



OFFICIAL REPORT
AITHISG OIFIGEIL

Net Zero, Energy and Transport Committee

Tuesday 8 February 2022

Session 6



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NET ZERO, ENERGY AND TRANSPORT COMMITTEE

5th Meeting 2022, Session 6

CONVENER

*Dean Lockhart (Mid Scotland and Fife) (Con)

DEPUTY CONVENER

*Fiona Hyslop (Linlithgow) (SNP)

COMMITTEE MEMBERS

*Natalie Don (Renfrewshire North and West) (SNP)

*Jackie Dunbar (Aberdeen Donside) (SNP)

*Liam Kerr (North East Scotland) (Con)

*Monica Lennon (Central Scotland) (Lab)

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

*attended

THE FOLLOWING ALSO PARTICIPATED:

Anna Beswick (Adaptation Scotland)

Dr Caroline Brown (Transform Scotland)

Heather Cowan (Transport Scotland)

Chiquita Elvin (Sustrans Scotland)

Jenny Gilruth (Minister for Transport)

Iain Gulland (Zero Waste Scotland)

Elizabeth Hawley (Transport Scotland)

David Hunter (Mobility and Access Committee for Scotland)

Sandy McNeil (Scottish Government)

Graham Simpson (Central Scotland) (Con)

Rosie Simpson (John Muir Trust)

Paul White (Confederation of Passenger Transport)

Bruce Wilson (Scottish Environment LINK)

CLERK TO THE COMMITTEE

Peter McGrath

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Net Zero, Energy and Transport Committee

Tuesday 8 February 2022

[The Convener opened the meeting at 09:30]

Decision on Taking Business in Private

The Convener (Dean Lockhart): Good morning, and welcome to the fifth meeting in 2022 of the Net Zero, Energy and Transport Committee. This week, we are conducting the meeting in a hybrid format, with some members in the room and others attending remotely.

Agenda item 1 is a decision on whether to take item 4 in private. Item 4 is consideration of today's evidence. Do members agree to take that in private?

Members indicated agreement.

National Planning Framework (NPF4)

The Convener: Item 2 is evidence on the Scottish Government's draft fourth national planning framework, which is referred to as NPF4. A number of committees are scrutinising different elements of NPF4. Last week, this committee heard evidence on how effectively NPF4 addresses energy policy.

Today, we will hear from two panels, the first of which will focus on transport. I am pleased to welcome the following witnesses, who are joining us remotely: Dr Caroline Brown is the policy adviser at Transform Scotland; Chiquita Elvin is the head of infrastructure and delivery at Sustrans Scotland; David Hunter is a member of the Mobility and Access Committee for Scotland; and Paul White is the director of the Confederation of Passenger Transport. Good morning, everyone, and thank you for joining the committee. I also thank those who have provided written submissions in advance, for which we are grateful. We have just over an hour for this session, and we have a lot to cover. We appreciate complete answers, but also concise answers where possible.

We will move straight to questions, and I will start with a question for all of you. One of the main themes running through NPF4 is prioritisation of localisation across a number of policy areas. In the context of the national net zero targets across all transport sectors, how important will local authorities be in meeting those targets and what main challenges will local authorities face in that regard?

Dr Caroline Brown (Transform Scotland): That is an interesting starter question. Clearly, local authorities are crucial in the delivery of the policy targets, because the planning system is, in effect, delivered at local level. NPF4 will guide development plans and decisions that are made at local level. Local authorities are critical. The localisation agenda through 20-minute neighbourhoods will also be delivered through local authorities and how they plan and bring forward new development.

The challenges for local authorities will be around resources and skills. The planning system in Scotland is a discretionary system in which developers can negotiate policy areas and the things that they deliver in new developments. In an underresourced planning system, planners have less time to negotiate those goods and localisation, and delivery at local level. For a stretched authority that has developers hammering on the door wanting to bring forward development, it is hard to push back and deliver

things that are different from what has been done in the past. That is a big challenge. We will have a skills challenge, but resourcing will also be a big area of challenge.

The other thing to keep in mind is the unevenness in this space and how we work together at local and national levels to bring consistency between local authorities. We know that some developers and local authorities push further and faster with the agendas than others, but we have to bring the tail along if we are to achieve the pressing and challenging targets.

The Convener: You touched on a number of issues that I am sure my colleagues will want to explore.

Chiquita Elvin (Sustrans Scotland): I would echo many of the points that Caroline Brown has made. Resourcing and skills will be the biggest challenges. For local authorities, it is not just about working with developers; it is about the projects that local authorities deliver on their own that come out of local development plans and other local plans. We have seen similar problems with resourcing and skills in that regard, and that impacts on the speed of delivery.

How quickly can we tackle the issue? There would need to be further investment and training for delivery. At the moment, the issue is just about the number of people who are able to carry out that work. That also applies across the private sector, which supports local authorities with consultancy support.

David Hunter (Mobility and Access Committee for Scotland): I will be the third witness to mention resources. In the context of the national planning framework priorities, one example is that there is quite a lot of emphasis on active travel freeways, which are part of the strategic transport projects review, and major active travel routes. However, at the local level, the most important thing for many disabled people in getting around is the everyday things such as pavements. It is about bread-and-butter issues such as the quality and size of pavements and the ability to cross the road.

To make the planning system work properly for mobility, it is important that councils can improve the everyday local pedestrian environments, which in many parts of Scotland—probably all parts—are very poor and are a big inhibitor to many disabled people getting about. There is an issue of resources. There has to be a balance between the centrally funded major projects and funding for the local bread-and-butter walking and wheeling environments.

We also want better implementation of the public sector equality duty and an understanding of the impacts on disabled people of planning

projects, transport projects and all kinds of other initiatives. A review of the PSED is under way. We feel that the planning and transport systems have not been as effective as they should be in carrying out the duty.

Paul White (Confederation of Passenger Transport): Good morning. I will complete the set and reference resources and skills. On localisation, in the sector that I represent, which is public transport—in particular, the bus and coach sector—we have positives in the bus partnership fund and the means to improve, we hope, infrastructure as it relates to public transport. However, there will be challenge in learning how to deliver that effectively and expediently and in sharing good practice.

The Convener: I have a follow-up question for Caroline Brown. You mentioned that planning will be crucial to meeting the targets. The common theme across what we have heard is that resources are limited and challenged. Last week, the committee heard evidence that, since 2011, there has been a 20 per cent reduction in the number of local authority planning officers. Obviously, resources are being decreased.

Do you have a ballpark figure for how much additional resource will be required in local government planning departments to address the increasing demand on local authority planning teams to meet net zero targets? Are we looking at a 10 per cent increase in officers or a transformational change? Are we looking at almost having to double the number of local authority planning personnel?

Dr Brown: You need to talk to the Royal Town Planning Institute Scotland about that, as it has provided figures on that in submissions to other committees. The figure is in the order of hundreds more planning officers working in local authorities. That is a significant increase and, although some of it might be covered by planning fee increases, not all of it will be. It is a significant change. As you say, over the past 10 years, there has been a significant loss. We need to undo that and put in new resource to cover the skills that we need to deliver the changes.

The Convener: That is helpful. Thank you very much. I will bring in Fiona Hyslop.

Fiona Hyslop (Linlithgow) (SNP): Good morning, everyone. The draft NPF4 talks about multimodal hubs where people can easily switch between bus, rail, walking, wheeling and cycling. What needs to happen to make those a reality? My constituency goes halfway from Edinburgh to Glasgow and is between the M8 and the M9. It has lots of towns, it has a population of over 100,000, which is the biggest in Scotland, and it

has lots of commuters. In reality, how do we tackle this and what needs to happen?

Chiquita Elvin: It is about integration and network planning from the highest level. The planning system is well equipped to take a planned approach to integrating all those modes. It is also about accessibility, which David Hunter touched on. Considering how different people use our spaces and making them accessible to everybody is key. We need to broaden our understanding of that and improve the quality of active travel infrastructure, particularly things such as bike parking and access, whether it is to a station or something as simple as a bus stop. That will allow people to connect all the dots. We need a plan-led approach and integration for all the different modes to work together.

Fiona Hyslop: Who will make that happen?

Chiquita Elvin: Integration will take partnership between central Government and local government and all the delivery partners at regional level working together—the private and public sectors and, of course, the third sector. It will need everybody, from planners down to construction companies.

Fiona Hyslop: I ask Paul White the same question. Bus companies in particular have a keen interest in multimodal hubs. How do we make them happen? What has to happen and who is responsible?

Paul White: As you can imagine, I am a fan of multimodal hubs. A lot of benefits could be realised through them. Looking through my bus-services lens again, we have formats that can generate the discussions that are required to deliver the hubs, including the bus service improvement partnerships under the Transport (Scotland) Act 2019. Those can bring together the stakeholders that Chiquita Elvin mentioned. They can involve bus operators, local authorities, the Scottish Government and other key stakeholders who can look to agree a partnership approach. The infrastructure of a multimodal hub might be funded by a local authority or through the bus partnership fund, and the operator would, in turn, commit to serving that hub with the required frequency, standard of vehicle or whatever in order, we hope, to make it a success.

Another aspect to consider is integration with active travel and perhaps rail, depending on the type of multimodal hub. Many operators are already introducing integrated ticketing across bus services; ticketing could be integrated with rail fares and bike hire, for example.

On information provision, we have a good resource in Traveline Scotland, but we need to inform people how to access those things and how to use them appropriately.

Fiona Hyslop: Will NPF4 help to facilitate and enable that, or does it just make a statement?

Paul White: NPF4 refers to mass transit networks, where you might look to build in hubs.

In relation to serving new developments and developer contributions, we should look to make developers part-fund such hubs, so that the bus service for a new development is not required to go round the houses—if you will excuse the phrase—but instead serves a hub. People could access the hub using good-quality cycling and walking routes and the bus can be there then away. That would not massively increase journey or boarding times and everyone would have a quick and reliable service. That should be looked at in NPF4.

09:45

Fiona Hyslop: I want to ask the other two witnesses about 20-minute neighbourhoods, which are mentioned 34 times in the draft NPF4. This is for David Hunter. How might they be delivered in practice, particularly in urban and suburban areas? What needs to be done to make such neighbourhoods a reality and a positive for communities in Scotland?

David Hunter: It is good to ask about the “how”. Over the past year or so, the Mobility and Access Committee for Scotland has spent quite a lot of time looking at the concept and sharing it with other disability groups through number of webinars and so on. We are quite enthusiastic about the concept. However, the “how” is more complicated. There is a fair bit of work to do on whether we take a planning-led approach, in which local authorities direct the neighbourhoods and facilities in some way, or whether we take a more market-led approach. If local facilities and services are close to where people live, and are on their doorstep, that will make for more inclusive and accessible environments. We would certainly encourage the creation of 20-minute neighbourhoods, but I am still a bit unclear on what the levers are to achieve them.

I will complement what others said in response to the previous question about mobility hubs. Interchanges are particularly important for disabled people. They need to work well if they are going to make things accessible—an example is having taxis close to railway stations. Integration of transport modes is important. I draw attention to our submission, which suggests that transport interchanges—by which we mean bus stations and train stations—should be added to the list of national developments in NPF4.

Fiona Hyslop: Thank you. Dr Brown, what are your views on 20-minute neighbourhoods? How can they be flexible enough for rural and island

communities in particular? How might such flexibility be achieved?

Dr Brown: Scotland has taken on the challenge of attempting to apply the 20-minute neighbourhood concept to rural settings. Other countries around the world that have used the concept have focused mostly on urban areas, so how the concept applies to other areas is a good question.

There has been quite a lot of dialogue on the matter, and there are some hints in NPF4 about how the concept can be adapted for rural settings. There is an acceptance that it will not be a 20-minute walk or an 800m walk in a rural area, but the idea is that there will be a network of hubs that provide key services and that there will be a much more local offer than is the case currently.

We need to have a nuanced understanding of what 20-minute neighbourhoods deliver and of the infrastructure that is present in them. We do not just mean having a coffee shop nearby where people can get a nice latte. We need to have a more rounded understanding of travel infrastructure and public transport services, but also of social infrastructure, community infrastructure and space for local businesses. The question about implementation is a good one.

For a long time, the planning system has included policies on mixed-use development in urban areas. You all know Edinburgh, so you can probably think of places in Edinburgh where we have mixed-use developments with flats and residences alongside retail or commercial units that have been empty, in some cases, for several years.

There is a question about building such neighbourhoods, and there is a question about making them work. NPF4 and the planning system do not have the levers to make them work. We need to think about how things work together at a local level and at a central Government level, so that we animate those spaces and provide incentives for businesses to bring a nursery, a dentist, a repair centre or a repair cafe—whatever it is—into the community and make it work. That applies to rural settings as much as it does to urban settings. How do we make it work, even if we deliver the sites?

