the bus. We're working hard to get the railway. The bus is a very good service to Edinburgh or Carlisle, or even Newcastle, but if I want to go to Berwick, I have no alternative but car unless I can spare a day to get there. Same to Peebles or anywhere within Lanarkshire unless it's on the bus route. We must, therefore, make the distinction between rural and city authorities.

A Alison Hay – Waste is one of the things that has exercised councils for a long time. If we exceed our landfill targets, we get fined. I disagree, however, with what the speaker said, and think there must be better ways of doing something than fining a council. It is just taking money away from a council when they desperately need it to improve their recycling targets and do all the things that we have to do to reduce carbon emissions and help climate change. I was pleased when Richard Lockhead announced a review of the landfill allowance tax system. Hope that he will find an easier way of having the stick available if it is necessary.

Follow-up Not saying it is right, it's the way it is.

Q10 In favour of public transport, but you can't get a bus in Easterhouse or Castlemilk, because they're not controlled by the local authority, they're all private enterprise. It's all for money. They don't give a damn about people who can't get into town to go to the swimming pool. I cycled to work 50 years ago, and also went about my business in an electric vehicle which delivered to the outskirts of Glasgow. Today it's all 4 x 4s, 6 litres or 4 litres. The Government needs to control public transport and Glasgow wants control of theirs right away.

A Alison Hay – There is perhaps an argument that says we do need to have some sort of regulation about public transport. Remember when the buses got deregulated and Glasgow became chock a block with buses all over the place and they all arrived together and wouldn't be going to the places you wanted them to go. It makes a bit of a nonsense of us trying to get a grip on how we control emissions and transport and make it fit for purpose, for people to use in a more responsible way. There needs to be some sort of look at transport, particularly public transport.

Q11 Get the sense that the document is a bit technologically biased. The key to success is one of the themes coming through from the Scottish Government which is about engaging with communities and changing behaviour of individuals. If local authorities have a strong role, it's leading in that – they are uniquely placed with networks to do this. To learn from the waste experience in terms of recycling rates, which we have all done particularly well on, largely because of the stick, the waste arising in Scotland is increasing rather than decreasing although we are recycling more, so we are almost focusing on the wrong end of it. We need to use less of everything, so if you provide people with cheaper renewable energy, the temptation is that it is usable, so instead of putting a couple of jumpers on you heat the house. It's changing the balance to focus as much on behavioural change and the role we can play in that, and how we resource that and get better at that, rather than focusing on the more technological solutions.

A Alison Hay - Not going to disagree with that. However, we have recycling targets, and I would call them a target, but how we achieved our nearly 30% recycling rate was money, and that was through the Strategic Waste Fund that the Government had. Councils bid for that, and recycling rates went up. I wouldn't call it a stick as such.

Susie Gledhill – The consultation is not supposed to be a strategy of how we reduce emissions, it is only trying to look at what changes in legislation are needed, and what legislation is needed to build the framework. Have had very few suggestions for any legislative changes that are needed to support behavioural change. There have been more suggestions of legislative changes that are needed to support technological change, so that is why it may appear to be biased in one are, but it is not supposed to be. It is purely because it is looking at legislation, not the different means.

WORKSHOP DISCUSSIONS

Participants split into workshops to discuss four key themes, as follows:

- *Theme 1: Delivering on commitments.*
- *Theme 2: A new framework – building on existing practice.*
- *Theme 3: Reporting and scrutiny of central and local government.*
- *Theme 4: Changes to legislation to enable local government to take action.*

Within each workshop, participants were asked to consider a number of specific questions. The points arising in these sessions are identified below by theme and sub-theme, and summarised in bullet points (they are not verbatim transcriptions).

THEME 1: DELIVERING ON COMMITMENTS

Delegates were asked to consider the following questions:

1. *How can the Bill embrace what's already in place between national and local government on climate change?*
2. *How to we ensure that existing commitments between national and local government are taken account of in the Bill?*
3. *How can the Bill anticipate what Single Outcome Agreements will require? Specifically, how do we ensure Single Outcome Agreements tie into local government performance and that this is consistent with the Bill?*
4. *Taking account of existing commitments, should the Bill have enabling powers to introduce new duties on public sector bodies to take action on climate change?*
5. *What are the benefits and drawbacks of having “the ability to create legal new duties” and what are the benefits and drawbacks of creating new legal duties? Would a duty work? Is a Bill the right place for these?*
6. *If new duties were created, what should such a duty or duties include?*

The responses are considered below.

How can the Bill embrace what's already in place?

The first part of the discussion focused on questions 1 and 2, in terms of how the Bill should take account of and embrace existing arrangements and commitments. Comments focused on three main issues: delegates gave examples of existing arrangements; some raised concerns about these arrangements; and suggestions were made about the actions needed to take account of, and embrace these. The detailed comments relating to each of these issues are presented below.

Fact of existing arrangements, and examples

- Lot of things already there.
- Recycling targets.
- Plans for energy conservation.

- Lot of councils measuring energy consumption and emissions from buildings and producing energy policies.
- Best Value Guidance giving a duty for sustainable development.
 - Within this, the definition of sustainable development contains climate change.
- Powers in Community Planning.
 - Should cover relations with other partners.
- Energy Performance of Building Directives (EPBD) is relevant.
- Biodiversity Duty.
 - Signed up – nothing that authorities should do should affect biodiversity.
- Improved attitudes in local authorities.

Observations / concerns about what is there

- Recycling / landfill.
 - Councils are doing pretty well, but at the moment this is all “small fry”.
 - Concern that landfill is gauged by tonnage, not volume.
- Legislation.
 - Contradictory - Have an EC Directive, and local authorities are told they must obey EC Directives, yet every other country has climate change as an over-riding priority, and Scotland does not.
 - Everything at the moment is scattered and “all over the place”.
- Practical issues.
 - Taking landfill as an example, there are difficulties of collection from thinly populated areas.
- Lack of understanding / clarity.
 - What is meant by sustainable development.
 - People don't always recognise action relevant to climate change.
 - The only thing people talk about in relation to sustainable development is CO2.
 - Question of how far the Energy Performance of Building Directives (EPBD) comes into new building – is it part of the legal requirement that all new build have to report on what they are doing?
 - Some councils are quite clear on a lot of the issues, some are choosing not to be.

