

## Scottish Government's draft Energy Strategy and Just Transition Plan

### John Muir Trust response

We identified ten questions we could respond to in the strategy consultation paper.

Questions and responses below.

*Question 1 - What are your views on the vision set out for 2030 and 2045? Are there any changes you think should be made?*

We would like the vision for 2045 to relate clearly to a vision for achieving net zero by 2045. To make the relationship more evident, we would welcome reference to transforming the way we use energy by 2045, including reduced energy consumption and increased energy efficiency. Using energy more efficiently and reducing energy consumption would contribute to overall emissions reduction on a pathway to net zero by 2045. We welcome reference to the 'wider environmental and climate ambitions' as the climate and biodiversity emergencies are vital context to why we are decarbonising our energy supplies. We note that the document states, 'We export the vast majority of the energy we produce and our total consumption is approximately 161 TWh' and notes 'The significant increase in installed capacity of renewable generation over the coming decade could mean Scotland's annual electricity generation is more than double Scotland's electricity demand by 2030, and more than treble by 2045'. In addition, it lists the 'Generation of surplus electricity, enabling export of electricity and renewable hydrogen to support decarbonisation across Europe' as a key ambition. However, the vision as written does not reflect this ambition to be a net exporter of energy. If this is indeed the true ambition of the Energy Strategy then this needs to be more much openly and transparently stated in the vision.

With seven years left in which to realise the vision for 2030 for Scotland to 'have an energy system that provides maximum community and economic benefits' we are keen to comment on how this vision will be realised. We have provided comments about an onshore wind sector deal later in our response as we believe this is a policy measure that can realise greater economic and community benefits from onshore wind developments up to 2030 and beyond. We would welcome reference to the natural environment in the 2030 vision, in recognition that it is the natural environment that provides the power for renewable energy and that, with a global and at-home biodiversity crisis, we cannot afford an energy transition that depletes Scotland's biodiversity. We would recommend referring to a just energy transition that aims to protect and restore wild places and the natural environment. Those changes would bring the vision in line with the sectoral just transition plans, NPF4 policies and the Scottish Government's Biodiversity Strategy.

*Question 14 - In line with the growth ambitions set out in this Strategy, how can all the renewable energy sectors above maximise the economic and social benefits flowing to local communities?*

The onshore wind sector deal presents an opportunity to outline how economic and social benefits from the onshore wind industry will flow to local communities. This new deal could stipulate the stages of a proposal's development when the local community can identify and consider what benefits might be appropriate for their community in dialogue with a developer.

We would suggest that maximum benefits would flow to communities where they are considered partners in renewable energy projects rather than as beneficiaries only. They could be partners in the sense of owning shares in the development, through paid employment or contractor opportunities with the developer and by managing on-site projects – e.g. with landowner

agreement, a community could take on the management of woodland on site or develop a project to enhance access to the site for recreation.

From attending a community meeting discussion about the proposed Glen Ullinish wind farm on Skye during February 2023 we learned the following:

- That community members were not enthusiastic about the standard level of community benefit (£5-7k per MW) and would rather have received a percentage of income.
- Community members wanted to see the benefits go to those who needed them most.
- Community enthusiasm for some form of community ownership was apparent although there was concern that the level of investment required was unachievable for the community to raise and manage.

In response to this community's concerns about the benefits, we would encourage the Scottish Government, via the onshore wind sector deal, to:

- Introduce an expected percentage of income for communities from development in their area (the area would need to be defined not only on the basis of proximity to the proposed wind farm but also considering the impact on the wider community) and an option to part-own a development.
- Make sure communities are fairly consulted on the types of benefits they could receive from a development and that the community is asked about how benefits could be apportioned in a way that is equitable.
- Make sure the community consultation period runs for a period that enables a majority percentage of a community to engage (communities should be given extensions to deadlines if needs be) and that the proposal should not be able to proceed to application stage without evidence of meaningful community consultation and a report on how community ideas about benefits had been considered.

Recognition of the impacts that renewables and the reinforcement and installation of grid infrastructure have on Scotland's landscapes is missing from this draft strategy.