Mark Ruskell (Mid Scotland and Fife) (Green): I want to ask about the bigger picture. We have NPF4, the strategic transport projects review—which has just been announced—the national transport strategy and the budget. Are those all properly aligned? Do they respect the transport hierarchy, or are there some differences or misalignment? I ask Paul White to answer first.

Paul White: STPR2, the national planning framework and the national transport strategy

present a fantastic opportunity for the sector that I represent. The spotlight is being placed firmly on sustainable and active travel for the first time in a long while. There are references to the sustainable travel hierarchy throughout, and to the bus circle of growth. There is alignment in the messaging on where we need to focus to improve our travel network, and it is now up to us to deliver on that.

I do not see any misalignment, although I do see challenges, particularly given that the transport strategy makes references to a pre-Covid world. As we emerge from Covid, there will be discussions about how elements are interpreted. For example, the public transport network, including rail, bus and underground, is still looking at—in the medium term, at least—patronage recovery. We need to build up that patronage and strengthen the public transport network if we are going to make public transport an affordable and comprehensive alternative to the car. Every witness and member of the committee probably agrees that we need to reduce the number of car journeys. I do not see misalignment, but I do see a challenge.

Mark Ruskell: In the past, Transform Scotland has been somewhat critical of Scottish Government budgets in relation to the transport hierarchy and whether what is in the NTS materialises when it comes to spending the cash. Dr Brown, what is your thinking on those critical strategies and capital programmes and on whether they align?

Dr Brown: Clearly, for any of this to work, the big ambitions have to be delivered. A key weakness in NPF4 and STPR2 relates to how the ambitions will be delivered and the timeline. NPF4 is clear that the climate emergency is the priority and that we have to make a rapid and just transition, but we do not have any sense of the timescales for delivery or of which interventions and projects will deliver the greatest reduction in emissions over time. We need to get a sense of that first. That is a big missing part of the agenda not just in NPF4 but in STPR2.

We cannot wait three years—as, I think, STPR2 says—for a strategy about demand management. We need that now, and we need to start implementing it. There is a big question about how national projects, the national network and rapid transit are delivered, and over what timescales.

David Hunter: Broadly speaking, the language in the various initiatives is fairly similar; there is a fair amount of consistency among them. It is probably quite helpful that a number of concurrent consultations are going on, including on STPR2 and the target for a 20 per cent reduction in car travel.

We have been quite critical in saying that the NPF4 document does not pay much attention to the goal of reducing inequalities, which is quite prominent in the national transport strategy. The bits on equality and human rights are very weak and limp. NPF4 basically says that statutory equalities provisions should be followed, or something very timid like that.

Planning policy and transport policy as a whole can be much more assertive in trying to reduce inequalities. As I mentioned, lots of bread-and-butter things, such as the state of local pavements, should be considered. This might not be a planning issue, but you cannot get a wheelchair-accessible taxi for love or money in many parts of Scotland. Bus stops and shelters are just not good enough in lots of places.

Our focus is on the tangible delivery side. This sounds a bit unkind, but there is a bit of a gap between the high-level rhetoric and policy goals and what happens on the ground and what people see in their local neighbourhoods. That is the big challenge for all the strategies.

Chiquita Elvin: From an active travel perspective, I think that Scotland is very well aligned. We also have investment coming in 2024. However, the main concerns relate to deliverability, resources and the skills that are necessary. Even if we can deliver on that, how will we maintain things? How will we ensure that what we provide is reliable so that people can make genuine choices and changes in their lives?

Mark Ruskell: I will stay with Chiquita Elvin. Walking, wheeling and cycling infrastructure is—for the first time, I think—included as a national development in NPF4. Is the framework detailed enough? What about STPR2? Is it clear what the Government wants to develop? I think that most people will look at that part of the framework and think that it is talking about the national cycling network. However, we have the concept of active freeways, and different levels of aspiration could be applied to that. Is it clear to what extent development in that is required?

Chiquita Elvin: I think that it is clear in the framework. The national walking, cycling and wheeling network—NWCWN—will be formed of local routes but will also join up communities. We also have to consider leisure and health. Once you combine that with creating places and start talking about place rather than just about active travel or housing, you will start to join all the dots. Active travel is just one element of what we need, but it is good to see that it is threaded throughout the national planning framework. As I said, I think that the framework is clear, but it comes down to how we deliver.

Mark Ruskell: Dr Brown, do you have a perspective on what is currently spelled out as a national development for walking, wheeling and cycling?

Dr Brown: Actually, NPF3 had the national cycle network as a national project to be delivered through the work of Sustrans, NatureScot and Scottish Canals. In NPF4, the network is framed slightly differently towards everyday cycling, and it includes that.

Although I take on board Chiquita Elvin's point about transport and the network appearing in many places in the document, things are a little bit confusing, particularly with the new idea of active freeways, which is not mentioned in NPF4. I presume that that is just a timing issue, but clarification is needed on that.

10:00

Clarification is also needed on the idea that we are building an extensive active travel network—which is about everyday journeys, from the 20-minute neighbourhood up to the city scale, and between settlements and places—to provide longer-distance leisure and tourism possibilities. There is room for that aspect to be clarified and tightened up, and to make more explicit some of the expectations at the local level about walking and wheeling networks.

That must include David Hunter's eloquent point about equalities and the impact that local infrastructure has on people, particularly those with disabilities. The quality of the pavements and the cycleways in neighbourhoods shapes that. We should be clear about the benefits that disabled people get from good active travel infrastructure. That is not just about pavements; the infrastructure must also be for bikes, because disabled people cycle, too. There is room to tighten that up.

Mark Ruskell: My final question is about delivery and the mechanisms that we have for that. My local authority in Stirling has a plan for what it wants to deliver but it is taking a long time to roll it out. Some of that is down to traffic regulation orders and the traffic system. Are there particular barriers that you would point to that could brush up against the ambition of NPF4? I put that to Chiquita Elvin, who is directly involved in rolling out the tarmac, on the ground.

Chiquita Elvin: I am afraid that I will return to the issue of resources, which is one of the key barriers to delivery, particularly if we want to accelerate delivery and are looking to treble the investment in active travel. At the moment, that would be a challenge with the resources that are available to local authorities, in particular.

You touched on the TRO process; that has slowed things down. In the framework, the Government reiterates and reaffirms its commitment to active travel as a delivery priority. That will give local authorities a clear mandate when it comes to delivering big schemes such as you are referring to. However, some local authorities are in a different place—they are still looking at smaller schemes. Making schemes fully accessible is one of the challenges that we must tackle now.

Mark Ruskell: Do Caroline Brown and David Hunter have any final thoughts on the issue?

David Hunter: Deliverability is a big issue. I think that that is the best that I can contribute.

Mark Ruskell: We might have lost Caroline Brown, but she can respond in a future answer. Thank you, convener.

The Convener: It looks as though Caroline Brown's connection has dropped for the time being. We will try to ensure that she reconnects.

Liam Kerr has a supplementary question, after which we will go to Jackie Dunbar.

Liam Kerr (North East Scotland) (Con): I do, convener, but it is for Dr Brown, so perhaps you could bring me in at the end, if she reconnects.

The Convener: That is good to know. Thank you, Liam. In that case, I will bring in Jackie Dunbar.

Jackie Dunbar (Aberdeen Donside) (SNP): I think that my questions are for David Hunter and Paul White, but I would be happy to hear the thoughts of Chiquita Elvin and Caroline Brown, if she joins us again. Do the policies that are set out in the draft NPF4 give sufficient consideration to the travel and accessibility needs of all disabled people and people with mobility issues? If not, what would you like to see in the NPF4, and what would you change?

David Hunter: As I have said, we would like the equality and accessibility dimensions to be strengthened much more explicitly in NPF4. Whether we are talking about major transport projects or planning initiatives, there are always opportunities to improve access and mobility. However, those opportunities are often not taken.

I will give a specific example—I think that we mentioned it in our submission. Sometimes, the pavements outside a development are still narrow. Surely developers should be expected to contribute to decent-sized pavements and pedestrian environments, and should ensure that drop kerbs are installed or there are continuous footways outside their developments. Regardless of whether that would be achieved through technical processes—through section 75 of the

Town and Country Planning (Scotland) Act 1997, I think—or through voluntary agreements, we would like to raise the bar and the expectations of how planning developments could improve local environments. It should not always be down to councils, which often have very limited resources, as we have heard several times.

It is not just a question of skills; it is also one of professional cultures. We would like to see more imaginative thinking about how we could make local environments more accessible, whether that is done through pavements, cycleways, bus infrastructure or other things.

In the final version of NPF4, we would like to see more explicit mention of things like understanding the equality impacts and the opportunities of measures, rather than just mitigating negative impacts. It needs to be much tougher in that regard. The built environment is so massive that we have to change it bit by bit as we go along. We cannot expect councils just to do that from their routine roads budgets.

Jackie Dunbar: I have a supplementary question on that. We spoke earlier about developer contributions, which are negotiated. Would you like that aspect to be strengthened? Should what must happen be written down, rather than there being a negotiation about what will happen? I am aware that, sometimes, measures are included but it is difficult to find out later whether they have been done.

David Hunter: To comment on exactly how that should be done probably takes me outside my comfort zone. As I understand it, section 75 could be used—and is used—to require investment. However, I think that that is too limited; the horizon are too close. If the same results can be achieved voluntarily through negotiation, I would not have a problem, as long as the result is good. Maybe people who are more expert in the processes could see whether drafting could encourage such opportunities.

Jackie Dunbar: I put the same questions to Paul White. I am interested to hear your take on things.

Paul White: I have to bow to the superior knowledge of David Hunter on many of the points on accessibility. We are keen to work with others to improve accessibility: the bus fleet should be 100 per cent accessible.

Listening to David Hunter respond to your initial question made me think about the part of NPF4 that talks about reusing and conserving buildings and infrastructure. Some of the older infrastructure might not be fully accessible. We need to think about how we ensure that, for example, public transport, can access developments. Vehicles need to be able to pull up close to kerbs, and there

must be dropped kerbs so that people can use the bus. We must also think about how we interact with active travel and bike lanes. You will be aware of floating bus stops and the issues that they sometimes cause for people who are wheelchair users or are concerned about crossing a bike lane to reach a bus stop.

We need to be involved. If we do not receive developer contributions to ensure that infrastructure is safe, we must at least be involved at the very early stages of the planning discussions in order to ensure that the road infrastructure is accessible not only for people, but for vehicles. For buses, that means enabling access in a way that allows people to board them.

There is only one other aspect that I can think of. People are meant to be able to access a public transport facility within 400 metres of new developments. David Hunter is probably better placed to answer whether that distance is too long or is sufficient.

Jackie Dunbar: I cannot see whether Caroline Brown or Chiquita Elvin would like to come in with any final thoughts. If not, I am happy to pass back to you, convener.

The Convener: Caroline Brown is now back online. Caroline—did you hear Jackie Dunbar's initial question?

Dr Brown: I did. David Hunter's point about the need for NPF4 to be much stronger on equalities and human rights is good. We definitely agree with that, particularly in terms of understanding the underpinning inequalities that the built environment currently creates and perpetuates.

Although the document says things about equalities, it does not give specifics about types of inequalities or groups that are specifically disadvantaged. That information would be really helpful because if we do not know what the inequalities are, we cannot do something about them. We have to start talking about such inequalities—inequalities for children, women and people with disabilities that are caused by the built environment, how it is configured and how it undermines things that those groups do or could do. That is an important point.

We completely support all the work around accessibility. Paying attention to the everyday settings of the 20-minute neighbourhood and how that supports accessibility, specifically for disadvantaged groups, is very important.

The Convener: Now that Caroline Brown is back with us, I will bring in Liam Kerr, who I believe has a question for her.

Liam Kerr: I want to pick up on the line of questioning that Mark Ruskell explored with Dr Brown. You talked about a lack of strategy in

NPF4 and STPR2. We have heard quite a lot about the urban possibilities, but it is difficult to relate a lot of that to rural settings or areas where bus services perhaps cannot be run for financial reasons. That point is correctly set out in the CPT written submission.

The United Kingdom Committee on Climate Change says that we need 30,000 public electric vehicle chargers by 2030; we currently have about 2,500. To go back to your comments about the lack of strategy, does NPF4 sufficiently account for roll-out of EV chargers and can it facilitate the extent of roll-out that we need?

Dr Brown: I do not think that NPF4 does that. That is an excellent question. There is mention of digital infrastructure; again, the focus tends to be on the urban rather than the rural. Scotland is not a largely urban nation; it is mostly rural. That is a really important point.