General actions needed to embrace existing arrangements

- Identify what the problems are for local authorities with current issues.
- Clarify existing provisions.
 - Climate change is part of sustainable development, or climate change will run sustainable development.
- Reflect developments in the Bill.
 - Can't ignore existing developments.
 - Bring existing provisions together.

- The Bill should help pull things in.
- Sit alongside planning, social work, education – it should be as important as all the rest.
- Consider whether new powers are needed:
 - Arguable whether a power for climate change is needed – check existing provisions.
 - Make sure that don't end up with a “double duty” (with sustainable development).
- See the wide picture / avoid duplication.
 - See that waste, procurement, transport, all come under the same umbrella – good if the Bill could help people to see that.
- Legislation.
 - Needs to be more robust and focused.
 - Recognise existing legislation
 - The sustainable development legislation that already exists needs to be elevated to a point of primacy, to say that's what you have to do.
- Recognise that this is a very diverse country.

Single Outcome Agreements

A number of comments were made relating to question 3, on the issue of Single Outcome Agreements, and how these tie to local government performance and the Bill. A small number of general comments were made on Single Outcome Agreements, or on problems with these, while most focused on suggestions relating to ensuring consistency between these and the Bill. The comments relating to these issues are detailed below.

General comments on SOAs

- Single Outcome Agreements will be the key to tackling climate change in general.
- Not sure specifically about SAO role in the Bill.
- Has not yet been discussed at the COSLA Executive Committee, but topics being worked on.
 - Needs to happen as a matter of urgency.

Problems with SOAs

- Not as specific as they need to be.
 - Example of council seeing climate change as an issue for the environment partnership, with only a small section of the council having to report.

Ensuring consistency

- Wide remit.
 - You have to bring it into other people's remits (although not sure how specific you could be about that).

- SOAs will be sufficient.
 - Provided that there is a high level performance reporting requirement covered this aspect, that might be enough.
- SAOs may not be sufficient.
 - May not be enough alone, and if it is left too woolly, local authorities may not do it fully.
 - Local authorities compare themselves to each other, but there is no drive to make them compete to achieve, and be the top. If it is too loose as to what they should do, they'll interpret the best way it suits them for resources, manpower and money. There needs to be something to force local authorities down the road.
 - The Bill is for Scotland, and there are 32 authorities within that. Although SOAs should allow local authorities to achieve targets in the best way for them, there needs to be something that brings it all together for the benefit of the people of Scotland, rather than just your own local authority.
- Need flexibility.
 - How you do it locally – it's horses for courses.
 - Perhaps SOAs should be for a group or authorities, not a single authority (e.g. TTW area; existing networks; rural or city? Some things might be better looked at at a local level, some things as areas or Scotland wide).

Enabling powers to introduce new duties on public sector bodies

There was considerable discussion of enabling powers to introduce new duties on public sector bodies to take action on climate change. Although delegates were not asked to reach a consensus about whether there should be such powers, there were clearly many who believed that this was the case. Within this, there was a particular focus on identifying both the benefits of this, and concerns about the way in which these duties might be implemented. Much of the discussion centred on identifying actions which would be needed and issues which would have to be taken into account if such duties were imposed. A small number of participants also set out some of the actions which may follow from the duties (rather than particularly identifying the nature of these). The comments relating to these issues are detailed below.

Benefits of having powers to introduce new duties

- Local solutions.
 - Can allow the development of best practice.
- Encourage action.
 - Have been talking about climate change for years – enabling powers provide the opportunity to do this.
 - National government can show the lead – should be encouraging every council to do this and giving money to councils to take action. “That’s what we want to hear – we want to be told get on with it”.

- Might help change things (e.g. what they have to do to meet their commitment in each planning decision; influencing developers).
- There are examples of good practice, and it may be that every council will eventually “come good” but there will always be opposition.
- Give ability to enable action. E.g. currently there is no legal obligation to force builders to make new developments carbon neutral. They’ll say their costs are high and it’s unfair, but it may be a big development, and the transport issues alone are large. There is an opportunity there, but the planners don’t build it into applications, because they don’t have the power to do this.
- Feel that it is not about guidance, it is about power (and resources). (Example that half of the East Coast express trains don’t stop at Stonehaven as part of the franchise – how can this be encouraging train use? Council had no authority to go to Scotrail and demand that the trains stop. Nothing council can do to improve service as this is in the control of Scotrail and franchise creators. Others from other areas supported this).
- The Concordat is a step in the right direction, with more collaboration, but there may come a time when the Government will have to tell local authorities what to do.
- Consistency.
 - Means that local good practice is not just in one local area.

Concerns

- Top down.
 - This seems to dictate from the top.
 - 50 years ago people naturally recycled everything – the society we built directed it down a certain route “and some of us of a certain age feel a wee bit resentful that we have the great and the good trying to dictate and peer pressure, back to a way ... it was me that was dragged down this throwaway society way.”
- Punitive measures to enforce duties.
 - Not sure that using a “stick” has much benefit (e.g. in relation to landfill targets). All that happens is if you get a situation where you can’t meet the target, you get fined, and you’ve got a lesser capacity to meet your target next year.
 - Better if fines were re-invested in developing alternatives to landfill, but serious danger that this would be “substitution funding”.
- Issue of need.
 - Not all believed that there was a need for actual duties.
 - There is already legislation in place re sustainable development – maybe need to elevate that.
- Implementation.
 - Can be drawbacks in how they are implemented
 - House builders might concentrate activities in the areas which impose the least stringent regulation.

- Funding.
 - Local authorities very restricted in the money they bring in to take responsibility for providing funding for these things. “If the money’s not there to do it, it can’t be done.”
- Ability to do business.
 - When these things come in, often “what they are hitting on is the ability to do business”. The more this is strangled, the less there will be money to do anything.

