



Stage 2 Briefing on Amendments 133, 138 and 139 to ensure appropriate reporting and advice on new energy generating plant

What is the text of the amendment?

133 In section 22, page 10, line 27, at end insert—

<() the proportion of the fair and safe Scottish emissions budget available for electricity generation and in particular as to—

- (i) an appropriate total lifetime greenhouse gas budget per megawatt hour of generating capacity;
- (ii) appropriate initial levels of greenhouse gas emissions per megawatt hour.>

137 In section 29, page 13, line 4, at end insert—

<() state the average greenhouse gas emissions per megawatt hour of electricity generated in Scotland in the target year;

() state the average greenhouse gas emissions per megawatt hour, and the estimated lifetime cumulative emissions, of any new electricity generation capacity greater than 50 megawatts approved in Scotland in the target year.>

138 In section 29, page 13, line 4, at end insert—

<() in relation to any electricity generation permission granted in respect of a plant with average per megawatt greenhouse gas emissions which exceed—

- (i) those achievable by a modern combined cycle gas turbine; or
- (ii) any level specified in guidance issued in relation to consents granted under section 36 of the Electricity Act 1989 (c.29), give reasons as to why such permission was granted and how such permission will be compatible over the plant's lifetime with achievement of the targets set out in this Act.>

(All in the name of Liam McArthur)

Why is this amendment needed?

The Bill recognizes that energy generation is a key aspect in the delivery of emissions reductions in Scotland, and makes provision (in section 29(4)) for specific reporting on electricity generation and consumption. It is also widely recognized that a major risk to the delivery of the Bill's emissions reduction targets arises from the 'lock-in' effect of

major new or refurbished infrastructure such as energy generating plants burning fossil fuels.

While most legislative powers relating to such plant are reserved to Westminster, **Scottish Ministers currently enjoy administratively devolved powers to grant or refuse consents for such plant, and to establish guidance setting out the conditions under which such decisions will be made.** Thus Scottish Ministers can therefore decide whether fossil-fuelled plant in Scotland will make an early and rapid transition to carbon capture and storage, delivering emissions reductions within Scotland or remain as 'carbon dinosaurs', requiring continued purchase of emissions credits from elsewhere if our targets are to be met.

Scotland has major advantages which should help us play a key role in the accelerated global development of carbon capture and storage technologies, with commensurate **benefits for Scottish jobs and exports.** The best way to realize that potential is through the establishment of emissions performance standards.

An **emissions performance standard** has recently been proposed in a private members bill at Westminster, supported by Liberal Democrat and SNP members; has been supported by several Labour and Liberal Democrat MSPs'; is to be included in a new consultation by the Department for Energy and Climate Change on the best mechanisms to promote carbon capture and storage; is under discussion at the European Parliament; and is already in operation in a number of US states, notably California, where it has demonstrated effectiveness in helping reduce emissions, and improve energy security through enhancing investment certainty.

What would the amendment do?

These amendments help address this critical issue by ensuring that ministers are required to:

- a) obtain advice on the treatment of the sector to help ensure that the sector reduce emissions at least in line with the targets set out in the Bill; and
- b) report on approvals of new plant with emissions in excess of those achievable by a modern gas turbine (the benchmark used in California) and explain how such permission(s) are compatible with meeting emissions targets, as an integral part of the Climate Bill reporting regime,

A parallel amendment in Part 5 of the Bill could ensure that ministers do exercise their powers to issue guidance in this respect, and establish emissions performance standards in Scotland.

These amendments are supported by: Friends of the Earth Scotland, World Development Movement, WWF Scotland, RSPB Scotland and Christian Aid Scotland

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