The issue goes back to our previous discussion about multimodal hubs and the possibility of using existing infrastructure to provide those settings. Chargers do not have to be near or at someone's residence; they can be in many other places. Adapting the 20-minute neighbourhoods that we have talked about for the rural context of course means providing such infrastructure at hubs. We need centres where people can charge their car, pick up their parcels, go to the library, get healthcare or whatever. Those things need to be joined together. That is where NPF4 could extend the envelope by—as David Hunter said—thinking more creatively and imaginatively about those concepts and linking them together. There are possibilities.

10:15

There are interesting transport and energy projects involving hydrogen, and things that might be imagined in the future, but we should be aware of them now, because the plan is supposed to be in place for 10 years and is meant to guide us through the 2030 deadline. More strategy is required, so it is important that there is, in the document, a lot more thought about and nuance on the rural context.

Monica Lennon (Central Scotland) (Lab): Good morning. I will aim my first question at Caroline Brown—I am glad that you are back, Caroline. We have talked about national developments. One is the Anglo-Scottish high-speed rail project. I read an article in *The Ferret* yesterday, which said that campaigners, including Friends of the Earth Scotland, have expressed concern about “gas guzzling” high-speed trains, because the current refurbished trains are diesel powered. Transport Scotland says:

"We plan to replace the 25 High Speed Trains by 2030 with zero emission fleets, dependent on progress with the developing programme of electrification and rolling stock capabilities of battery and hydrogen powered fleets."

With all that in mind, what do you think about that project in relation to delivering the aims of reducing car travel and encouraging modal shift, which we have talked about a lot? Should other projects take priority?

Dr Brown: That is a really tricky question. You are absolutely right to mention timelines, which we have talked about. The question of how we deliver the significant changes in carbon emissions in the necessary timelines is a central concern of Transform Scotland. The first timeline is to 2030, then there is the timeline to 2045. If we do not get electrification of the high-speed links until the early 2030s, we will be in significant danger of missing our target. We have to provide strategic links, because they are important for replacing and providing a viable alternative to short-haul flying, which is, of course, much worse in a carbon-emissions sense than high-speed rail.

We are in a bit of a bind. As I said, we need to step back and look at the things that need to be delivered and the timelines in which they can be delivered in order to meet the targets that have been set for reduction of emissions. We need to consider which projects we need to do first. If we did that, and if Transport Scotland did it with the Scottish Government, perhaps some of the investment could be directed towards the types of very long-term, but strategic, projects that will help us to shift away from short-haul flying, for example. That is significant and important.

Monica Lennon: That is helpful.

My next question is for Chiquita Elvin, Paul White and David Hunter. Mark Ruskell covered the need to align different strategies. On that theme, the Scottish Government's trunk roads investment programme includes planned expenditure of more than £7 billion, but it is not mentioned in the draft NPF4. Does that support the spatial principles and the priorities that are set out in the draft NPF4? If not, how could the two be brought into alignment?

Chiquita Elvin is on my screen, so I will come to her first.

Chiquita Elvin: I do not know whether I will be able to add much on that. From the perspective of Sustrans and active travel, investing in roads is not our priority. We need to think about modal shift and road-space reallocation. Once we start looking at rural areas, for example, where we need roads, we need to think about the speed of traffic and its impact. We need to think about people making everyday journeys and about streets being for people rather than for vehicles. We need to

bring the place focus back to the centre of all the strategies.

Monica Lennon: I will go to Paul White to get a bus and coach perspective.

Paul White: Clearly, there are interurban services and bus services that use the motorway network. From the Government strategy point of view, I know that, in the budget for the bus partnership fund, there is money for a managed motorways project. Work on priority for public transport on motorways has been slow. The Scottish Government probably has to set an example if it wants local authorities to make brave decisions about road-space reallocation in city centres, particularly given that Transport Scotland appears to be shying away from the brave decisions that it needs to make on elements of the motorway network.

Other than that, there is not much that I can say about the Government's trunk road budget.

Monica Lennon: That is okay.

David, do you have a view? Caroline Brown might want to come in; if there is time, convener, I would like to come back to her.

David Hunter: MACS is not focused so much on the trunk road network and balancing the spending decisions. However, there is a massive legacy of inaccessible infrastructure. For example, we could just look at the number of railway stations in Scotland where many disabled people cannot cross from one platform to another, which makes them inaccessible. We have to balance the accessibility and inclusion objectives with investment in roads infrastructure. There is a massive legacy of inaccessible transport infrastructure in Scotland, which we want to be the top priority.

Dr Brown: The issue of budget and spending is important. We have talked about delivery. To put the matter into context, you talked about £7 billion being spent on trunk roads, which contrasts with the investment in the national cycle network that was set out back in NPF3, which has been about £50 million. The investment in active travel is buttons compared with the massive mountain of money that is going into trunk roads. We need to be clear that significant investment in active travel would repay us in spades through emissions reduction, health benefits and improvements in air and environmental quality. When we see such figures, we know just how much money there is for transport infrastructure. If we directed even a relatively modest proportion of that £7 billion into the national cycle network and active freeways, we could do something dramatic very quickly.

As a final thought, I encourage the committee to have a look at Transport Scotland's sister

organisation in Wales, Transport for Wales, which is doing interesting work. In essence, it has stopped investment in roads in Wales because of its concerns about the climate impact, and is re-evaluating many of its roads projects. That is a great model to look at.

Monica Lennon: Thank you; we are always keen to get recommendations and extra homework.

I know that time is short, but I have a brief final question for David Hunter. I declare an interest, as the patron of Disability Equality Scotland.

When the Parliament considered the Planning (Scotland) Bill, there was a lot of discussion about the role of access panels and whether they should have statutory status in decisions in the planning system. Do you have a view on that, David? Given what we have heard today about embedding equality and inclusion in planning, do you agree that there is a stronger case now than there was a few years ago to recognise properly the role of access panels?

David Hunter: Yes. Access panels are incredibly valuable, although they are not consistent across the country—some are more active than others. However, my experience of access panels is that they give an absolutely fantastic grass-roots perspective on all kinds of things to do with planning and transport. I would encourage any way to support them or to give them a stronger status.

Monica Lennon: That is helpful—thank you.

Liam Kerr: I will direct a question to Paul White, based on the line of questioning that we have just heard from Monica Lennon. The CPT submission talks about the need for bus services to receive on-going funding, absent which operators will need to make some difficult decisions on, for example, fares, routes and frequency. The committee is carrying out an inquiry into local authorities' ability to support the measures to achieve net zero, and we know that significant cuts to local authority budgets are coming. Noting that, is there sufficient recognition in NPF4 or more widely of what central Government needs to do to prevent the negative impacts that you mention in your submission?

Paul White: The point in our written submission is that NPF4 talks about facilitating bus services that can then do without further public sector support. Our point is that all local registered bus services receive from the Scottish Government the bus service operators grant, which is shortly to be re-termed the network support grant, so there is a form of support that is continuous. The wording of NPF4 probably needs to be tightened up to talk about a lack of further support where there are developer contributions or local authority funding

to support a service that requires support in its infancy but that can then hopefully quickly transition to a commercial service. Operators are keen to run non-supported services where possible; in cities, 90 per cent to 95 per cent of the bus network is run commercially.

I am sorry; can you repeat your question? I feel that I have gone off on a tangent.

Liam Kerr: No—that was an interesting answer. Local authorities face severe funding challenges, and you say that

“there must be an understanding that any bus route new or existing will receive on-going public sector funding”.

Has central Government sufficiently recognised that in NPF4 or more widely, in order to meet the aims that we all want to achieve, and which you pointed out?

Paul White: The Scottish Government has supported the sector through the pandemic, which has been vital to ensuring that we had a comprehensive bus network for the essential journeys that had to happen. At the moment, patronage levels are at about 70 per cent of pre-Covid levels, so there is still a need for Government to provide transitional support as—as we hope it will—patronage builds up to pre-pandemic levels and beyond.

The issue of Government support for bus services is tangential to the aims of NPF4. It is more important that we focus on the relationship between bus operators and local authorities and other key stakeholders in order to tackle congestion, which is where we can release real benefits for bus operators. Congestion has been a huge cost to the sector. Over the past 10 years, journey times have increased by 10 per cent, which has led to increased operating costs at a time when patronage and commercial revenue are down. We need to tackle operating costs by freeing buses from congestion. Aspects of NPF4 talk about mass transport networks and a focus on public transport. I would like to see NPF4 focus on that.

On support for bus services, some will have to continue to be supported services if they are not commercially viable, but the Scottish Government provides that support currently, and it is tangential to the aims of NPF4.

10:30

Natalie Don (Renfrewshire North and West) (SNP): Good morning. I am interested in the discussion on the importance of equality issues. Some of the issues that I want to raise have been touched on in response to my colleague Jackie Dunbar's question, but I want to expand on it.

Obviously, 20-minute neighbourhoods can mean very different things for different people, and I understand the sentiment that we need to reaffirm what a 20-minute neighbourhood is. I think that Dr Brown stated that it is not just about being able to nip out for a coffee but is about enabling people to meet the majority of their daily needs. The needs of a young person can be very different to the needs of a pregnant woman, an elderly person or a parent with young children. Outwith physical or mobility issues, the needs of families on low incomes also need to be recognised.

People have a range of needs. That relates to infrastructure and services, but transport is key. To ensure that 20-minute neighbourhoods are accessible for all, how can the needs be highlighted more and incorporated into planning, especially in rural areas? We touched on difficulties in that earlier.

I direct the question first to Dr Brown.

Dr Brown: There was a lot in there.

Natalie Don: Yes. I am sorry. I realise that it was quite a long question.

Dr Brown: As I said earlier, a good starting point would be the document being more explicit about and understanding of the current inequalities for various groups. There is no mention of that in the document, and it is possibly missing from the general information about the concept of 20-minute neighbourhoods. How might the concept affect the groups that you talked about—children, pregnant women, older people and folks on low incomes? Planners, designers and practitioners need to understand that if they are to deliver 20-minute neighbourhoods, so having it set out is important.

On transport, local accessibility is about providing a high-quality network of walking and wheeling opportunities. It is about having well-designed and well-maintained streets, and attention being paid to there being dropped kerbs and crossings. We should aim to take an approach in which the vehicle becomes a guest and we think about pedestrians and people on wheels, rather than think about people in cars and providing for vehicles. A lot of retrofit and reconfiguring will be required to do that, which probably falls outside much of the remit of NPF4, which is about setting high-level policy. It comes down to the nitty-gritty everyday details.

I will stop there, as I am sure that other panel members will want to come in. There is a lot to explore in how equalities come through in design. As you said, the issue is not only in the urban setting, but in the rural setting.

Chiquita Elvin: Dr Caroline Brown's answer was comprehensive; I would reiterate all of those points.

We need to explore much more the ability of different groups to feel safe in their environment, particularly when it comes to walking and wheeling. There is a lack of understanding of how various groups access infrastructure. Access to good-quality green space for young people can be a challenge in urban settings, in particular. It comes back to the skills of those who will design and deliver the improvements and the infrastructure that will be required. There is a lot of work to be done. The national developments should, of course, all be fully accessible, so greater focus on that and what it means would be helpful.

David Hunter: It is important to have examples or illustrations of the opportunities that are provided by inclusive local neighbourhoods, as well as of the impact on children, older people and disabled people. Maybe NPF4 could include case studies or something like that to bring it to life, because that does not come out of the document as it is.

We have talked quite a lot about the local pedestrian environment, which I am passionate about and am keen to see being improved. A year or so ago, Disability Equality Scotland did a poll on 20-minute neighbourhoods, and many disabled people expressed scepticism. Their key point was, "It's all very well having things on your doorstep, but can I get across the road? The pavement is not accessible for me."

On sustainability, I think that it was said previously, it is one thing having the infrastructure but, for a business such as a local corner shop—that is probably the most important 20-minute neighbourhood facility—it is fine designing a space for the shop, but will it be economical? How will the 20-minute neighbourhoods survive economically? There are clearly big issues with out-of-town shopping centres and competition from other areas, which is very much a planning issue.

We need to consider how the 20-minute neighbourhoods and the services and facilities in them can be sustainable economically, so that we do not design neighbourhoods that become wastelands. We see quite a lot of those in urban Scotland. You have little shopping centres where half the units are empty, because people cannot make money out of them. Why are they not making money? That could be partly about the quality of the public realm, but it is probably also the case that there are other more economically attractive out-of-town shopping centres and so on. There is an awful lot of thinking to be done about

how the whole package works sustainably—by which I principally mean economic sustainability.

Another point that has not come out much in the discussion is that the issue is about community sustainability as well as physical accessibility. If people who live together do not have—because they cannot sustain their lives as they get older, for example—to move out at different stages of life, that is the most sustainable type of community: a place where there are different age groups and groups of people who are all part of a community that functions well. There is an economic and social aspect as well as the physical-access aspect.