Actions needed / considerations

- Address other issues.
 - Unreasonable to expect local authorities to be held accountable for failure to deal with things that are out of their control.
 - Huge amount of landfill is plastic bottles and it is a huge environmental risk – one council starting to have a doorstep collection of these, but it is at a cost to the council. Has to be some looking at whole question of volume vs weight, as volume is not a test.
- Recognise diversity.
 - Local government is not just one big similar organisation – have 32 councils which are diverse and unique. All have different problems. If you put a duty on somebody, you need to be careful to allow flexibility for the 32 authorities to interpret that duty in a way that best suits their local needs.
- Link to partners.
 - Local authorities no longer operate as single entities responsible for delivery in their area – they work with partnerships, agreements and other people (e.g. Community Planning Partnerships). When talking about enabling powers to create a duty on the public sector, we should be talking about this including the council and its partners.
- Link to sustainable growth.
 - Issue is raised that economic growth is based on GDP, so how can you have sustainable growth and climate change work, because the two work against each other - linkage to that would be useful.
 - Recognise the difference between “impacting” on something and legislating for councils not to do something, and the impact on the ability of the area you are in to have economic regeneration / economic development.
- Overall context.
 - If taken forward, it needs to be in the spirit of allowing better freedom and more approachability.
 - Needs to be done in close co-operation with the councils concerned.
 - Should be light touch wherever possible and reuse what you have got.
- Incentives.

- There are new models of persuasion now and should explore these – e.g. give assistance to implement initiatives, and have a form of penalty should they choose not to take it - simultaneously offering a carrot and rod.
- Need to keep looking at new ways of doing things.
- Like to see more of an incentive approach where possible and develop some consistency in this. Wherever possible, encourage people to go down a certain route and demonstrate that there would be benefits to them if they were able to demonstrate e.g. greater recycling. You set thresholds at which point people would get incentives. As and when targets are exceeded, or not met, you can adjust that threshold.
- Need a mixture of carrots and sticks. More carrots, less sticks.
- Funding.
 - There has to be something written in to say who's going to pay for this.
 - Agree with what has been done with ring-fencing generally, but in this case, there has to be a separate pot of money which is secured. It will cost a lot of money.
- Concordat.
 - Might need an amendment, because putting a requirement on councils to meet a certain level. The level of that would best be negotiated through COSLA.
- Flexibility.
 - To respond to changes.

Actions following from the duties

- Building / influencing developers.
 - Local authorities being able to influence developers using the powers they have e.g. house building.
 - One council gave an example that they already have a design statement and list of criteria that is handed out to architects (the respondent was undecided as to whether it needed to be put in the Bill or whether the council would lead).
- Planning.
 - Keep it simple. Specify that while obligated to move towards sustainable communities, the Planning Act should change to these things. The principles of sustainable development should be in the centre of everything. It drives all the other Acts and guidance that will contribute to sustainable development.
 - Framework should be robust, should start at a modest level, but have in it a ratchet which can be applied, and can't be taken away. Need to have means of achieving the targets built into planning legislation.
- Requirement to compete.
 - Take away the need to compete with the rest of the market.
- Demonstration of skills.

- Need for local authorities to demonstrate that their skills base has developed to meet the needs. (Example of diversity training as a model for how this could be done.)

THEME 2: A NEW FRAMEWORK – BUILDING ON EXISTING PRACTICE

Delegates were asked to consider the following questions:

1. *What good practice frameworks exist which deal with climate change by government (i.e. such as guidance)*
2. *Which ones need to be improved to take better account of climate change?*
3. *Does the Bill need to include anything so that these frameworks can be improved to take better account of climate change? If so, how?*
4. *Does Best Value guidance help in the new climate change guide? Does it need to be strengthened to take better account of climate change?*
5. *If so, how should Best Value guidance be amended, or what needs fixing??*
6. *Should the Bill have enabling powers to introduce a new guidance framework on climate change for the public sector, including monitoring arrangements?*
7. *If so, what should be included in this guidance?*

The responses are considered below.

Existing good practice frameworks / guidance

The discussion in these workshops began with consideration of question 1, and participants identified current guidance which they were aware of, and some gave their general views of what constitutes current good practice in addressing climate change. The comments relating to these issues are detailed below.

Guidance

- Planning legislation and guidance on renewables.
 - Reductions in CO² and other matters that allow local authorities to pick up on this in their own non-statutory planning guidance.
- Best value.
 - Always had principles underlying what is now called best value.
 - This is not conflicting with being efficient and effective – reduce waste, and this delivers best value aims as well.
- Kyoto.
 - All signed up to Kyoto.
- Working groups.
 - There are local initiatives such as member / officer working groups targeted towards addressing climate change.
- Audits.
 - In one council, intend to do an audit, look for good and bad practice, look at carbon trust action management process which is underway. Help identify areas of weakness and discontinuity

Do cherry pick of quick wins - feel that this is a good process, and help bringing services together.

- Community Planning.
 - Power of community well-being and leadership of community planning partnerships is valuable.

General views of what constitutes good practice

- Government being more realistic on energy from waste.
 - Talking about 25% now.
- Producing less waste, not better ways of disposing of waste, is the key.
- Government provision of funding.
 - Local authorities can achieve targets (e.g. waste) as money thrown at it – when given resources can achieve things, but if not, won't do them.
- Taking a holistic view.
 - Everything is interlinked and need to take a holistic view.
 - A lot of things don't seem to go far enough – directed towards achieving a standard and that's where it stops. Doesn't go on from there (e.g. in terms of a transfer from school to home, or out into the community).
 - In urban areas, we need to live a more eco-friendly life. Address use of bags, better transport etc.
 - A lot of simple solutions could be done quickly.

What frameworks / guidance need to be improved?

Participants raised a number of issues when considering questions 2 and 3, making a number of suggestions about issues which they believed needed to be included in guidance, and some of the implications for the Bill, in terms of the need to recognise specific issues. The comments relating to these issues are detailed below.

Issues for inclusion in guidance

- Locations of facilities.
 - Issues about where things like incinerators should be placed.
- Using internal resources (e.g. staff travel) more efficiently and effectively.
- Planning.
 - Planning framework as a whole needs to be more dynamic, and not fixed for 10 years or more.
 - Also more holistic (Carbon consumption of a house also includes its being built, and occupied, and the transport to get to and from it. Need a holistic approach at the local, national and international approach, which is consistent).
 - The need to think about carbon accounting in the planning system.
 - Not only about building right things, also about using them correctly.