We are aware that the communities of Strathpeffer and Contin are opposed to the proposed routing of a section of the new Spittal to Beaully Overhead Line, which they say will impact their local landscapes significantly. We are also aware that local community of Dalmally, in Argyll and Bute, are opposed to the proposed route of the Creag Dhubh to Dalmally Overhead line, which they say will have big impacts on wild Argyll and encircle their community in power infrastructure.

Access to beautiful and wild landscapes enhances the quality of life of people in Scotland and brings a multitude of associated health benefits. This strategy should not overlook the importance of protecting existing benefits that are being enjoyed by communities and visitors alike and which are now under threat from the poorly planned expansion of renewable development and associated grid infrastructure.

*Question 25 - Should there be a presumption against new exploration for oil and gas?*

Yes.

*Question 41 - What other actions should the Scottish Government (or others) undertake to ensure our energy system is resilient to the impacts of climate change?*

A more resilient energy system can be supported by restoring natural habitats – particularly the habitats in the upland catchment areas – which function as natural flood defences. Peatlands are a

natural flood defence as they retain water in the upper catchments and slow the rate at which rainfall fills up rivers and streams thereby lowering flood risk. Woodlands too catch and slow the flow of water to watercourses, reducing flood risk and acting as natural flood defences. An energy strategy that is resilient to impacts of climate change would recognise the role of the natural environment in providing natural flood defences to reduce flood risk and damage to energy infrastructure.

*Question 43 - What, if any, additional action could be taken to deliver the vision and ensure Scotland captures maximum social, economic and environmental benefits from the transition?*

The onshore wind sector deal is an opportunity for the energy transition - via onshore wind development - to deliver more social, economic and environmental benefits for communities. It could, for example, require onshore wind developers and construction companies to protect and restore the natural environment and Scotland's wild places in ways that go beyond reinstatement of works and actually result in overall habitat restoration on a site. It could also stipulate community benefits from onshore wind developments.

Here are some ideas for how this sector deal could ensure onshore wind developers protect the environment by requiring them to:

1. Deliver **nature positive outcomes** to support the biodiversity enhancement policies in NPF4 and ensure that projects factor in and budget for biodiversity enhancement from the start. This could be achieved by requiring developers to cost and budget for, as part of their proposals, biodiversity enhancement measures on a site and to work with landowners to implement the measures.
2. Submit **habitat restoration plans** as part of habitat management plans.
3. Invest in **peatland restoration** on-site so that overall carbon savings exceed the carbon losses. This would rely on accurate carbon baselines for the site plus accurate predicted carbon losses and gains.
4. To work with the Scottish Government and researchers and academics to put in place an **agreed carbon measuring tool** – this could be a revised carbon calculator in addition to an agreed carbon sequestration measuring tool (please see IUCN Peatland Programme's briefing on 'peatland and development' recommendations).
5. Submit **deer management plans** supporting the Scottish Government's implementation of the Deer Working Group report, the Scottish Government's Biodiversity Strategy and NatureScot's enforcement work. In the plans developers could be expected to identify their role in helping to manage deer numbers as part of a habitat restoration plan (e.g. feasibility studies for montane woodland regeneration, funded by developers, could be undertaken on-site to support plans for montane woodland regeneration).
6. Provide **resources** (people and skills, funding or equipment) to enable landowners to restore degraded peatlands on the development site and the wider landholding. There is a shortfall in people with the skills and abilities to work on peatland restoration. Training, skill development and on-going support could be achieved in new partnership agreements that bring ecologists, upland land managers, landowners, developers and construction teams into closer working and knowledge sharing.

Here are some ideas for benefits that could be delivered by an onshore sector deal for communities:

1. Clear agreements between developer, landowner and community about the types of benefits for local community that will be created by the wind farm. Ideally, these would be explored with the community at the early project development stages and refined through continuous conversation in parallel with the planning application process so that before the planning is approved, an agreement on community benefits would be in place and could be delivered on if planning is approved. Benefits could include a commitment to local jobs, opening up a site for access and recreation, the creation of new footpaths and waymarked routes, community woodland management and community deer management. To help achieve clear agreements the process would require that communities are fairly consulted on the types of benefits they could receive from a development and that the community is asked about how benefits could be apportioned in a way that is equitable.
2. Updated best practice guidance for developers, or as part of new agreements between developers and communities, introducing an expected percentage of income for communities from development in their area (the area to be defined and based on a radius proximity to the proposed wind farm) and formalised options for communities to enter into part-ownership agreements.
3. For any development proposal, make sure the community consultation period for any development runs for a period that enables a majority percentage of a community to engage. Ensure (through checks) that a proposal does not proceed to being reviewed by a Planning Committee without evidence of meaningful community consultation and a report on how community ideas about benefits had been considered.