Paul White: I have little to add to those great contributions from the other witnesses. There is an important role for buses in sustainably linking 20-minute neighbourhoods and providing access to people's education or employment. It is important that we build that in.

Another issue that springs to mind, although it is not really a planning issue as much as it is an issue of equality and accessibility, is about information provision. We have seen examples of information provision improving through the pandemic. For example, people can look online and see how busy the buses are and whether there is a wheelchair space free. Better information might provide for people who have accessibility issues surety that sustainable transport options are available for longer journeys for which walking and cycling are not possible. People will know that they can physically access the services. They will feel safe and know that there is a space for them on the vehicle.

Natalie Don: It is important that we get this right, so I appreciate all your comments on the matter.

To round off, I have a question for all the witnesses. Are there any other specific transport-related improvements that could be made to the draft NPF4 that have not already been highlighted?

Paul White has responded last quite a few times, so I will bring him in first.

Paul White: I quite like going last, because you hear the other good comments first.

Dr Brown's comments on the charging infrastructure stood out in the earlier discussions. We have touched on the difficulty of introducing some of the concepts in rural areas. Looking ahead at the desire to decarbonise and provide sustainable transport links, there are challenges for decarbonising public transport provision in the rural setting, where loadings are generally lower, meaning that fewer people use the buses, but end-to-end journey times are longer—they are

long services. If you are looking for an electric solution, access to charging infrastructure is needed not only at the depot, but at the end of the route, wherever that might be, in order to get back.

The goes for sustainable tourism, which comes up in NPF4. Coaches play an important part in that. We need access to charging infrastructure for vehicles that will take groups of 70 or 75 people to see some of the great things in the Highlands. I would like more focus on how we deliver the charging infrastructure across Scotland and how it can be made accessible not only for people who have private vehicles but for mass-transit vehicles.

David Hunter: I mentioned this earlier. Our submission makes a suggestion on transport interchanges. That is slightly different from the mobility-hub issue, but it is related. Every town should have a decent accessible high-quality bus station or train station.

Chiquita Elvin: We welcome much of what is in NPF4, particularly on the national walking, cycling and wheeling network. To go back to Paul White's point about charging and maintenance, that is needed for bikes, too. There should be good-quality bike parking, and it should not be focused only on people in flatted developments. Different types of homes need different types of bike parking.

There is also the maintenance question. We need to ensure that whatever is delivered can be used reliably by people throughout the year.

Dr Brown: Like others, I think that there are lots of good things in NPF4. As I said, we would like clarification of the active freeways idea and the national walking, cycling and wheeling network idea, which has shifted since NPF3.

One thing that we have not talked about is the new infrastructure-first principle that is set out in NPF4. It is welcome, but we would like that to go further so that new development is infrastructure-led. Where new housing is planned, we need to have the walking and wheeling network and the public transport links in early, so that the people who move into the houses have options from day 1. It is no good planning a bus or rail link that will open after five years or, in some cases, 10 years. You cannot shift people's behaviours at that point. It is worth thinking about strengthening the infrastructure-first idea into an infrastructure-led approach. That is critically important for active travel and public transport.

Mark Ruskell: My question is on the back of Liam Kerr's comments on local government funding. We have seen dramatically increasing capital budgets for walking, cycling and wheeling infrastructure over a number of years now, but that is delivered via Sustrans to local authorities. It is ring fenced, and local authorities bid for it. This

might be an unfair question, but is that the right balance or does more money need to go from those pots directly to local authorities to build the capacity to do the work to build out the plans? Is the current model of delivery via Sustrans the best approach? In effect, we rely on a national charity to deliver a national network.

That is perhaps a hard one for Chiquita Elvin, but I ask her and Caroline Brown whether they have any thoughts to share with us on that.

10:45

Dr Brown: We had a conversation about that very question the other day when I was preparing for this session. Why does Transport Scotland not have a role? It delivers strategically on other types of transport infrastructure, so why not on cycling and active travel infrastructure? I mentioned the point about unevenness. Where things are left to local authorities bidding for money from a pot, the danger is that some authorities become very good at it—they have the skills and resource to do it and they successfully develop networks. However, neighbouring authorities that are perhaps less resourced do not do that, so the people who live there—the citizens of those places—do not benefit from the funding or from infrastructure developments.

We have to think seriously about delivery of the national walking, cycling and wheeling network, but NPF4 does not say anything about who will be responsible for it. The NPF3 referred to that. We would like Transport Scotland to have a strategic role on active travel. Sustrans has done a cracking job in many ways but, as has been said, it is a third sector organisation. As more public funding goes into active travel, who should look after it and co-ordinate it strategically with local authorities in order to deliver what we need for the emissions reduction and car-kilometres reduction targets that the Government has set?

Mark Ruskell: Chiquita, do you have any thoughts that you can share with us on that?

Chiquita Elvin: Clearly, that is a difficult question for me. The reason why the money in the places for everyone fund comes through Sustrans is that we are uniquely placed to add value to all the projects. We provide support for local authorities, which are the main delivery partners, although we work with other organisations as well. Our focus is on the quality of active travel infrastructure, so we work with them. However, as a charity we are still working towards the aims of the active travel framework. Increased investment should go directly to local authorities, but investment through the places for everyone fund is also very effective.

The Convener: That brings us to the end of the session. I thank the panel members for joining us and for a very interesting discussion. The committee will share its findings with the lead committee on NPF4 towards the end of this month.

I suspend the meeting to allow the second panel to join us. Thank you again to the panel members. Enjoy the rest of your day.

10:48

Meeting suspended.

10:53

On resuming—

The Convener: Welcome back. We will now hear from our second panel of witnesses on NPF4, with a focus on the natural environment, waste management and the circular economy. I welcome Anna Beswick, who is programme manager at Adaptation Scotland; Iain Gulland, who is executive director and chief executive officer of Zero Waste Scotland; Rosie Simpson, who is senior policy officer at the John Muir Trust; and Bruce Wilson, who is public affairs manager at the Scottish Wildlife Trust and a representative of Scottish Environment LINK. I thank all the witnesses for joining us; it is a pleasure to have you at the meeting.

We have just over an hour for this session, as we did for the previous session, so although we very much appreciate complete answers, concise answers are also very welcome.

I have some questions for each witness. One of the main themes that runs through NPF4 is the prioritisation of localisation in a number of policy areas. How important will local authorities be in meeting national net zero targets across the natural environment, waste management and the circular economy? What are the main challenges that local authorities face in that context?

Anna Beswick (Adaptation Scotland): Thank you for those questions. My work focuses on supporting a wide range of organisations to adapt to the unavoidable impact of climate change. We are clear that local authorities have a crucial role to play in addressing the impact of climate change. Changes in temperature, changes in rainfall and severe weather events will not be felt evenly across Scotland—it is not as though there will be an average change. The impacts that play out vary widely across the country, so it is important that local authorities and regional partners play an active role in understanding the risks that they face, and that they are equipped to respond to and address those risks in a way that aligns with local culture and values.

The Convener: Thank you. I am sure that we will come back to some of those issues later.

Iain Gulland (Zero Waste Scotland): I thank the committee for the opportunity to give evidence. As I have said many times, local authorities are hugely important in delivery of national targets and of the infrastructure on the ground to support the shift to a more circular economy. If we are serious about moving our approach to waste—in relation to reuse, repair and remanufacturing—further up the hierarchy, there is a huge opportunity for local authorities to develop accessible infrastructure for citizens and businesses, to support businesses through local economic development and to enable citizens in their specific communities to engage, as the urban city environment is very different from the rural environment.

One of the challenges is that the idea of a circular economy is still very much embedded in the waste management part of local authorities. We need to change that. We are engaging with planners, economic development personnel and procurement officials across local authority delivery to ensure that we talk about not only how to manage waste at the end of its life but how we build infrastructure to ensure that it does not need to be the end of its life. It is about how we create circular use of resources at national and local levels to reduce not just the carbon impacts here in Scotland but the global carbon footprint, which we know goes beyond measurement of our territorial emissions.

Rosie Simpson (John Muir Trust): I thank the committee for having us. I know that we were accommodated later in the day, so I thank the committee for that.

Local authorities are vital to the localisation and translation of the national targets, but they cannot do everything on their own. Partnerships, particularly with other statutory bodies, need to be facilitated. A framework for facilitating partnership has been created for the Hagshaw Energy Cluster. That is a good example of how local authorities are part of planning and of ensuring that energy development takes place, but they are working in partnership with other public bodies, the private sector and communities. Communities are just as vital as local authorities are, so it is also important to empower them and enable local place planning to be delivered.

11:00

Bruce Wilson (Scottish Environment LINK): As you might expect, as I am the last witness to speak, I agree with a lot of what has been said. On biodiversity in particular, there is a strong feeling—not only among Scottish Environment LINK members—that local authorities are

underresourced to be able to carry out what is asked of them in NPF4. I will draw on the discussion at a recent Chartered Institute of Ecology and Environmental Management event, which brought in local authorities to look specifically at the biodiversity measures in NPF4. Many local authority representatives shared the concerns that a lot is being asked of them in tackling the nature crisis, and we need to ensure that local authorities are resourced appropriately to do that.

Rosie Simpson made the point about helping local authorities and not needing to reinvent the wheel everywhere. Local authorities could use lots of common processes in NPF4; having 32 different localised approaches to solving the nature and climate crises through planning might not be the best use of time or resources. We need to look at that in the draft NPF4.

The Convener: There seems to be agreement that local authorities have a crucial role in delivering net zero targets. I will dig a bit deeper into the main challenges that local authorities face, in your experience. The challenges that the previous witnesses identified included a lack of resource, for example, across planning departments, a lack of the necessary skills and expertise to deliver the challenging net zero targets, and financial constraints as a result of budget cuts. Will each of you briefly give some practical examples of how such challenges manifest themselves when you deal with local authorities?

We will go in reverse order to mix things up.

Bruce Wilson: Given the burden that is being placed on local authorities, an example that we can foresee relates to the application of positive effects for biodiversity—what some people refer to as biodiversity net gain. A lot of interpretation is required, and the language on the matter is not very tight. There could be scope for large developers to reduce what is expected of them simply because local authorities do not have the resource to be able to appropriately assess developments. The follow-up from that is that, once a development has been implemented, local authorities will be underresourced for taking a view on whether it has been successful in having positive effects on biodiversity. That concerns us.

The lack of specific guidance is quite an issue for local authorities. They are having not only to interpret what is said but to look at guidance that has not been drawn up with the climate and nature crises in mind. Some of the documents that are referred to are a decade old, and some have not been written yet. We definitely have a lot of concerns, from the perspective of local authorities and other planning authorities.

The Convener: Thank you. You have given us quite a lot to follow up on.

Rosie Simpson: We foresee that demand in keeping up with the pace of decision making that is required will only rise, so there is a resourcing question for local authorities. I do not feel qualified to give an answer on the expertise of local authorities, but when local authorities review planning applications and consider the potential harm to nature and biodiversity and the carbon emission impacts, there is the issue of the detail and quality of information that is provided to them to enable them to make decisions. We do not necessarily foresee a problem, but there is the issue of whether local authorities receive the accurate information that they need on, say, the carbon emissions of a future development so that they can weigh up the considerations and make a planning decision.

Iain Gulland: I will build on what others have said. It is probably just about experience. A lot of the work that we are involved in on the circular economy is very new. It is about building new types of infrastructure and having new ways of working in partnership. I come back to the previous point about how we evaluate the carbon impact of proposals. It is about awareness raising through engagement with other parts of local government. We should provide them with support so that they can gain, relatively quickly, the expertise and experience to make decisions on whether to progress projects.

Ultimately, there needs to be support from agencies and colleagues to do things differently. We can talk about resources, but there are different types of partnerships, such as those with the private sector and the third sector, to deliver reuse and repair infrastructure at the local level.

A different type of thinking is needed. To some extent, people just need the space and the confidence to pursue some of the obvious opportunities in a way that is different from how they have done things before, while dealing with all their other pressures. There might need to be a bit more capacity in local government.

Anna Beswick: I will try to add some different elements to the points that have been covered. I fully agree that there are issues with resourcing, skills, expertise and financial constraints. There is also an issue relating to decision-making cycles. Many of the benefits of investing in a more climate-change resilient future are long term, so it is hard for investments in those benefits to compete with short-term leads. That is a constant tension in local authorities, so the case for change needs to be stronger, in terms of the evidence and economics behind the need for action on climate-change resilience.

There are key challenges around mainstreaming. Responsibility for climate action needs to be taken outside the sustainability box and embedded across decision making. How will sustainability and climate change objectives be delivered through city deal programmes, for example? How does that sit with directors of economic development in relation to regional prosperity frameworks? How can we begin to build the economic case for that responsibility to translate into major revenue streams? We need to address those challenges with local authorities and their partners.