- Concern that wind farms are given consent for 25 years, not 40 as would be implied in this bill. You may end up having to decommission, re-apply, re-build etc and so increase the carbon footprint unnecessarily. Need a longer life-span than 25 years. (Observation that this can be extended at the end of the period.)
- Building control, planning, procurement, and economic development frameworks.
 - Try to integrate these.
 - Planning only tends to deal with the new developments, there is a need also to consider the impact of previous development.
- Economic issues.
 - Need to more consider long, rather than short term economic gain.
 - Benefits of a command economy and the impact this could have in reducing need for extensive cross commuting between areas.
- Competitive tendering.
 - How to take account of climate change measures in competitive tendering.
- Community planning.
 - Feel that some assessments within community planning relating to strategic and environmental issues should perhaps be moved to a sustainability assessment (which includes environment).
- Level for frameworks / guidance.
 - 32 local authorities is wrong approach. Needs to be regional, or national. Areas are inter-dependent, with extensive travel to work areas. Share agendas.
 - Local authorities have to be responsible and help each other meet targets, not simply sit back and say own targets are achieved when, for example, may have high levels of daily out-commuting to a city area.

Recognition of specific issues

- Wind-related developments.
 - Needs to be an understanding at a Scotland-wide level of where these facilities would be deemed to be OK. Planning applications could be judged against this. Ensure consistency as inconsistency in current approach in dealing with objections, even in areas where there is limited visual impact. Turbines shouldn't be in wilder, remote places, but should be closer to places of consumption.
 - Take account of new emerging approaches, like small clusters of wind farms, in part promoted by local communities or cooperatives of farmers etc.
- Feed-in tariffs are more effective than subsidies.
- Long term framework.
 - Framework needs to last for 40 years.
 - Need to make sure that nothing is in place which undermines this.

- Clear guidance for local authorities about how to translate a 40 year framework into something which is achievable in short, medium, long term.

Best value guidance – strengthening / amendment

Question 4 asked specifically whether Best Value guidance needed to be strengthened (and question 5 asked about how to do this). There was general support for this view (with a small number of reasons highlighted). A small number of suggestions were also made about the content or implementation of the guidance. The comments relating to these issues are detailed below.

Need to be strengthened?

- Yes.
 - Support for this view that it doesn't help at present.
- Problems.
 - Need to recognise issues for specific areas (e.g. Councils in rural areas have issues with transporting things in).
 - Conflicts with competition law about whether you buy locally or from other areas.

Changes to the guidance

- Sustainability as a strand.
 - Should be a strand of best value, and be within the council's corporate plan (tied back to the Single Outcome Agreement, which could have a target relating to sustainability and which would bind councils to addressing this).
- Accounting for carbon, not just finance.
 - Carbon budget alongside financial budget.
 - Recognise that climate change has a contribution to best value – it is not necessarily what is cheapest that is best value in terms of climate change. Reducing your carbon footprint should be part of the financial considerations as well.
- Enforcement.
 - No point in doing it if you don't enforce it.
- Resources.
 - Finance to employ people to do extra technical / accounting work, even before any employment of people to institute change.
 - Will be extra work, and councils running at small margins in relation to staff and capacity.

Should the Bill have enabling powers to introduce a new guidance framework?

Questions 6 and 7 asked participants about whether there should be enabling powers to introduce a new guidance framework, and there was considerable support for this, although few additional comments were made about the issues for inclusion

within this, or issues which need to be recognised in developing the framework. The comments relating to these issues are detailed below.

Should there be powers

- Yes.
 - General view that this is required.
 - Duty to lead.

What should be included?

- Comprehensive.
 - Should be entire gamut of agenda.
- Specific issues.
 - Easiest thing may be carbon accounting and emissions counting.
 - Should be internal and external auditing procedures for dealing with carbon accounting as much as financial accounting.
 - Suggestion of peer monitoring.

Issues for recognition

- Complexity of the economy.
 - Asking the public sector to take the whole brunt of making it work won't work – the public sector is only part of the economy.
- Short accounting spans for local authorities – sometimes days (where this should be over a number of years). Private sector also interested in “today” profits.

THEME 3: REPORTING AND SCRUTINY OF CENTRAL AND LOCAL GOVERNMENT

Delegates were asked to consider the following questions:

1. *Is Parliamentary scrutiny enough of a 'check' that national targets will be met by the Scottish Government?*
2. *Should local government be required to report on progress? If so, how? Against which measures?*
3. *Should the Bill contain enabling powers to create a requirement for local government to produce regular reports on what action they are taking to tackle climate? Why?*
4. *If local government reports were required, what specific measures should these reports require?*

Parliamentary scrutiny

The first part of the discussion considered question 1, relating to Parliamentary scrutiny, and many participants believed that this was a sufficient check on national targets, with a range of reasons given for the view that this was an appropriate level / means of scrutiny. A small number of additional suggestions were made about arrangements considered necessary alongside such scrutiny, to ensure that this was done effectively. The comments relating to these issues are detailed below.

Is it sufficient?

- Yes, for many respondents.

Why is it sufficient / appropriate?

- If there is clear reporting.
 - If the Scottish Government annual report has a section on climate change, that would be sufficient.
- Nature of current arrangements.
 - First Minister's question time would be adequate.
 - Links closely to the legislative and regulatory powers of the Scottish Parliament, so any requirement for change has to link in directly.
 - Would be done through a Scottish Parliamentary Committee, serviced by appropriate departments. A Committee can look at good practice and share it, with making sure that it is visible and accessible.
 - If it is not felt that there is an appropriate Committee in place, then can create an additional one.
- No need for more QUANGOs.
 - Concern that there should not be a new Quango.
 - Requirement for change should not have to go out to a Quango, to form a view to come back and be re-translated into a government opinion.
 - Need SEPA there, but what regulatory powers will it have in another year?
- Complexity.
 - Difficult to have one independent body overseeing the requirement.
- National importance / Scotland-wide nature.
 - Important that everyone signs up to it, so it should be the Scottish Government, rather than a separate body.
 - If it has to be done, it should be done at Parliamentary level. There will be a need for changes in the levers that can be used to implement this, and they need to be done "pan-Scotland".

