

Net Zero, Energy and Transport Committee
c/o Clerk to the Committee Room T3.40
The Scottish Parliament
Edinburgh EH99 1SP

Thursday 11th April 2024

To Edward Mountain MSP, Convenor of the Scottish Parliament's Net Zero, Energy and Transport Committee,

RECOMMENDATION THAT THE CIRCULAR ECONOMY BILL BE AMENDED TO INCLUDE A MANDATORY CARBON FOOTPRINT REDUCTION TARGET

This joint letter from a group of organisations with environmental and social concerns details our updated position on the proposed target for the Circular Economy Bill based on the outcomes of Stage 1 of the Bill's progress through parliament and the Scottish Government's response.

We believe that a carbon footprint reduction target remains the best metric for driving progress towards a circular economy. We recommend that the Bill be amended to include a provision for a mandatory target which must be based on reducing Scotland's carbon footprint.

Summary of the Stage 1 debate around circular economy targets

We have previously communicated to the Committee that a carbon footprint reduction target¹ is the most appropriate target to drive progress towards a circular economy in Scotland and is an essential part of achieving this goal. Our conviction on this matter has not changed and we refer you to our previous communications, in particular our joint letter from NGOs to the Committee² on these matters, for further details on why we strongly support this approach.

We note the Committee's recommendations in its Stage 1 Report³ to the Scottish Government that the main circular economy targets should be mandatory, and that the Government should consider "the proposals which have been made to the Committee for specific targets". In addition, the Committee recognises that the circular economy is intrinsically linked to Scotland's climate change goals and its separate recommendation that "the Scottish Government consider the proposals made by stakeholders to include reference to international impact and environmental impact."

¹ In previous communications, we called this target a 'carbon-based consumption reduction target'. We have changed this here to 'carbon footprint reduction target' to avoid any confusion with a target to reduce the carbon impact of waste, which would not be a sufficient measure of circular economy progress.

² Joint letter from environmental and social groups on carbon based consumption targets to NZET Committee, September 2023 <https://www.parliament.scot/-/media/files/committees/net-zero-energy-and-transport-committee/correspondence/2023/consumption-based-targets-friends-of-earth-scotland.pdf>

³ Stage 1 report on the Circular Economy Bill, Net Zero, Energy and Transport Committee, February 2024 <https://bprcdn.parliament.scot/published/NZET/2024/2/28/6c8b7a60-5872-4e8f-8ebf-54f1c51a7111-1/NZETS062024R2.pdf>

In her official response⁴, the Minister states that she will consider making the targets mandatory and “consider the range of proposals that have been provided to the Committee as part of the target development process”. The Minister confirms the previously stated aim of the Scottish Government to “development of a monitoring and indicator framework from 2025” in the Route Map, as part of its non-legislative approach to developing a circular economy in Scotland.

We remain convinced that such targets are essential to developing a circular economy. Therefore, we urge the Committee to amend the Bill to ensure regulations for a mandatory carbon footprint consumption target, as the main target for measuring progress to a circular economy, is included.

We agree with the Committee that targets must be mandatory. We also believe that requiring the target to be based on Scotland’s carbon footprint would focus future debates around consideration of timings and scale, rather than the nature of the target itself. Moving the debate on in this way would allow such decisions to be taken as fast as possible.

Recommendation for the Bill

We recommend three amendments are made to Section 6 of the Circular Economy Bill.

Firstly, Section 6(1) is modified to make the targets mandatory, rather than optional (change ‘may’ to ‘must’).

Change 6(1) to:

“(1) The Scottish Ministers **must** by regulation make provision imposing targets on the Scottish Ministers relating to developing a circular economy.”

Secondly, 6(3) is modified to begin with a requirement for the target to be based on Scotland’s carbon footprint emissions, using similar language to Section 37, of the Climate Change (Scotland) Act⁵.

At the start of 6(3) insert a new clause on carbon footprint emissions:

“(3) Regulations under subsection (1) **must** in particular-
(a) provide for circular economy targets in relation to the emissions of greenhouse gases (whether in Scotland or elsewhere), which are produced by or otherwise associated with the consumption and use of goods, products, materials and services in Scotland,”

Finally, after 6(3) include an appropriately ambitious deadline by which the targets must be established to ensure action to meet targets begins as soon as possible.

After 6(3) insert:

“(4) Regulations under subsection (3) must be imposed before 1 April 2025.”

⁴ Scottish Government response to Stage 1 report, March 2024 <https://www.parliament.scot/-/media/files/committees/net-zero-energy-and-transport-committee/correspondence/2024/circular-economy-bill-stage-1-report-sg-response-14-march-2024.pdf>

⁵ <https://www.legislation.gov.uk/asp/2009/12/section/37>

We urge the members of the Net Zero, Energy and Transport Committee to amend the Bill to include carbon footprint reduction targets to ensure that Scotland has the best possible chance of developing a circular economy which is part of a sustainable and fair future for Scotland.

We look forward to your reply. We would be happy to discuss this issue with the Committee or provide any other information you may require.

Yours sincerely,

Kim Pratt, Circular Economy Campaigner, Friends of the Earth Scotland

Liz Murray, Head of Scottish Campaigns, Global Justice Now

Laura Alcock-Ferguson MBE, Interim CEO, Circular Communities Scotland

Kathy Wormald, CEO, The Froglife Trust

Mike Robinson, Chair, Stop Climate Chaos Scotland

Kim Blasco on behalf of Plastic-Free Scotland Communities

Frances Guy, Director, Scotland's International Development Alliance

Catherine Gee, Deputy Chief Executive, Keep Scotland Beautiful

Craig Dalzell, Head of Policy and Research, Common Weal

Gloria Lo, Chair and Director, Scottish Ecological Design Association

Bobby Jewell and Gloria Lo, Coordinators, Architects Climate Action Network Scotland

Simon Kenton-Lake, Senior Project Officer, Nourish Scotland

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Franciele Sobierai, Communities' Reduce Reuse & Recycle Project Coordinator, Edinburgh & Lothians Regional Equality Council

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Catherine Gunby, Fidra