

Climate and Ecological Emergency Bill - Overview of Findings of the Panel

ANNEX 2

General Comments on the whole Climate and Ecology Bill:

- There are some challenges / issues with the language and terminology used, in terms of the ability to understand the purpose of the Bill and its implications
- Need to be mindful of the scale of the requirements, national versus local
- In relation to those provisions that are proposed to be legally binding, need to be clear on how this works, how it would be measured and monitored – the provisions within the Bill place the responsibility on the Secretary of State, including achieving the objectives set out in the Bill, publishing a strategy to achieve these objectives, and take all reasonable steps to meet annual interim targets set out within the strategy. We would also need to be clearer about the tolerances on measures and metrics proposed in the Bill, recognising the challenges around the potential reliability or accuracy of data and that changes are not likely to be implemented in a linear way.
- Importance of consideration of the resources for local government to implement changes

CEE Bill Expectation ¹	Links to other legislation / national policy ²	Local implications	Climate Emergency Action Plan (CEAP) / Other Strategy Links	Comments
<p><i>a. The nature emergency is addressed shoulder to shoulder with the climate crisis via an urgent, joined-up whole-of-government approach</i></p>	<ul style="list-style-type: none"> • Environment Act 2021³, including the Local Nature Recovery Strategy • The government declared a climate and environmental emergency in May 2019 • Climate Change Act 2008 • Agriculture Act 2020 and associated policy and funding changes 	<ul style="list-style-type: none"> • TVBC declared a climate emergency in September 2019. • The Council has commissioned consultants to help inform the next steps for CEAP review. • Environment Act 2021 will introduce a system of mandatory biodiversity net gain through the planning system, following a 2 year transition period. Additional provisions will also have implications, such as the preparation of Local Nature Recovery Strategies. 	<ul style="list-style-type: none"> • CEAP includes a ‘natural environment’ theme but opportunities to strengthen the links and recognition of co-benefits (and risks) • Corporate Plan and Corporate Action Plan (TVBC will be drafting a new corporate plan in 2022). • Local Plan • Biodiversity Action Plan • Green Space Strategy • PfSH and TVBC work on green infrastructure • Joint work with other organisations on international nature conservation designations • Economic Development Strategy 	<p>The principle of addressing climate and nature emergencies together through a joined up approach is supported by the Panel.</p> <p>There is a need to think about re-focusing on biodiversity (taking account of forthcoming implications of the Environment Act 2021), including the links to the CEAP, as discussed through the OSCOM Panel on the CEAP.</p>
<p><i>b. The UK plays its full and fair role in limiting the mean global temperature rise to the most stringent end of the Paris Agreement (i.e. reducing UK emissions at a rate consistent with at least a 66% probability of limiting peak warming to 1.5°C compared to pre-industrial levels) via a new legally binding climate target.</i></p>	<ul style="list-style-type: none"> • It is understood that the current approach in the Climate Change Act 2008 is based on a 50% probability 	<ul style="list-style-type: none"> • Will be implications on / for local authorities, as well as those living and working locally, if the rate of reduction in emissions needs to increase reflecting any national changes on this matter. This would also have implications on the cost of implementing such measures. 	<ul style="list-style-type: none"> • No links identified at present 	<p>The principle of a full and fair role being played in limiting the rise in global temperature is supported by the Panel. Where possible, it would also support exceeding the commitments that the UK has made.</p> <p>There may be challenges with forecasting the probability of attaining specific temperature rise scenarios⁴. There would need to be confidence in the modelling used to</p>

¹ Derived from information published on the CEE Bill Alliance (now called ‘Zero Hour’) [website](#), as set out in paragraph 3.1 of the CEE Bill report to OSCOM on 6 October 2021. Please note, the wording may not directly reflect that contained within the Bill itself.

² This may not be totally comprehensive but summarises information that the Panel is aware of.

³ Available: <https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted>

⁴ Understanding that the IPCC has undertaken some work at a global level on emissions reductions for different probability levels.