Additional needs

- Need for a Scottish Committee.
 - If there is divergence of targets and expectations, then cannot have two entirely different sets of targets being driven and monitored by the same body (the UK Committee).

- Make the bodies as compatible as possible – there needs to be a Scottish, a UK, a European and a global Committee, but there should be as much dealt with at Scottish level as is practical.
- The type of things done in Scotland might be more akin to the type of things done in other places in Northern Europe. It is as relevant to us to keep an eye on the European context as on the English context.
- The Scottish view of issues should not be suppressed within an overwhelming UK view.

Local government reporting

There was considerable discussion of question 2, which asked whether local government should be required to report. Most (although not all) respondents believed that reporting should be required, and gave a range of reasons for their views. A number of comments were also made about the nature of a reporting system. The comments relating to these issues are detailed below.

Required

- Most believed that it should be.
- Smaller number unsure.

Reasons why

- Promote action
 - If you don't have to tell someone you're doing it, you can slip, and not do it.
- Consistency.
 - In the Climate Change Declaration, it is up to the local authority how they choose to monitor, and the actions they take, and they may all be reporting different things.
 - When measuring emissions, it is important that, if we are to get a national statistic, everyone uses the same standard format for measuring.
- Information sharing / dissemination.
 - Local authorities need to find out clearly about each others' ideas. Should be sharing the good things.
 - Leadership / best practice role to show the private sector.
- Existing reporting not sufficient.
 - These are not local government targets, they are Scotland targets, and more holistic, so although authorities can talk between themselves and use COSLA as a means of sharing good practice, the total carbon budget has to sit Scotland-wide and involve the whole of the public and private sectors. That can't be local authorities alone.
 - COSLA could gather and present information to the Scottish Government, but it should then take it through the committee system for scrutiny, recommendation and through the legislative process, then go back out to councils (maybe via COSLA).

Reasons why not

- Should not be top down.
 - Not sure whether there is a need for “top down”.
 - Good practice should be surveyed and adopted.
- Already reporting mechanisms.
 - Don't know if it's necessary to report it into government. The umbrella group for local authorities is COSLA – can report to there, have a database, and local authorities can see other solutions, rather than it becoming a league table of compare and contrast rather than adding value.
 - Informal networking can be a better way to find out what people are doing.
 - Public scrutiny can also help to ensure implementation.

Nature of reporting

- Should be other bodies in the reporting cycle.
 - Include Loch Lomond and Trossachs National Park (because it has call-in planning powers) and the Cairngorms National Park (because it has full planning powers). Many of their decisions will have an impact on how climate change has progressed in both those areas. In both cases, they cover a number of different local authorities.
- Straightforward / flexible.
 - Important to keep it simple – it's about reducing emissions by doing things you already do.
 - Local authorities will focus most of their work on what is easier to report.
 - Balance with the recognition that it takes a lot of time and costs money to do.
 - Don't make it lead to another plethora of job creation in Scotland (e.g. Best Value led to officers spending more time on writing reports than getting on and doing their job).
 - Need to avoid being too prescriptive about what people need to report on, but there still needs to be a structure, because we're very good at avoiding having to do things and report.
- Linked to existing reporting and measures.
 - There is existing reporting, which ties into this and needs to be incorporated.
 - The Energy Services Directive will bring a need to report on the products that are being purchased and whether the criteria have been met.
 - There are probably many other areas in the council with a requirement to produce reports, and they could perhaps be grouped together, so that don't have people in different offices reporting on the same thing.
 - Local authorities have to report to many different departments of the Scottish Government, and often there is a similar thread running through them all. Though the SOA process, the Scottish Government has to be more aware of where all of the different reporting strands

cross over. Then it will be easier for local government to say where they are meeting their targets.

- There is a real challenge for individual local authorities in how they collect data – there is a lot of duplication. Eventually that will be an efficiency saving.
- Uncertainty for some whether there needs to be more reporting, or whether the existing systems would cover this already – reporting under the Declaration, regular audits etc.
- Make links to best value, efficiency, effectiveness of working.
- Sometimes when authorities report what they are doing, it doesn't feed into the "top line" properly, which is climate change.
- Different levels.
 - Statistics annually, and more in-depth report at the budget points, about how the region has progressed, tied to year on year efficiency savings that local authorities are asked to make.

Should the Bill contain an enabling power to require reporting?

Question 3 focused specifically on whether, within this, there should be an enabling power in the Bill to require this reporting. Most again believed that this should be the case, with a number of reasons given for this, some of which linked to the reasons given for the general requirement for reporting. A small number of respondents also stressed the need for enforcement or implementation of the requirement. The comments relating to these issues are detailed below.

Required

- Agreement amongst most participants.
 - Should be an enabling power to create the requirement to report, in general terms.
 - More important to provide the Scottish Government with solid powers to make all of Scotland, and local government, conform to standards which will make a difference.
 - Local authorities have very little power and this has to come from the centre.

Reasons

- Compulsion.
 - Some measures should be compulsory to report on.
 - "Get it right yourselves and everybody will be happy. If you don't get it right, then there's a sword hanging over you saying you will be told".
- Importance.
 - This is a problem that has to be solved in the national and international interest.
- Need for action.
 - To presume that cash strapped councils will divert a tight budget into solving this is a bit naïve.
 - If it is not a statutory regulation, they won't do it – authorities will do so much because it makes sense, but ultimately need very strong

incentives to do the right thing. To influence some of the issues that are not in councils' direct cash control, then do need to have the strong tools and accounting against those.

- Standardisation.
 - There is a commitment to this, but need a standard method of reporting.
 - A more structured way of doing it would help all of the local authorities to report on similar things.
 - Should at least identify what is required to be measured.

Enforcement issues

- Need to follow reporting up.
- Incentives.
 - These are needed, as well as reports.
- Link into existing groups.
 - Make sure that they can take forward early action plans through this route.

Measures for inclusion

There was also considerable discussion of question 4, and the measures which might be included in reporting. Participants also identified a number of measurement issues arising, which they suggested may require consideration. The comments relating to these issues are detailed below.