Done well, the onshore wind sector deal could inform agreements with other types of renewable energy in Scotland and help to realise the ‘community empowerment’ outcome in the draft Energy Strategy and just transition plan: ‘Community empowerment – Communities have been empowered to shape their energy use, the infrastructure they host and to maximise the benefit they receive from that.’

Other ways that the energy transition could deliver social, economic and environmental benefits include:

- ring-fencing planning application fees from all types of energy development applications for spending by Local Planning Authorities on in-house staff resources for monitoring and enforcing planning conditions (which at present is an area of planning compliance that we understand is under-resourced); and,
- training for staff in analysing the ecological and carbon impacts of proposed energy development so that the NPF4 policies, intended to protect the environment and reduce carbon emissions from new development, can be applied as intended.

Just as much as maximising benefits, we believe it is important for an Energy Strategy and Just Transition Plan to consider the policies that are needed to remove or reduce the risks, harms and losses to the natural environment resulting from the development of renewables in Scotland and the energy transmission infrastructure that goes with reinforcing the grid so it can cope with all the additional capacity. In particular, we would welcome new policy from the Scottish Government that restricts development on peatlands (please see recommendations from the IUCN Peatland Programme in their briefing ‘peatland and development’). Renewable development on peatlands is

increasingly unjustified as the proportion of energy in the UK grid mix that comes from renewable sources continues to rise.

We urgently need a refreshed carbon calculator that reflects the updated scientific understanding of the extent to which development on peatlands can damage peatland, with guidance for developers and also an auditing process to check the results generated by the calculator are consistent and estimates are accurate.

*Question 49 - What are your views on the draft Just Transition outcomes for the Energy Strategy and Just Transition Plan?*

We welcome all the outcomes for 'Adaptation, Biodiversity and Environment'. However, some of the outcomes could be more precisely worded so that progress towards achieving the outcomes can then be measured.

More specific comments on each of these outcomes:

'Environmental protection and restoration' outcome – a really important outcome for recognising that delivering on the Energy Strategy results in land use changes that could undermine the Scottish Government's Biodiversity Strategy and associated delivery plans, the Government's commitment to protect 30% of land and seas by 2030 and future nature recovery targets that might be forth-coming in a new Natural Environment Bill, **unless the Government takes a pro-active policy approach to including nature recovery within the Energy Strategy**. As land use changes occur as a result of development on land, we recommend this outcome is worded more precisely so that it is the 'energy transition, renewable energy development and new grid infrastructure, supports Scotland's ambitions for restoring nature and biodiversity.' With a more specific emphasis the outcome signals the Scottish Government's intention to protect the environment to developers of renewable energy and supports planning decision makers when applying NPF4 policies in knowing an energy transition – aided by the application of NPF4 – is supposed to also enable nature to recover. NPF4 has ensured that the climate and biodiversity crisis are a consideration of every application (in particular, Policy 1 states 'When considering all development proposals significant weight will be given to the global climate and nature crises'; Policy 2 states development proposals 'will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible'; Policy 3 that 'Development proposals will contribute to the enhancement of biodiversity'). A practical way to support this outcome and a joined-up approach to energy and biodiversity policy delivery could include resources and training in Planning Authorities so planners can fully evaluate the biodiversity costs and carbon impacts of developments as well as the proposed enhancements.

'Natural capital' outcome – we would like to see this being realised in line with Scottish Land Commission guidance or advice on community benefits from natural capital investment. This outcome could also be worded more precisely so that it is more targeted at those responsible for the land use changes (the developers of renewable energy and the landowners benefitting) so that new energy development 'helps to restore and rebuild Scotland's natural capital'.

'Access to the natural environment' outcome – we would like to see more renewable energy schemes at design stage inviting community views on ways the development could facilitate and open up new access to nature opportunities.