The Convener: I thank the witnesses for their opening remarks. I am sure that my colleagues will want to explore some of the issues further.

Fiona Hyslop: Good morning. There has been some criticism that planning policies relating to biodiversity are too aspirational. In the preparation of NPF4, a working group that looked at securing positive effects for biodiversity—I want to focus on biodiversity in particular—stated:

“supportive planning policy on biodiversity (and green infrastructure more generally) is not translating into delivery on the ground. Green infrastructure can be seen as optional or as an element that can be negotiated out”.

I want to go to Bruce Wilson first on this question, and then to Rosie Simpson. Does the draft NPF4 really deliver on the radical biodiversity change that the national spatial strategy set out in its introduction?

Bruce Wilson: Without being too negative, no. Overwhelmingly, the environmental organisations that are represented in Scottish Environment LINK think that the high-level rhetoric is really nice about solving the climate and biodiversity crisis holistically, but the changes that we see from NPF3 to NPF4 do not amount to much. There are new sections on creating local nature networks and implementing positive effects for biodiversity but, when we translate through those two things, there are a lot of shoulds and not a lot of musts. The language is very woolly.

We are very concerned that the approach for net gain from developments in respect of biodiversity is not data driven. We can see no requirement to establish a baseline. To use the old adage, you cannot manage what you do not measure. If we are to somehow assess that a development has had a positive effect for biodiversity, we need to know what has been there in the past. We are very concerned that there is not a data-driven approach.

We note that, in the international process around the 15th United Nations biodiversity conference of the parties, requirements are being written in for looking at net gain around nature. I presume that we will aspire to that when we create

our new Scottish biodiversity strategy and the nature targets that have been discussed in the programme for government. We are worried that the national planning framework, which will set the agenda for years to come, will not be coherent with that and that we will lose a huge opportunity. We know from experience that, if the language around those things is woolly, developers will not put in the required implementation for biodiversity.

In summary, we do not think that the draft NP4 will provide that transformational change at all. We need to see significant strengthening of the language. There is still time to do that. It is a draft document, and we think that that needs to be done.

Rosie Simpson: There is an awful lot in the aspiration and principles in the draft NPF4 that we welcome—in particular, policies 2 and 3 and the policy on natural places are great, and we certainly welcome them. However, as Bruce Wilson said, there are questions in considering the detail and thinking about the evidence to help decision making and the information that planning bodies will need—for example, to know whether biodiversity will improve overall through a development or whether the carbon savings will be greater than the emissions—and whether that can fall into guidance. More detail on the decision points and the thresholds would be really helpful in the draft NPF4.

Land is a huge natural carbon store, and it is our key to achieving biodiversity targets. There is nothing in the draft NPF4 that contradicts that, but it should be recognised that the policies need to follow that huge potential. An example is that the document, as drafted, does not go far enough on the peatland protections that are required if we are to treat peatland as a natural carbon store in the future.

Fiona Hyslop: I will stick on that theme and reflect on what you have said about data in particular. I am very struck by the fact that, on a piece of land that is open for development for positive reasons—for renewables, for example—there will be a strong data-driven aspect to carbon reductions. We have heard that a piece of land might end up being double counted for different companies or organisations. We are concerned that, if that land were peatland, for example, perhaps the data would not be sufficient to look at issues around carbon-rich soils and other aspects, and that biodiversity can therefore be the poor relation in respect of quantification of the impact that any development might have.

Is there a possibility that NPF4 could enable that interchange? We have a twin biodiversity and climate change crisis. Surely there needs to be equal calibration and measurement on one piece of land with the two crises. Does the draft NPF4

do that? If it does not, what is needed to ensure that it can deliver for both crises?

Rosie Simpson: We have twin crises. NPF4 can help us to address both crises at once or go in the opposite direction on biodiversity and the climate emergency. We should view the policies more in the round and not in isolation, and think about how they can work together. To be fair to the draft, I think that they can be. We can read policy 3, which is on the nature crisis, with that on natural places and policy 19, which is on green energy. The burden would definitely fall on the local authority to continue the intentional balance.

I do not know whether Bruce Wilson would like to add to that. There is a lot in the draft that is workable, and we would not say that simultaneously addressing biodiversity and climate change cannot be done through it.

11:15

Fiona Hyslop: I come to Bruce Wilson. How can policy 3 and policy 19 work together so that biodiversity is not seen as the poor relation because there is no data, for example?

Bruce Wilson: We lack the overarching biodiversity targets that we have for the climate. Those definitely drive policy. We have a commitment to bring in those biodiversity targets, and I hope that we will get to a position in which policy makers are driven by the desire to meet them. In the meantime, it is important that we take a data-driven approach, and that should be enshrined. A loose, “Let’s just hope for an overall net gain” approach will not strike the balance that we want.

A crucial part of planning policy is finding a balance between those two elements, which I believe is possible. There is scope within the documents to have better coherence with things such as regional land use partnerships, which were brought in through the Climate Change (Scotland) Act 2009 and which look to get communities to take a natural-capital-based approach to what happens with the land.

Historically, even when there have been burdens on developers to put in place biodiversity measures post-development—the wind farm example has been used—there have been lots of places in which local authorities have not had the resources to follow up on that, and to check that those things have been done properly and that restoration is going as planned. There might be a stipulation, but there is not really any way of checking that. It is very important that we ensure that that is done properly and effectively.

Mark Ruskell: I will ask briefly about biodiversity and national infrastructure. There is a

commitment in NPF4 on local nature networks. I think that the understanding is that every local authority will develop its own local nature network. I will start with Bruce Wilson. What is the difference between that and having a national nature network in respect of its status in planning? What is the difference between that and what you are looking for in the NPF?

Bruce Wilson: I am really glad that those are defined in the glossary of definitions in the NPF4 document. That is a very positive start.

Basically, each local authority is being tasked with having a range of activities and projects that would constitute a local nature network. That is great but, to get to the heart of the problem, we will probably have 32 different local approaches to local nature networks with varying degrees of delivery and success in each place and no real mechanism for joining those up at scale. We know with biodiversity that, if it is bigger or better connected, we will get more benefits that we need as a society—never mind all the intrinsic value that that creates in enhancing our biodiversity.

There was a call from the Scottish Wildlife Trust and all the other Scottish Environment LINK members in the most signed-up-to policy document that we have ever produced to get a national ecological network or Scottish nature network, as it is referred to, at national development scale. The committee has heard evidence this morning about things such as the national cycle network. We know that the Central Scotland Green Network is in the document and that we can do large, at-scale networks. Taking that approach would help to give a little more context to our green and blue infrastructure aspirations, and might help us to plan a little bit better for some of the project goals. There would be more ecological coherence, and we would get a bigger bang for our buck from investment.

We will have a problem relatively soon, because we know that public investment in nature will not be enough to meet our nature and climate goals. We will have to work out how to get private sector funding, whether we have a net positive system for nature, and where that goes in the landscape. An at-scale national ecological network, or Scottish nature network, that helps local authorities to map the best places for investment and projects in the landscape, using opportunity mapping, will help us to get a much better handle on that.

We would never plan a road network simply by having different local authorities put in place different bits of grey infrastructure. Obviously, it is not the same with biodiversity but, similarly, we cannot expect the same results if we simply have different bits of green and blue infrastructure in the landscape—we will not make a coherent network. It does not always have to be a physical network;

the aim is to allow nature to permeate our landscape better. That is vital for providing all sorts of services, from flood prevention to pollination for crops and, obviously, sequestration of carbon. During lockdown, we were fully aware of the massive benefits of having locally accessible nature.

Mark Ruskell: You are talking about co-ordination. I am imagining a catchment such as the Forth, multiple local authorities, maybe different landscape initiatives, and different ecological networks. I am trying to get my head around what the qualitative difference is in defining that as a national development in NPF4. The Government could turn around and say, “We’ll make sure there is co-ordination, but we don’t really need this as a national development.” What does a national development bring? The CSGN, for example, has been a national development.

Bruce Wilson: That almost answers the question. We have seen the action and movement in the CSGN. Definable projects have been taken forward. There are great initiatives, such as the Glasgow and Clyde Valley Green Network. How that blueprint can be applied more widely throughout the CSGN is being looked at. There is a lot more energy and action in that area of Scotland than there is in some other places. It becomes a priority through provision of that national-development angle.

Currently, there is just a lot of ambition around nature networks. There is lots of talk of striving to create, but there is not a defined mechanism for creating a nature network. Specifically, the national ecological network could help to provide the opportunity mapping that is so important for us in working out where the green and blue infrastructure could go to deliver the most benefit for the most Scottish priorities.

Mark Ruskell: Does Rosie Simpson want to come in on that before I move on to a different topic?

Rosie Simpson: I will take up from where Bruce Wilson left off on opportunity mapping. That is about taking a strategic view and having foresight on what areas we are safeguarding or protecting to enable connectivity or ecological restoration at the same time as we plan for a built development or infrastructure, so that we do not lose what we have before we know it. Critically, from the John Muir Trust’s perspective, we can give the mapped carbon soils that we have as a baseline for a national nature network and the mapped designated landscapes and wild land areas that we have as a guide to where we can direct ecological restoration across Scotland.

Mark Ruskell: Does Anna Beswick have any comments on that specific question?

Anna Beswick: I do not have anything specific to say about that. Bruce Wilson raised a point about financing all of that and trying to find a way of recognising that what we need to do on nature conservation far exceeds our ability to pay for it. How we leverage in private sector investment is crucial in terms of skills development. We need more people who can come up with innovative financing around nature-based solutions.

Mark Ruskell: Thank you—that is valuable.

I will move on to a different topic, on which I want to bring in Iain Gulland. In effect, we have a moratorium on decisions on new waste incinerators in Scotland, at least for the duration of the Government's review of waste incineration. What do you think will come out of the review? How do you think that that might shape how the Government approaches waste incineration in the context of the circular economy? Will the review have any bearing on what is in the NPF?

A related issue is whether, in the past, the planning system has been effective at ensuring that, where waste incinerators have been built, they have connected in with heat networks and delivered on that side of things. There is a concern about loopholes. Do you have any thoughts about the effectiveness of the planning system in that regard or about what might emerge from the review and how it will relate to the NPF?

Iain Gulland: I am probably not in a good position to pre-empt what the review will come up with. We acknowledge that NPF4 recognises that a review is taking place and says that it will take on board any of the outcomes from the review, which is to be welcomed. It is probably best not to talk in too much detail about that.

In the past, there have been challenges around energy from waste in relation to planning and the development of proposals. You are right—we have provided information about the efficiency of some of the existing plants that have not been attached to heat networks and so on, where we think that we are missing an opportunity. Whatever comes out of the review, we need to strengthen not just the decision making, but the implementation of any proposals that come forward. Ultimately, we welcome the review, as it will help us to understand what the future role is for energy from waste.

Ultimately, as I have said before to the committee, we want to get out of waste. Therefore, we need to plan infrastructure in such a way that we can get ourselves out of waste, whether that is for incineration or landfill. Ultimately, we want to move things up the hierarchy, reduce waste and create a circular economy. We think that there is some good stuff, and a lot to be commended, in the NPF around waste, but it really misses the

point about the circular economy. A lot of the language still feels very linear in what it says about how we will manage disposal in the future. It talks about it as if it will always be there and will always be something that we have to deal with, rather than looking to create a different economy in relation to use of materials. When it comes to the specifics of NPF4, we think that some of the language is still very linear.

The Government needs to look much more broadly at how we invent a circular economy, not just in the policy on waste—policy 20—but in lots of the other policies. We are talking about green energy and the move to local living and 20-minute neighbourhoods. There are huge opportunities to shift the thinking around infrastructure. The issue is about not just the linear economy and what we do with the waste once it has been produced, but how we create accessible infrastructure so that communities and businesses can participate further up the hierarchy.

Mark Ruskell: Other colleagues might want to come in on certain aspects of that, but I will put the question about waste incineration, where it sits within the NPF and what might change to Bruce Wilson.

Bruce Wilson: I am sorry—I had a drop-out there. Can everyone hear me?

Mark Ruskell: Yes. Did you get the original question that I posed?

Bruce Wilson: I heard it, but there was a blip on the screen.

What Iain Gulland said about there being a need for more clarity is probably where we come from. We recognise what he said about the need for the issue with regard to waste to be embedded. We are in broad agreement with Iain Gulland on that.

Liam Kerr: I have a question about coastal protection and resilience, which I will direct to Anna Beswick, but if any other panel members wish to come in, they should just indicate.