Types of measures

- Lots of measures could be used.
- CO2.
- Question over other 6 greenhouse gases.
 - Local authorities will need a lot of guidance on how to calculate this.
- Environmental efficiency savings.
 - All local authorities have been asked to find financial efficiency savings this year – maybe an argument for them to set targets in a wider sense across their estates.
- Domestic emissions.
 - Lack of specification in the Bill about net domestic emissions.
- Measure against capacity.
 - Has to be whether a local authority is doing something that it has the capacity to do. Should be comparing against capacity that is key, rather than absolutely what they do.

Measurement issues

- Agree the measures in collaboration.
 - Have to be set by government and agreed as useful, rather than being enforced from on high (then local authorities will observe

them, and use them and work to them and improve on the basis of them).

- Economic issues / costs.
 - Environmental reporting needs to take account of special expenditure which has been needed relating to climate change, and noting that would see the change in the future (not looking only at the one year).
 - Has to be somewhere to allow reporting on the economic development of the area, because that will affect the emissions (e.g. tourism, house building), but if you can show there's economic development to counteract it – it needs to be included.
- Some difficult issues to measure.
 - Energy Management is very easy to get data on, and how much you're saving, but how do you measure how much carbon emissions have been saved by asking someone to build a house in a particular way?.
 - Very difficult to measure vehicle emissions – depends on the engine type, the type of fuel, speed, type of driver, number of miles. Gathering baseline data is difficult. Impact of tourism is difficult. Examples of Green Travel Plans, and some of the difficulties with the data. Need for more guidance.
 - Can measure schools, bin lorries, cars etc, but this is all pointless if we don't know about airport emissions, or whether a large lorry fleet emissions will count. Issue about lorry movements between Scotland and England on M74 / M6 and the impact of these. Also a concern that one truck could be measured 32 times, and all its emissions loaded onto each area individually if not handled and managed centrally.
 - Measuring social aspect, raising awareness difficult.
 - Impact of policies - Every time you agree a certain planning application, a certain scale, where does that reflect the CO2 emissions or what that's adding to our community and how do we measure that?
 - Building standards can dramatically change energy consumption, but how do you take what they do and feed it into our reporting system?
 - Concern in one authority that they currently only measure CO2, and take it from a 2005 baseline, so questions over where baseline is for 1990 and 1995 at a local authority level (although there is a national level).
 - How will government help local authorities work out how to measure the other greenhouse gases?
- Exclude those issues outwith control of authorities
 - Local authorities cannot be held accountable for a lot of things that they can't control.
- Recognise wider responsibilities / issues for some authorities.
 - Cockenzie impacts on the carbon footprint and supplies electricity to a number of areas, so there will be a group responsibility.
 - Need to be careful of the units at which measurement is done. The local authority will not always be the unit for particular

issues (e.g. transport may be best taken by a group; some are national facilities).

- A local authority which has already trimmed its energy will find it tougher.
- Recognise diversity. Use measures appropriately for local authorities. (e.g. it is not appropriate to set targets for vehicle emissions in a rural local authority as it is in a city, because the scope for change is so different).

THEME 4: CHANGES TO LEGISLATION TO ENABLE LOCAL GOVERNMENT TO TAKE ACTION

Delegates were asked to consider the following questions:

1. *What can local authorities do to help Scotland tackle climate change?*
2. *Is there anything standing in the way of local government taking more action on climate change (such as existing legislation)?*
3. *What might local government need to bring in more effective measures (i.e. new powers to enable it to take action)?*
4. *Specifically, are there systems of variable charging which could be introduced to allow local government to incentivise action or eliminate perverse incentives?*

What local authorities can / could do

Many suggestions were made in response to question 1, in terms of what local authorities could do to help tackle climate change in Scotland. These included: making a general commitment; specific initiatives with their own staff and buildings and with businesses, the wider local community and others; general policy developments; work in specific areas such as building and planning or waste initiatives; action through budgeting; and the identification of local solutions. The comments relating to these issues are detailed below.

General commitment

- High level.
 - Some authorities have a real commitment and desire for this.
- “Hot” topic.
 - Local authorities are moving in that direction, because it is what people want.

Initiatives with staff / working practices

- Setting an example.
 - Local authorities need to get their own house in order, and provide leadership through setting a good example.
- Working practice.

- Recycle bins say you can't put in envelopes with plastic windows, so why don't local authorities ban the purchase of them – address anomalies.

Initiatives with own buildings

- Energy efficiency.
 - View that improving an older building is more sustainable than putting up a new one.
 - More efficiency in heating offices.
 - Consider e.g. energy saving, through moving from inefficient, not fit for purpose premises.

Enable / encourage action by businesses

- Ensure businesses have the same recycling opportunities as domestic customers.
 - SWIFT funding does not include businesses, even though businesses send three times as much to landfill.
 - Education and awareness raising.

Work with the local community

- Partnerships.
 - One area has established a climate change partnership to encourage residents to participate at a local level. Peer pressure at a local level, with an umbrella organisation for the whole council.
- Engagement.
 - Have to engage with the public better. The public want to engage with recycling, but there is a need for understanding.
- Lead and enable.
 - Leadership role with communities (e.g. press releases). People will then contact local authorities for more information.
 - As energy becomes more expensive, public perceptions will change.
 - Need to put the tools in place now and help people have a lower personal emissions budget.
- Develop understanding.
 - Make the connections. Make it easy for people to recognise and get on with.
 - Tell people about climate change – it is still a newspaper headline, not a local issue.

Work with others

- Leadership.
- Co-ordination.
 - Need forums which involve public and private sector – local authorities are businesses too.

- Learn from others.
 - Look generally at how things are done elsewhere (Scandinavia, Holland, Austria, Germany).

Policy developments

- Examples of current work – e.g. measuring emissions and developing energy policies.
- Include in all reports to local authorities.
 - You get specification of finance, equal opportunities implications etc. You could put carbon implications on as a strap line.
 - It only works if it is translated into a proportion of a carbon budget, because these can be over-ridden.
 - You'd need to have CO2 emissions as a budget in the same way as cash is before it will be taken fully seriously.