*Question 50 - Do you have any views on appropriate indicators and relevant data sources to measure progress towards, and success of, these outcomes?*

To be able to measure progress towards the 'Adaptation, Biodiversity and Environment' outcomes the outcomes need to be worded in a sufficiently clear and precise way. We have suggested some word changes that would make the links between land use and development and achieving an outcome clearer. A future monitoring and reporting process could be managed by Local Planning Authorities as they already monitor compliance with planning conditions. The process would need to be properly supported and resourced with staff teams trained in monitoring for environmental outcomes, which would need to involve site visits to complete surveys and gather data to properly understand the before and after effects of how renewable energy development and associated energy infrastructure, in particular (as a major land use change), has achieved environmental outcomes. The data gathered by Planning Authorities could then be aggregated – perhaps by Scottish Government or NatureScot – to provide a national report on progress. Any such report could aid monitoring of the implementation of NPF4 policies too.

*Question 51 - Do you have any comments on the environmental baseline information referred to in the Environmental Report?*

We welcome recognition of the research undertaken by NatureScot to identify and map areas of wild land in Scotland in the section on 'Landscape' and 'Environmental Protection Objectives'. This research provides a national baseline for wild places in Scotland. In addition to providing a baseline for understanding changes to wild places, which can inform measures and policies needed for their future protection, they are also areas containing nationally important habitats and species, making them key to recovering Scotland's lost biodiversity. The Wild Land Areas strongly correlate with areas of peatlands in the north and west of Scotland. Overall, roughly 30% of the Wild Land Areas are peatlands. The scale and wildness of these areas mean species have the space and habitat to survive and thrive. Rare and important species in the Wild Land Areas include pine marten, golden plover, water vole, hen harrier, golden eagle, brown hare, mountain hare, dunlin and adder. These are all species that are listed on Scotland's Biodiversity List (i.e. 'a list of animals, plants and habitats that Scottish Ministers consider to be of principal importance for biodiversity conservation in Scotland.'). We would have liked the Wild Land Areas to have been included in the overview of the baseline, particularly considering that these areas help to justify the statement in paragraph 4.113: 'Scotland's distinctive landscapes are a significant part of the country's natural and cultural heritage and make a significant contribution to both the country's economic performance and the wellbeing of its people'.

*Question 56 - What are the most significant environmental effects which should be taken into account as the draft Energy Strategy and Just Transition Plan is finalised?*

The carbon and biodiversity significance of development on peatland cannot be understated. We note that 'Minor negative direct effects are identified in relation to soils and geology as soil disturbance is expected during wind farm development'. In some instances, however, the direct effects will be significant. Revised guidance and an updated carbon calculator are urgently needed to distinguish developments which will have a significant direct effect on peatland (and therefore a significant carbon emissions effect) from developments which will have a minor negative direct effect on peatland. In addition, given the fragile condition of Scotland's biodiversity, minor negative direct effects on biodiversity, flora and fauna are, in the context of historical biodiversity decline and degraded conditions of land, going to have a significant overall impact. We therefore cannot afford to understate the direct effects on biodiversity also. NPF4 states 'Every decision on our future development must contribute to making Scotland a more sustainable place.' This applies to every decision on every energy development type contained in the draft Energy Strategy as much as to any other type of development. In our view, sustainable places in Scotland are dependent on recovering biodiversity, natural carbon stores and nature having the freedom to repair itself. Therefore, for

every decision on new energy development to contribute to making Scotland a more sustainable place, it must contribute to making Scotland a more biodiverse place and must not cause significant direct negative effect to Scotland's wild places.

*Question 57 - How can the draft Energy Strategy and Just Transition Plan be enhanced to maximise positive environmental effects?*

To ensure Scotland's biodiversity starts to increase in the next decade, 'maximising' positive environmental effects from development will require protecting Scotland's wildest places, with their accompanying native habitats and species, from negative impacts. In the absence of a spatial approach to energy development, siting new development so that it avoids wild places, native habitats, peatlands, wild land areas, protected sites for nature and designated landscapes, would uphold the NPF4 intention that 'Every decision on our future development must contribute to making Scotland a more sustainable place' and in doing so support positive environmental effects.