Policy 35 says that

“Local development plan spatial strategies should consider how to adapt coastlines to the impacts of climate change”

and that there is a need for

“a proactive and innovative approach”.

In your view, how well does NPF4 support the need for climate adaptation and coastal resilience? How proactive does it require stakeholders to be?

11:30

Anna Beswick: To answer your last question first, the situation as regards coastal resilience requires stakeholders to be extremely proactive.

Areas of Scotland's soft low-lying coasts face very serious risks—they face significant changes in terms of sea-level rise and coastal erosion risk. It is definitely not a challenge that can be left for another day.

There are some good signals within NPF4 about the need for coastal adaptation, but I would like to see more on what we call flexible adaptation pathways. That means that, where we understand the near-term risks that we face, we build resilience to those, but it also involves being much more aware of the long-term risks and using a flexible approach to planning that will allow us to respond as risks emerge in the future. I do not think that there is enough in the NPF about the need for such adaptation pathways. A flexible approach needs to be built into NPF4. I would like to see more of that.

There is a connection with the issue of nature-based solutions. The Dynamic Coast project in Scotland offers an excellent assessment of coastal climate change risks, which tells us about the extent to which natural coastal systems are protecting key assets and land in Scotland. Understanding how we sustain and value those assets is crucial.

Through the Adaptation Scotland programme, we are working in urban, rural and island communities across Scotland. Different approaches to addressing coastal risks need to be taken in those places, depending on whether they have existing built defences, as we have in Edinburgh, which give a false sense of security. We just assume that those defences will always exist, although we might make them a bit higher.

However, the changes that we are seeing are game changing in relation to the risk exposure that we face in future and the way in which we need to consider coastal climate risk. That is even more evident in low-lying island communities that face very present and real risks that are not currently being addressed in the way that they need to be.

Liam Kerr: I am very grateful for that answer. Your last point might be the key one. I have in mind the situation in Montrose in my region, which I have been very active—along with colleagues across the parties—in trying to address.

That leads on to a similar point. Several witnesses have talked about the current burdens on local authorities. As Bruce Wilson pointed out, that is in a context of major budget cuts and funding pressures. In your view, given what you have said about the need to proactively address the issue, is NPF4 sufficiently cognisant of the ability of local government, financially and resource-wise, to mitigate what is happening in Montrose and elsewhere? Does it need to be

stronger in mandating central Government to provide the resources and the financing?

Anna Beswick: That is a great question. There are resourcing implications. Areas such as Montrose are the forerunners in the sense that the climate risks are imminent there. We have seen the impacts of what is playing out in Montrose and they are a shadow of things to come.

There needs to be much more recognition of the scale of the challenge and there needs to be much more resourcing coming in, nationally and locally. There is some excellent expertise in Scotland and some excellent partnership work is being done. Good evidence is coming to the fore, which is telling us more about coastal climate change risks. Some positive work has started but, unfortunately, the scale of the challenge that we face means that additional resourcing is an essential part of what needs to happen. It would be excellent to see that strengthened in NPF4.

Liam Kerr: That is very helpful. I am very grateful for that answer. I believe that other panel members might wish to come in, but I am not sure who.

The Convener: Perhaps not.

Liam Kerr: In that case, I will hand back to the convener.

The Convener: Thank you very much. Next up is Natalie Don, to be followed by Monica Lennon.

Natalie Don: Good morning. I want to focus on woodlands. Is the wording in policy 34 on trees, woodland and forestry sufficiently clear and directive to guide development in a way that is sensitive to existing woodlands? Do you have any examples of the “additional public benefits” that are mentioned in policy 34(c) that would justify the removal of woodlands?

Anna Beswick: In relation to the role of woodlands, I would like the state of the climate emergency that we face with regard to existing risks to the natural environment, including woodland species, to be acknowledged through that policy, and more broadly across the natural environment content of NPF4. The latest United Kingdom climate change risk assessment was published last summer. It highlights that the risks to the natural environment, including from pests and diseases in woodlands, have increased over the past five years and require further action.

We need to consider that when we consider the role of woodlands, as their ability to provide vital ecosystem services is part of our progress towards net zero. Unless we protect woodlands, enhance the health of woodlands and focus on reducing risks from pests and diseases, they will not be able to continue to provide the services that they currently provide, let alone to deliver the

enhancements that we need if we are to meet the net zero target. I would like to see that messaging strengthened.

Bruce Wilson: We welcome the policy around ancient woodlands and veteran trees. It is nice to be positive about aspects of the document, as I was more negative about some of the early stuff. We welcome that, and we want to see it carried through into the final document.

If we could strengthen policy 34 slightly to say that development proposals must not be supported where they would result in any loss of ancient woodland, ancient trees or veteran trees or have adverse impacts on their ecological condition, that would be great. Those trees bring so many benefits in urban and rural environments. There is all sorts of information available on the financial benefits that they bring in terms of flood prevention, slowing the flow of water, sequestering carbon, reducing urban heat island effects and so on.

We should also think about the huge cultural role of trees within communities. Seeing such trees when you are out and about in green space can help to make you feel better and can give a sense of identity to a development. The improvement in policy 34 on woodlands is a hugely welcome step.

Natalie Don: In relation to the “additional public benefits” that are mentioned in policy 34(c), are you saying that you would rather see the policy strengthened so that woodland is protected? Are you saying that that is the most important thing as far as you are concerned?

Bruce Wilson: Yes. Such woodlands provide a number of public benefits. There will be occasional exceptions to that but, overwhelmingly, they provide massive benefits, some of which I have listed. The mental health benefits of trees are very important, too.

Natalie Don: I am not sure whether I came across right there. Policy 34(c) says that there are “additional public benefits” that would justify the removal of woodland. Are you saying that you would like the policy to be strengthened so that the removal of woodland would not be possible or would be an absolute last option?

Bruce Wilson: Yes. Thank you for the clarification.

Natalie Don: That is no problem at all.

Iain, do you have anything to add?

Iain Gulland: I have nothing specific to say about ancient woodlands, but I come back to the diversity point. We need to remind ourselves that 90 per cent of all biodiversity stress and water stress globally comes from our continuing

extraction of virgin raw materials. There is a lot of stuff in NPF4 about reducing the impact of materials on our built environment, making more of the buildings and infrastructure that we already have and making them more flexible so that we do not have to build new things. If we stick to that and make that paramount in our plans, that will help to relieve the stress and the pressure on our environment and will enhance the situation as regards biodiversity loss and woodlands, here and globally.

Those issues are all interlinked, and that is how we need to look at things. It is important that some of the other policies that are listed take the pressure off the situation that we have talked about. That is critical at the national level and at the local level.

Natalie Don: Thank you. I have no further questions, so I will pass back to the convener.

Monica Lennon: Before I ask my question, I note that Mark Ruskell referred to a moratorium on new incinerators. My understanding is that ministers have not confirmed a moratorium but have asked planning authorities to notify them of any new applications and decisions for energy-from-waste developments. Perhaps we could get clarification on that later for the *Official Report*.

It is good that we are discussing the role of incineration and energy from waste in the waste hierarchy. From 2011 to 2020, the total quantity of waste that was incinerated in Scotland increased by more than 200 per cent, so it is clearly an issue that is worth exploring today.

If we do not see a permanent ban or moratorium on new energy-from-waste developments, what should we see in NPF4 in relation to their future role, bearing in mind possible climate and nature impacts? We have already heard from Iain Gulland that NPF4 is missing the point on the circular economy so there is a bigger picture. I am interested to hear views from the witnesses, starting with Iain, given that I have mentioned him.

Iain Gulland: My answer is still that it is probably too early for me to comment on the review. I hope that it brings a bit of clarity to the future role of incineration in Scotland and that NPF4 recognises that.

There are things in NPF4 around maximising the opportunities for heat from any energy-from-waste facilities that are built. It does not have a position statement on proposed incinerators without energy recovery and whether they will be allowed. It could be more explicit on that if we are to have such infrastructure in the future. It could even link to local heat and energy efficiency strategies in the energy efficient Scotland programme, recognising that other things could be taken into account if there were future energy-

from-waste proposals. We will have to see what the review comes out with.

11:45

There is lots to commend in NPF4 on the circular economy. It says lots of good things on embodied carbon in buildings and infrastructure; using different materials and recycled materials in our infrastructure; making the best use of what we already have through refurbishment; designing for deconstruction; and flexible use. That will be hugely important—I saw the end of the previous evidence session—for 20-minute neighbourhoods and adaptability. Going back to Anna Beswick's point on the challenges that we have with adaptation, because climate change is already happening, it is about how flexible we can make our buildings in the future.

There are lots of good—[*Inaudible.*]—and proposals in NPF4, but then it goes on to waste and misses the point. The waste section is very much about the linear economy and what we do with waste, whereas it should be about how we design and develop infrastructure that allows reuse, repair and refurbishment. It should not be about big facilities. The circular economy is a much more distributive economy across the whole of Scotland. It is not about sucking materials from all over Scotland into big factories—whether they are incinerators or not—in the central belt. It is about distributive materials and products being used in local communities, particularly in the Highlands and Islands, to achieve economic and social regeneration, to prevent the loss of jobs and so on. There is a missed opportunity to embed circular economy thinking and planning for some of the other infrastructure that is talked about throughout the document, and to link to the protection of national species.

Monica Lennon: I think that Rosie Simpson wants to respond.

Rosie Simpson: My request to come in was on the woodlands policy. I am happy to stay quiet on that if the moment has gone, or I can speak.

Monica Lennon: If you want to add something, please go ahead.

Rosie Simpson: I apologise for taking us back to the woodland policy. I reiterate and echo what others said in the conversation about the policy, and I add that it could ask more of developers on the enhancement of biodiversity. Whereas the draft policies are clear on the need to protect ancient woodland, native woodland and veteran trees, the next step on is about what planning authorities can ask of developers in their plans for the enhancement of woodland creation, which has huge biodiversity benefits. Thank you for allowing me to come back in.

Monica Lennon: I am glad that you got your point on the record.

What is Scottish Environment LINK's perspective on the climate and nature impacts of incinerators or large-scale energy-from-waste developments? What are its views on the point about clarity and how NPF4 aligns with other reviews?

Bruce Wilson: Again, I echo a lot of what Iain Gulland has said. If there are energy-from-waste facilities, there should definitely be a requirement to make use of the heat that is produced. However, we question the place for energy from waste beyond the medium term, because we hope that we will get to grips with the circular economy. By definition, in creating energy from waste, we are not continuing the cycle of circularity.

There are a lot of concerning issues around particulates and other things that are created by the incineration process, so, at net zero and with a circular economy in place, we question whether there would be a place for energy from waste in Scotland.

Anna Beswick: I endorse Iain Gulland's points on the need to consider the circular economy as the main focus for NPF4 and to think about the system-wide changes that are required to deal with waste in a more sustainable way. I defer to Iain Gulland's judgment. If he feels that that is not fully communicated through NPF4, it would be good to strengthen that.

Monica Lennon: While we are chatting, I note that we do not yet have the circular economy bill in place. Does anyone have a view on the importance of that bill being introduced so that everyone involved in making planning decisions knows that the issues are important? Iain has popped up on my screen.

Iain Gulland: I want to give an example of something that perhaps slightly misses the point, if I can use that phrase. Close to the end of policy 20, there is a bizarre statement that development proposals should not be allowed if they

"directly or indirectly, limit the operation of existing or proposed waste management facilities."

A circular economy is surely all about limiting disposal of waste, so how does that work? If we are all serious about proposals for reuse, repair, remanufacturing and repurposing of materials, will such proposals be stopped if they compete with existing infrastructure? The language that is used in that section looks backwards, and we can be more creative in what we are trying to do on that. The circular economy will be hugely important and we must think about how it could help to frame the direction of travel.

There are references in NPF4 to Government strategies. Clearly, we have targets, which, at the moment, are for 2025. However, we are working with the Government to develop a route map beyond 2025 and to hit the targets in 2025 and beyond. Therefore, the draft NPF4 says that things are moving and that it is a dynamic space. It is hopeful for a 10-year window, and it tries to ensure that we are playing in all the other things that are happening, as well.

Monica Lennon: I am glad that you mentioned policy 20 in NPF4. I am looking at the part that says:

“Development proposals which involve the recovery of energy from waste should only be supported where ... it is consistent with climate change mitigation targets and in line with circular economy principles; and ... should supply a decarbonisation strategy aligned with Scottish Government decarbonisation goals and be refused where the strategy is insufficient”.

I am a former town planner and I find that difficult to navigate. We have heard about the shortage of planners and issues around skills. You have mentioned part of policy 20 and I have read out another part. Are we creating mixed messages?