Building and planning

- Planning consent.
 - If you are bringing in an eco-friendly housing development or business park, that should be considered along with the jobs as a clear benefit to help it get consent.
- Housing developments.
 - Local authorities may be more forceful with developments likely to have a significant carbon impact, such as a larger housing development, and insist that the development becomes carbon neutral.
- Examples of what authorities have done.
 - Design statements, building standards.

Waste initiatives

- Sort incoming waste at transfer stations.
- Provide facilities for the private sector to recycle packaging.

Budgeting

- Whole life costs.
 - When something is being built, take into account its whole life energy cost – not just building and running it, but the energy cost of building it, as well as the cash cost, and the energy and cash cost of running it.
- Savings.
 - Money saved through efficiency which has an environmental impact should stay within the budget and be used e.g. to improve recycling.

Local solutions

- Different solutions for urban and rural authorities.

- Urban areas have much high concentration of issues, and more possibility of impact.
- Not agreed by all – some felt that solutions need to be for all.

Constraints to local authorities

There were also many comments in relation to question 2, focusing on constraints facing local authorities in taking action. These included: a lack of focus on climate change; problems with the rules and regulations; economic issues; attitudes to, and the level of understanding of, climate change; variations in actions; issues outwith authorities' control; the level of priority for the issue; and funding. The comments relating to these issues are detailed below.

Lack of focus on climate change issues

- No real account taken of this in policy / funding.
 - Local government unable to deliver in local areas, particularly in smaller rural areas.
- Not taken seriously.

Rules and regulations

- Restrictive.
 - e.g. tendering. Can only look at VFM and efficiency at present. Can't e.g. look at whether a contractor is intending to recycle waste materials.
- Weak.
 - Building standards are limiting in terms of what can be insisted on, and this would also lead to a lack of a level playing field. Developers would move to where the conditions were least stringent.
 - Concerns that legislation (e.g. Waste Packaging Act) will not be implemented fully as the government is not prepared to take on large supermarket chains.
- Variation in interpretation.
 - Danger of 32 different interpretations, e.g. of building standards.

Economic issues

- Parking charges.
 - In areas sandwiched between larger areas, while parking charges may be positive from an environmental point of view, would be strongly opposed due to economic impact on shops.
- Existing buildings.
 - A lot of properties cannot technically be upgraded to meet highest standards of efficiency. Some will never be rendered as efficient as new buildings.
 - Some poor buildings are very expensive to write off and could lead to housing shortage if not done in a phased way.

Attitudes and understanding

- Policy.
 - Local and national policy.
- Specific issues.
 - Good developments in planning but not well understood by house builders and house owners.
 - Transport issues facing rural and island communities.
 - Many people, politicians included, don't understand the technical issues.
- Views / behaviour.
 - Current level of interest in carbon footprint issues is very low indeed – Scotsman survey identified this.
 - Senior planners are not focused in on climate change and not aware that they cannot purely be planners any more, but have to be environmental planners. Culture change has not taken place.
 - Some workers are prepared to travel as they don't want to, or feel it is inappropriate to work in their local community.
- Skills.
 - Shortage of skills among building professionals in relation to eco-friendly techniques, climate change issues.
- Conflicting views.
 - E.g. of merits / drawback of wind power.

Variation in actions

- Transport.
 - Lack of national transport strategy.
 - Travel to work is too limited a concept to take account of the ways people actually work. System is lacking a connection to all of these things. Country will never progress without a national transport policy.

Issues outwith control

- Aspects of waste.
 - Packaging.
- Private companies.
 - There are difficulties in trying to persuade house builders and transport companies to go "green".
- Changing behaviour.
 - Concern about NIMBYs in relation to wind farms and authorities cannot address this – there is no planning law which can tell these people "which way is up".

Concerns and priorities

- Risk aversion.
 - In local authorities.

- Low priority.
 - Lack of priority in local authorities – not at the top of the list.
 - It is recognised as one of the most important challenges, but this is not reflected in what authorities do.
 - Long way to go before it is mainstreamed.
- Conflicting priorities / contradictions.
 - E.g. national scenic area designation leading to objections to wind turbines being developed.
 - Government’s priority is growing the economy, first and environment second.
 - Tension always in local government about economic competitiveness – competing overrides environmental concerns in the planning system.
 - Private company in one area selling wind generators had to take them off the shelves because people could not get planning permission.
- Complacency.
 - Complacency an issue in local authorities as a result of powers being removed by previous administrations
 - Concern now that focus will be back on local authorities (who may not be prepared for this) as a result of removal of ring-fencing.
 - Sometimes private companies are ahead of local authorities.
- Complexity.
 - There is a debate about the “environment” vs “renewable energy”. A lot of strands need to be pulled together.
- Long term nature.
 - Concern that 40 year policy horizon may be difficult to sustain through variety of political changes.
- Focus on domestic waste.
 - Construction waste is much larger. Shops throw away masses of cardboard etc.

Funding

- Government funding.
 - Need for recognition of a need for government money to go into this (e.g. seed money to get things up and running). If that is put in at the beginning, than will make savings. “It’s the old spend to save argument”.

Powers needed

There were also many comments made on the question 3, relating to what might be needed for local government to enable more effective measures. While some focused on action by the Government, or on the general need for enabling legislation, most of the suggestions focused on the types of powers / legislation which might be needed. The specific issue of the potential for variable charging was also explored, and there was general support for this, with some more specific suggestions. Some respondents also suggested some additional actions which were

seen to be required alongside these measures. The comments relating to all of these issues are detailed below.

Direct action by the Government

- Leadership
 - At present local authorities have to deal with private sector waste if asked. More leadership required of the government to encourage / force businesses to recycle.

General need for enabling legislation

- Local solutions.
 - Allow local authorities to bring these forward.
- Priority.
 - Concern that different EU countries put climate change at the head, while we focus on impact on economic development.
- Existing powers in place.
 - Some felt that local authorities have the powers to do things which will have an impact on carbon emissions in localities.
 - Issue of whether they have the will?

Types of powers / legislation

- Waste.
 - Feel that waste legislation could be more supportive.
 - Better use of e.g. centralised composting.
- Packaging.
 - If legislation specifies what sort of materials can be used for packaging, local authorities can provide facilities to recycle this.
- Planning.
 - Need recognition in the Bill that a lot of what local authorities can do is in the planning arena.
 - Need for more planning decisions to be taken back to elected members from delegated authority (although not everyone agreed with this).
 - Mixed views of wind farms Some wanted to promote view through legislation that these are good, while some were against wind turbines. Some suggested more of a focus on other forms of micro generation, such as CHP, with less focus on “windmills”. Also suggestion that any scheme over 5Mw or 10Mw should be dealt with centrally, rather than locally through planning as at present.
- Building.
 - More rigorous / radical improvement in building standards to address shortcomings in buildings – make it affordable, and help address fuel poverty.
 - Opportunity to enshrine requirements into legislation for new homes (e.g. solar panels; compost; CHP units rather than simple condensing boilers). National, not local agreements.

- Ensure that green values are brought to bear on any new housing developments. Legislation means that builders build down to the standard, as this saves money.
- Need legislation to address buildings below an acceptable thermal performance standard (e.g. those from 60s and 70s that were improved through measures relating to BTS assessments, housing action areas etc.)
- MOT for housing? Certificate for specific grade of environmental performance? Incentivise people to use condensing boilers, proper insulation etc.
- House builders also need a level playing field, with legislation in place to make clear what they need to do.
- When you buy a car you get an indication of mpg etc, but when you get a new house, you have no idea how much it will cost to run – but you should. Needs national legislation.
- Economic policy.
 - Have to tie together economic and environment policy more effectively.
 - Long, rather than short term economic gain.
 - Should look at any legislation that compels local authorities to buy the cheapest, as that might not be conducive to meeting climate change targets.
 - Could a more sustainable approach also taken in relation to sourcing food, and locally produced energy.
- Council Tax / spending.
 - Proposal for a rebate on council tax for recyclers, better than a fine on those that don't.
 - Relate council tax to energy efficiency (although there would be issues for people in tenements etc.) Support with public grants to address thermal efficiency and provide encouragement and resources.
 - More encouragement through legislation to support investment to save, and a better understanding that money will be saved in the longer term (in areas such as building, health, crime etc.).
- Tendering.
 - Beneficial if tendering could include allowance for environment impact.
- Extension of local controls.
 - Need the power to engage with the “untouchables” such as airports, which seem to be beyond any local controls in relation to carbon emissions etc.
 - Have to be able to ask big operators for reports in relation to CO2 (e.g. large industrial plants, companies with transport networks). Has to be done in a positive way – as partners.
 - Need to be able to challenge the private sector.

Variable charging

- General support.

- Appear to be a lot of things which are ultra vires. Power of well-being should be used more, and more innovatively in relation to charging for things.
- Actual measures used would vary from place to place.
- Incentives.
 - Need a system of incentives, not just charges.
- Concerns / issues.
 - People will resent charges e.g. on waste when much of it is not of their own making – e.g. in relation to the packaging employed by supermarkets.
- Specific issues / suggestions.
 - Mixed views on whether need to be able to have, e.g. congestion charging, variable parking charges etc.
 - Mixed views on congestion charging: concern about potential for animosity created; suggestion that this is a metropolitan issue; perceived need for an appropriate transport infrastructure providing alternatives before congestion charging is appropriate.
 - Waste issues: suggestion that free waste uplifts should be removed, or reduced to 1, but concern about fly-tipping as a result of high charges for this. Some support for high level fines for fly-tipping – but others felt that better to encourage than always to fine.
 - Need to address business waste.
 - Budget gain needs to go back into a good public transport system.

Other action needed

- Global work.
 - Needs to impact on China, India, US etc.
 - If Scotland does not progress this fast enough, it will be overtaken by pressure from the EU.
- Holistic view in granting powers.
 - Need a clearer understanding of the relationship between actions to address climate change and your ability as an area or a country to do business with the rest of the world.
 - CO2 has to become a taxable commodity and this needs to be across as wide a range as possible. Restricting it to one form, i.e. transport, is limited. Transport is only a small part of CO2.
 - Have to be clear what the proposed outcome is.
- Resources.
 - Has to be money there to deliver.
 - Separate pot of money. Need for dedicated funding which is extra. Perhaps such discussions should be happening at COSLA.
 - Risk of loss of resources to other areas where there is a statutory obligation. Needs to be a better understanding of spend to save in relation to this.
- Risks.

- Local authorities need to be less risk averse – have to be encouraged / rewarded to look for innovative solutions and possibility of rewards for communities who innovate.
- Bill needs to allow the main players to be radical. If you want to reach 80%, the steps taken have to be radical.
- Cultural change.
 - Importance of informing people about what you are doing, and taking them with you.
 - A lot of the discussion was about behaviour change, not legislation.
 - Major culture changes needed, not just at a local level.
 - Lots of changes needed in improving people's understanding and developing commitment.
 - Consumer "hearts and minds" need to be changed.
- Learn from specific initiatives.
 - Initiatives like the Food for Life programme. It is being undertaken in other countries in urban areas.
 - Transition Town initiative (Stroud and Bristol).
- Local priorities.
 - Giving councils the powers is a good thing, but has to be a local prioritisation process.

Any other suggestions

Few other general suggestions were made which did not link to the issues considered. However, these included:

- Need to look at alternative fuel development – e.g. hydrogen. Need to be looking at e.g. tidal barriers.
- A general positive comment about the consultation document.

CLOSING REMARKS

Cllr Hay thanked all of the participants for their contributions and summarised some of the key themes emerging as being: transport, renewables, planning / building control (e.g. higher thermal insulation and energy efficiency). She noted that all of these issues are interlinked, and require further discussion, which COSLA will undertake through the Executive Group. It is also planned that COSLA will host their own seminar to discuss the Bill from the local authority point of view.

The need to lead by example was highlighted, giving the example of switching off lights, heating and monitors overnight.

Cllr Hay stated that the Bill will be a positive means of engendering discussion, and will provide a real opportunity for change. She stressed that there are great opportunities for solar, wind and wave power, and there is a need to get Enterprise Companies to get people to take up the challenge, with the Bill providing the incentive.

The date of the next meeting of the Regeneration Executive Group is 29/02/08. There is no further date for the Task Group yet, nor for COSLA's seminar, but COSLA will circulate this as soon as possible.