Iain Gulland: Yes. It is important to have clarity about how the circular economy fits with broader planning, rather than just with waste. That goes back to my earlier point about how local authority planning officers and developers navigate what they must evaluate specific projects against. There are a lot of things to be taken into consideration in the list that you read out, as well as mitigations, and there will be other things when you add in communities, social justice and all sorts of other economic development.

It is always about delivery. This is a high-level strategy document setting out principles, but what guidance will be made available to local authority planners to navigate through proposals? Some of what they do will be reactive; it will be about what is proposed. It comes back to a point that Anna Beswick made earlier about funding. If we are going to be much more strategic about what infrastructure we need, there needs to be an investment strategy sitting alongside that, whether the infrastructure is public funded or public-private funded. If we have that, people can start to understand how to make these things happen, rather than waiting for people to come up with proposals and then trying to understand whether they fit.

We know the kinds of things that we need to do, certainly in regard to the circular economy and infrastructure, and people are beginning to think about how we can shape that. We need to do that nationally, which goes back to the point about national natural parks. There might be a national one or a local one, but we need to make it all

joined up. We must make provision for reuse, repair, refurbishment and redevelopment opportunities across the whole of Scotland. We cannot have one authority doing something but nobody else doing it. We need a common approach that is strategic.

That goes back to a point that I made last week to another committee. Local authorities have a vital role, but they also have a vital role in working together to bring coherence and co-ordination across Scotland to the national picture, particularly around resources. What they do in their own communities is vital, but so is the impact from them working together.

Jackie Dunbar: I will ask the panel a couple of different questions. It is fair to say that everybody believes that our greenfield sites should not be used if at all possible and we should be using brownfield sites whenever we can. How could NPF4 policies on vacant and derelict land be strengthened to reduce the pressure on our greenfield sites?

Anna Beswick: Thanks for that question. It is an important challenge. I wonder how much that connects to the place principle and the involvement of communities in decisions about land that is part of their community, which often reflects a post-industrial legacy, and coming up with creative solutions and multiple use for brownfield sites in ways that perhaps have not been done previously. I wonder whether more could be introduced in that regard as we consider how to make the most of those assets. That is something that springs to my mind.

Bruce Wilson: Quite often, because access to high-quality biodiverse green space is limited in our urban areas, we find that brownfield sites can become biodiversity hotspots—you can find some really rare plants and species. I can provide further information to the committee on that, if that is of interest. We also know, from being around those places ourselves, that they become popular walking places, with informal path networks being formed.

We absolutely see the sense in the preference for development on those sites as opposed to greenfield sites. However, we have to keep in mind the local importance of those sites to wildlife and people. It would be nice to put a line in policy 31—something like, “where return to a naturalised state is not likely”—to make sure we are striking the balance that was mentioned previously by a committee member between the carbon importance and the biodiversity importance.

Jackie Dunbar: Unless Rosie Simpson or Iain Gulland want to come in—I cannot see whether they do—I will move on to my next question.

The Convener: That is fine; carry on.

Jackie Dunbar: I am sorry; I am not used to online committee meetings.

The climate change adaptation policies in NPF4 place emphasis on flood risk and the application of nature-based solutions. Where I live, we have a couple of sustainable urban drainage systems and they are totally different from one another. How well is Scotland currently doing in terms of the uptake of SUDS? Do you think there should be standards and best practices that must be applied to ensure that these deliver maximum benefits?

12:00

Bruce Wilson: At the moment the qualifier that is used around SUDS ponds is that they should be put in place wherever practicable. We would like to see that strengthened to an absolute. They are very important.

You also mentioned sustainable urban drainage as a nature-based solution. I suggest that NPF4 include “nature-based solutions” in the glossary of terms. It is used a lot in the document so it is important that we define it properly. The International Union for Conservation of Nature defined nature-based solutions very well and it would be very easy for the Scottish Government to pick use that definition.

The use of SUDS—especially biodiverse SUDS, providing not only the flood-mitigation benefit but also the biodiversity benefit—is essential, from Scottish Environment LINK’s point of view, and strengthening the language around that would be welcome.

Jackie Dunbar: I totally agree with you. I have two totally different SUDS ponds a two-minute walk from where I live. The nature biodiversity one is absolutely brilliant with all the wildflowers and everything that comes out of it. I am digressing a little bit.

Rosie Simpson, do you want to add anything?

Rosie Simpson: No, I don’t have anything to add to what Bruce Wilson has said.

Anna Beswick: Your experience of walking past the beautiful SUDS pond that gives so many benefits demonstrates the power of how—when it is well designed and well planned—that kind of blue-green infrastructure can deliver many additional benefits and added value for people. I think that the ambition for that is strong within the current draft of NPF4. Examples such as the one that you provided bring to life what that means in practice.

There is a lot of talk about nature-based solutions and blue-green infrastructure. What you have described is what that can mean for people

in practice. Anything that we can do to strengthen the multiple benefits is important.

Our responses to the impacts of climate change in terms of increased flood risk can deliver many benefits for society. Yes, we need to reduce flood risk, but we can do that in such a way that it improves the quality of the natural environment and improves quality of life and access to open spaces for people. That is very important.

You were right to emphasise that natural flood risk is a key risk for Scotland. We have talked about coastal risk and flood risk this morning, which has been very important. In terms of the national developments that are put forward within NPF4, I feel there is a lack of connection at the moment between the low carbon/net zero ambition within the national developments and what is required in terms of climate resilience. That needs to be strengthened because, otherwise, there is a risk of stranded assets in the future if our net zero investments are not fit for a future climate. The policy statements of NPF4 make that intention clear, but it is not at the moment translated into the national priorities, as I would like. That is perhaps a segue, but I make that point in case it is helpful.

The Convener: That brings us to the end of our allocated time and the end of our questions. I thank the panel once again for joining us this morning. Your contributions are very welcome and we appreciate your taking time to join us. This concludes our evidence sessions on NPF4, and we will share our findings with the lead committee on NPF4 at the end of this month.

I will suspend this meeting briefly to allow a change of witnesses.

12:04

Meeting suspended.

12:09

On resuming—

Subordinate Legislation

Workplace Parking Licensing (Scotland) Regulations 2022 (SSI 2022/4)

The Convener: Agenda item 3 is an evidence-taking session on a Scottish statutory instrument. As the regulations are subject to the negative procedure, they will become law unless within 40 days a motion to annul is lodged. If such a motion is lodged, the instrument must be debated by the lead committee which, in this case, is this one.

The regulations help to pave the way for workplace parking licensing and, as they set out a number of practical considerations and issues, it is important that we take evidence from the minister and officials before we formally dispose of the instrument at our next meeting. I therefore welcome to the meeting Jenny Gilruth, the Minister for Transport, and her officials Heather Cowan, Elizabeth Hawley and Sandy McNeil, who are joining us remotely. Thank you for making yourselves available for this session.

I also want to welcome Ms Gilruth to her new ministerial role. The committee will also want to pass on its best wishes to her predecessor, Graeme Dey MSP. Finally, I should say that we have been joined by Graham Simpson MSP for consideration of the instrument.

Minister, I believe that you want to make a short opening statement.

The Minister for Transport (Jenny Gilruth): Thank you for inviting me to give evidence on the Workplace Parking Licensing (Scotland) Regulations 2022, convener.

As you will be aware, the power for local authorities to set up workplace parking licensing schemes was included in the Transport (Scotland) Act 2019, and further regulations and guidance are necessary for local authorities to implement them. In line with the commitment in our climate change plan update, the national transport strategy delivery plan and the 2022-23 Scottish budget, the regulations were laid in Parliament last month, and they will be followed by guidance for local authorities in the first half of 2022.

The purpose of the regulations is to make detailed and technical provision on certain elements of the framework already set out in the 2019 act so that local authorities can use the tool that Parliament has provided to implement workplace parking licensing schemes that suit their local circumstances. The provisions will

ensure that the schemes operate effectively and fairly.

As the previous Rural Economy and Connectivity Committee heard back in 2019 in an evidence-taking session on workplace parking licensing during stage 2 consideration of the Transport (Scotland) Bill, workplace parking licensing schemes have the potential to encourage the use of more sustainable travel while raising revenue that will be used to improve public and sustainable transport. It also supports our commitment to reducing the amount of car kilometres travelled by 20 per cent by 2030 as part of our climate change goals.

These new discretionary local powers, which are already held by councils in England and Wales, were welcomed by our local authority partners in the Convention of Scottish Local Authorities and local leaders of all parties, and they support the Government's aim of putting greater say over local resources in local hands, which is an ambition that has also been supported by leaders across the political parties.

I am pleased that the regulations have been laid so that local authorities can use the new powers, should they choose to do so. My officials and I will be happy to answer the committee's questions on the content of the regulations and the framework that they provide for local authorities.

The Convener: Thank you very much, minister. We will now move to questions. As quite a few members wish to ask questions, I would appreciate brief responses, if that is at all possible.

Concerns have been raised that the regulations could be highly regressive in their impact. What assessment has been made to ensure that the workplace parking levy will not disproportionately impact people on lower pay, who might not be able to afford it, thereby making parking at work the preserve of those on higher salaries who can afford the additional expense?

Jenny Gilruth: It is important to say that assessments were carried out on the impact of the regulations. Of course, the decisions that were made by Parliament during the passage of the Transport (Scotland) Act 2019 fell outwith the scope of those impact assessments. The decisions in that respect would have been those that were made by local authorities.

You have suggested that such schemes might create inequality. I know from my constituency and local experience that poor areas have low levels of car ownership, so there is already a challenge in facilitating behavioural change in that respect. However, we also know that there is likely to be more car ownership in richer areas of society, which means that it is hugely important for local authorities to think carefully about how the scheme

is introduced. Of course, it is up to local authorities to make prescription for the scheme locally and, indeed, to take into consideration some of the key issues that you have raised about inequality and the impact on local staff members.

Fiona Hyslop: Can you confirm the discretionary nature of the powers and that two or more local authorities can choose to implement a joint workplace parking licensing scheme? We should also bear it in mind that a number of political parties advocated such a scheme for the city of Edinburgh, even though a lot of commuters come not from Edinburgh itself but from, for example, my constituency in West Lothian. What are the options for co-ordinating the revenue from the levy between two local authorities?

12:15

Jenny Gilruth: In response to Fiona Hyslop's first question, I note that the nature of the power in the legislation is that it is a discretionary power for local authorities. Therefore, it will be for individual local authorities to decide whether they wish to use the power and to shape proposals that will suit local circumstances. Importantly, local authorities will be required to undertake a public consultation and impact assessment before implementing a WPL scheme. That links back to the convener's point about inequity and how that might be tackled locally. In addition, authorities may use revenues from the WPL to support policies in their local transport strategies. That is a hugely important aspect of the revenue that the scheme will generate.

Fiona Hyslop also asked whether such a scheme can be implemented across more than one local authority area. That is correct—that is the case. That is built into the legislation.

Liam Kerr: The instrument makes provision for schemes to be examined by a reporter, but only if the council chooses, and it will be for the council to choose the scope of that examination. The reporter goes on to decide on the process and a timetable for it. Some might feel that that amounts to the council marking its own homework. Under what circumstances would a council be expected to go through that process? Is it the default position that a reporter would be involved? What issues would the reporter consider when deciding on the procedure to be followed at a public examination?

Jenny Gilruth: On the specific issue of the scope or nature of the reporter's work, we will outline the themes that have emerged from the public consultation in our guidance for local authorities. The consultation was undertaken to inform the regulations and the guidance. The guidance will include issues that were outwith the

scope of the regulations, but which local authorities might want to look at, given their own consultations and the needs of their local communities. That guidance will refer to the support that is already available to local authorities in the existing guidance on best practice for consultations.

I appreciate that Mr Kerr might have an interest in the timescale for that. I checked with officials this morning, and we plan to publish guidance in the first half of 2022. I would be happy to share more details with the committee on that point, which I appreciate was raised in evidence with the predecessor committee.

Liam Kerr: Thank you—that would be useful. You correctly anticipated my question about the timescale.

What consideration has the Scottish Government given to a situation in which a workplace is nowhere near public transport or in which, for example, shift workers cannot get home by public transport after a certain time? On a related note, what impact does the Scottish Government anticipate that such schemes would have on surrounding streets?

Jenny Gilruth: I apologise but, before I address those questions, I would like to return to Mr Kerr's question about the role of the reporter. It would be for the reporter to determine the process for examination based on the requirements that are set out in the 2019 act. The options that were available to the reporter for the examination would be considered on the basis of whether the reporter needed further information. Therefore, it would not be for me to direct the reporter in that respect. That is in line with the regulations on examination elsewhere—for example, in relation to low-emission zones.

Mr Kerr's additional question related to access via local public transport links and potential challenges that might exist in areas where it is not apparent that such links are available. That would be a matter that would have to be considered by the local authority. It would not be for ministers to instruct an authority in that regard. However, he raises a fair concern. Of course, a requirement is built into the regulations that requires local authorities to consult locally before bringing in any new scheme. I think that that would address the issue that Mr Kerr raises.

Officials might be able to provide further specifics with regard to the historical consultation that was undertaken.

Heather Cowan (Transport Scotland): Another requirement that is built into the 2019 act is that the revenues that arise from workplace parking levies, as well as covering the net cost of the scheme, will be available to support the

delivery of a local authority's local transport strategy. That might provide scope to support public transport in a local authority's area.

Liam Kerr: Thank you. I have one final question, minister, on measurement. The stated aims of the policy, which you alluded to earlier, include reducing car use and increasing use of public transport. How does the Scottish Government intend to formally measure what is happening in order to establish whether the implementation of a workplace parking levy has caused the aims to be achieved—in other words, that there is causation rather than simply correlation? Also, to go back to the convener's point, how does the Scottish Government intend to measure whether, if employers pass the cost on to employees, we are not simply forcing the lower-paid members of a company on to public transport while the higher-paid members avail themselves of the parking spaces?

Jenny Gilruth: On Mr Kerr's specific point about measurement, the scheme will be administered at the local level. Given that local discretion is built into the scheme, we will expect local authorities to take it forward on condition of the local circumstances in front of them. I do not think that there will be a statutory application of the scheme nationwide, for example.

Ms Hyslop gave the idea of local authorities working together, which makes sense, particularly when there are blurred boundaries and people commute across local authority boundaries.

It is really a matter for local authorities to measure the impact in their local areas. As to the aims that Mr Kerr sets out in relation to a reduction in car kilometres, we absolutely expect that the legislation will drive behavioural change and he knows the importance of facilitating that modal change away from cars and on to public transport.

On the convener's point around potential challenge in terms of inequity, that was considered previously with regard to how poorer employees might fare, in that they might not be able to afford the expense that the levy would incur. It is important to note that this is about local authorities taking local decisions and then employers deciding whether they want to pass that charge on. That links back to how a local authority might carry out its own consultation locally to look at the needs of employees. I very much hope and would expect that local employers and local authorities would consider the financial encumbrance of the charge on the earnings of employees, which is hugely important. We do not want to make this a prohibitive measure at all.

The second part of Mr Kerr's question is about how we make public transport more affordable. We already undertake a number of mechanisms in

that space. Last week, for example, we launched the under-22s free bus travel scheme. We also have the fair fares review, which allows us to look at not only how public transport joins up but, equally, at how that funding is applied and how charges are applied equitably—or not, as may be the case—across the country. That is a huge challenge as we move forward but it is not a reason not to move to the scheme and I hope that Mr Kerr will understand my views and the reasoning behind that.

Liam Kerr: I have no further questions, convener.

Mark Ruskell: Where workplace parking levies have been introduced, they have raised millions and millions of pounds for public transport and active travel investment, but is there a requirement on councils to invest in those types of priorities?

The measure points to local transport strategies. Investment priorities for those strategies could be broader than just investment in active travel and public transport, so can we get a reassurance that the money that is raised will be invested in the solutions that people need to get them out of cars in the first place?

Jenny Gilruth: Mr Ruskell is right to say that any revenue that is raised by the workplace parking levy must be used to support local transport strategies, which can support greener transport choices and affordable public transport.

Nottingham, which Mr Ruskell has mentioned, has had its own WPL scheme since, I think, 2012, and has one of the highest levels of public transport use in the UK, with an associated decrease of 40 million car miles over the past 15 years alone.

The revenue from the WPL scheme has also supported the expansion of Nottingham's successful tram system and the redevelopment and capacity enhancement of Nottingham train station, along with investment in bus services and electric buses. Nottingham City Council officials have said that those schemes would not have happened without the WPL. They have also made grants available to support employers to put in place sustainable transport measures such as bike parking, showers, electric vehicle charge points and car park management systems, for example.

There is a requirement that the revenue raised would be reinvested locally. It speaks to the importance of giving local authorities discretion to decide on their own local transport strategy and priorities, and using the funding to support that accordingly.

Mark Ruskell: Would you expect that, in any consultation on the introduction of a workplace parking levy, the public would be consulted on

their priorities? Would they be able to see that there are alternatives coming down the track and that they will not be lumped with paying the charges for ever, because there will be investment in alternatives?

Jenny Gilruth: Yes—absolutely. There is a requirement on local authorities to consult locally with the people whom they represent. It is imperative that people who live locally have an opportunity to feed into what the strategy looks like and how they experience it.

Monica Lennon: Good afternoon, minister, and congratulations on your new role.

What type of conditions are likely to be applied to licences? Can you give some examples? How would compliance with conditions be monitored and resourced?

Jenny Gilruth: As I mentioned in previous answers to other members, it is for the local authority that proposes the scheme, and for Scottish ministers, to determine whether it is appropriate for an examination to be initiated.

The provisions in the regulations and in the act do not place constraints in respect of why an examination might be initiated. Ministers and the local authority make a decision on whether to initiate an examination, but only after the local authority has completed its own consultation and impact assessments and has proposed a scheme.

It would be inappropriate to speculate on a potential reason for, or the scope of, an examination for schemes, as no such schemes have yet been consulted or proposed. Heather Cowan may want to say more on the specifics of the regulation in relation to your question.

Monica Lennon: I want to clarify my question, minister, as I think that you answered a different question. I am sorry if I was not clear. I am thinking about what happens once a licence has been approved. It is a bit like when planning consent is given and conditions are set. Do we know, from learning elsewhere, what conditions typically look like and how compliance is monitored—[*Interruption.*]

I am sorry: my dog is barking.

Jenny Gilruth: It would be for the reporter to determine the process for examination, based on the requirements that are set out in the 2019 act. I will bring in Heather Cowan on the specifics.

Heather Cowan: The question is on licensing conditions, so my colleague Elizabeth Hawley will be happy to come in. If the member has specific points that she would like us to answer, we will be happy to take them away and write to the committee.

Monica Lennon: Yes.

I am looking for examples of what conditions might look like. I know that that is a matter for the local authority, but do we know, from lessons elsewhere—such as Nottingham—what conditions tend to look like?

Heather Cowan: Elizabeth Hawley will come in on that just now.

Elizabeth Hawley (Transport Scotland): I am not aware of any conditions that Nottingham has placed on the licences that it has issued. Local authorities can make local exemptions. For example, Nottingham has exempted small employers that have under a certain number of car parking spaces. Under the 2019 act, local authorities could also create a WPL that is in force only in certain areas within the authority boundary, or only on certain days of the week or at certain times of day. There is provision for local exemptions under the English regulations, and Nottingham has made use of that.

I am not aware of any conditions that Nottingham has imposed, but I am happy to double-check and write to the committee if that would be helpful.

Monica Lennon: That would be helpful, thank you.

My last question is about driver behaviour change. What modelling has been carried out to look at a scenario in which the levy is passed on by the employer to workers and a scenario in which it is not? Is there modelling that shows different outcomes?

Jenny Gilruth: The only example of modelling that we have to compare it to is the Nottingham scheme. I do not know whether officials are sighted on that. I do not have that data in front of me. I apologise to Monica Lennon, but I can ask officials to share that with her. The Nottingham example is the best one that we know of, and that modelling will exist because the scheme has been in place for some time. If officials can confirm that we have that data, I would be happy to share it with the member.

12:30

Elizabeth Hawley: I am happy to come in on that. There has been some evaluation and assessment of the evidence on the Nottingham scheme. In relation to the modelling that local authorities would do in Scotland, we would expect them to look at that as part of their business case ahead of proposing a scheme. That would help to inform their decisions on the design and so on of local schemes.

Monica Lennon: It would be helpful for the committee to see any modelling or forecast.

Jackie Dunbar: My question is more for clarification than anything else, if you do not mind. Based on the questioning that we have heard today, I am a little worried that there might be some confusion about who would be responsible for paying the levy. Could I get clarification from the minister on that? My understanding is that the occupier of the premises would be liable for it. I am aware that some companies currently charge for spaces. Is that any different to what is being proposed? I do not know whether I have made the situation any easier or simpler.

Jenny Gilruth: I thank Jackie Dunbar for her question. She is right that employers would pay an annual levy to the council for every parking space that they have, and it would be for the employer to decide whether they pass on that charge to its employees. It is important to recognise the differentiation in relation to the role of local authorities and the role of local employers, and how employees will experience the charge—or not experience the charge, as their employer may decide not to pass it on. Officials may want to come in on the specifics of the regulations in relation to the potential confusion that Jackie Dunbar spoke to.

Heather Cowan: The regulations cover the circumstances in which persons other than the occupier of premises would be liable to attain a licence and pay the licence charge. That covers the situation that the member asked about where an employer leases parking spaces from another provider. Where there is sufficient evidence of parking arrangements between the provider and the employer, the requirement would pass from the occupier to the employer, and the regulations cover that circumstance.

Jackie Dunbar: Heather's sound was very soft, but I think that I got most of that.

Graham Simpson (Central Scotland) (Con): I go back to the Nottingham scheme on a point of information. Just more than half of companies that are involved in the scheme pass on the charge to their employees—that is a fact. That goes back to the convener's first question. However, my question is on something different. Minister, I cannot see anything in the regulations or the parent act that sets a limit on what councils can charge for a licence. Can you help me there?

Jenny Gilruth: Graham Simpson raises the Nottingham scheme, which, as we have discussed, has been running since 2012. It has helped to generate a fall of 40 million car miles over 15 years. It is worth saying that in the scheme's first six years of operation it raised £53 million, which was ring fenced for transport improvements, including two further lines on the Nottingham express transit tram system, the

upgrading of faster facilities at Nottingham station and on-going support for the link bus network.

I know that, at the time that the scheme was introduced, Mr Simpson was keen that we needed to

“empower councils and give them a renewed sense of meaning and purpose”,

so I hope that he supports the legislation and the ability for local authorities to make those decisions.

That brings me to his question about the role of ministers in the Scottish Government in setting a limit. It is, of course, for local authorities to take a view on what limit to set to the charge. It is important that the responsibility lies with local authorities to look at their local circumstances and decide what that might be.

My officials might want to say more about that.

Heather Cowan: I just add that there are consultation requirements for local authorities. An authority will have to set out what its scheme entails, which will include its proposed charge, and that will form part of the consultation and the impact assessment. The regulations set out requirements for local authorities on how they must make the information available.

Graham Simpson: I am quite astonished that the minister and her official have just confirmed that there is no limit whatever on what councils can charge for a licence. That will frighten the life out of businesses in Scotland.

Scottish Chambers of Commerce and Glasgow Chamber of Commerce—Glasgow is one of the cities in which the levy could be introduced—say that the levy should be scrapped or at least put on hold while we recover from the pandemic. Have you considered doing that, minister?

Jenny Gilruth: I think, having listened to your question, that some of what you are suggesting is on the margins of scaremongering. It will be for local authorities to decide what costs will be incurred locally.

If I were to set a top limit, I would be accused of interfering with local democratic principles. We have to get the balance right. It is important that local authorities are trusted to look at their local circumstances. They will consider any applications through their consultation processes and they will look at the needs of the communities that they represent, and I expect them to set an appropriate charge, accordingly.

I should also say that the approach to penalty charges in the regulations is in line with the approach to other penalty charges when it comes to, for example, the manner of issuing, increased

charges for late payment and information on penalty charge notices.

I am concerned that Mr Simpson is potentially scaremongering on this issue. I trust local authorities to set charges at levels that are appropriate and right for the communities that they represent.

Graham Simpson: I am not scaremongering, and there is a difference between penalty charges—you are right to mention them, minister; I think that the maximum penalty charge for non-compliance is £5,000—and the licence charge, which is what I was asking about, and in relation to which you have confirmed that there is no upper limit. I will leave it there, convener.

The Convener: I want to follow up the point about the Scottish Government not imposing limits on local authorities. An upper limit was set on the council tax increase that local authorities could impose. Why not take a similar approach and set a limit on what authorities can impose through the workplace parking levy?

Jenny Gilruth: You will appreciate that I was not in post when the legislation was introduced. However, I can share with the committee the rationale for not introducing a limit in this regard.

The Convener: We would appreciate that. You can understand that the charge potentially being unlimited, under the regulations, will be of concern to businesses large and small throughout the country who might have to pay it.

Jenny Gilruth: I hear what you are saying and I will be more than happy to write to the committee with the detail of why a limit was not set, if that would be appropriate.

The Convener: That would be great, thank you.

That brings us to the end of our questions. I thank the minister and her officials for joining us; it was very much appreciated. The committee will formally dispose of the instrument at our meeting on 22 February.

12:39

Meeting continued in private until 12:54.

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