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				<p>derive this. There are also challenges with considering this at a local scale</p> <p>In terms of a legally binding climate target – the Panel understands the strength and weight of a legal target but there is the issue of enforceability and how would it work in practice.</p>
<p><i>c. The UK takes responsibility for its entire greenhouse gas footprint—i.e. its consumption emissions, including passenger shipping, flights and land-based transport—by accounting for all of the emissions that take place overseas in the manufacture, transport and disposal of goods consumed in the UK.</i></p>	<ul style="list-style-type: none"> Emissions reporting focuses on "territorial" emissions, meaning emissions that occur within the UK's borders. This includes CO₂ emissions from: <ul style="list-style-type: none"> Industry Commercial Public sector Domestic Transport (road and rail) Land However, for the first time the Sixth Carbon Budget (CB6) at a national level includes emissions from International Aviation and Shipping. Previous carbon budgets have formally excluded these emissions. 	<ul style="list-style-type: none"> Data from the Government for local authority level CO₂ emissions is focused on territorial emissions at present. Some third parties have provided estimates of emissions across local authority areas taking a "consumption" based approach⁵. If this approach is followed, there is the potential that it may necessitate local authorities reporting on wider scope of emissions for their own organisations [our latest reporting at: GHG report], which could increase emissions reporting. As part of our ongoing work on the CEAP, the Council commissioned consultants to review the scope and inform our approach to emissions reporting going forward. 	<ul style="list-style-type: none"> CEAP refers to current Government data for local authority areas based on territorial approach, it also includes an action regarding reviewing the procurement strategy links to consumption based emissions Annual Greenhouse Gas emissions report 	<p>The Panel raised some concern with the 'responsibility' in this context, where emissions may be arising in other countries where the scope to influence may be lessened.</p> <p>The scale of the matters that would need to be addressed are likely to be best dealt with at a national / global scale. Once this framework is established, it could be implemented at a number of scales, including at a local level.</p> <p>The consumption based approach can be useful at a local level (there are caveats to this) to help understand resident responsibility.</p>
<p><i>d. The reduction of the UK's greenhouse gas emissions is achieved first and foremost, by stopping emissions' sources caused by human activity, whilst also ending the exploration, extraction, export and import of fossil fuels</i></p>	<ul style="list-style-type: none"> Net Zero Strategy sets out the Government's strategy, including that by 2035 all electricity will come from low carbon sources UK involved in COP26 announcements / packages about phasing out coal 	<ul style="list-style-type: none"> Ensuring that the reduction of greenhouse gases in our areas is prioritised Greater importance and reliance on local generated renewable energy and fossil fuel produced in UK. In terms of fossil fuels, Hampshire County Council is responsible for determining most minerals and waste planning applications, including gas and oil extraction. TVBC would be a consultee for proposals in the Borough. Gas and oil licenses 	<ul style="list-style-type: none"> Linked to a CEAP action, we switched our electricity source to a REGO backed tariff, which helps industry to understand interest in renewable energy sources and direct investment this way CEAP actions relating to moving fleet vehicles to electric or alternative fuel sources to reduce emissions. Links to emerging Local Plan including in relation to consideration of renewable energy (via Renewable and Low 	<p>The Panel recognise the two aspects linked to this, namely 1) addressing the Council's emissions; and 2) signposting communities / residents in relation to their emissions. Nudge principles and behaviour change are important in helping to reduce emissions.</p> <p>The Panel supported the sentiment of this matter and the Council is already doing this in the CEAP.</p> <p>It was noted that fossil fuels (such as oil based products) are not only used</p>

⁵ This includes the IMPACT Community Carbon Calculator, which provides details at a parish level, as well as local authority level for a specific time period. This is available at: <https://impact-tool.org.uk/>

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		are issued by the Gas and Oil Authority. ⁶	Carbon Energy Study prepared by LUC and CSE)	for energy generation, so there is a need to be mindful of these wider uses in considering the approach to exploration and extraction.
<i>e. The UK nations adhere to national, legally-binding carbon budgets set each year—not every five years</i>	<ul style="list-style-type: none"> Climate Change Act 2008 sets legally binding targets to reduce carbon emission to be net zero by 2050 Part of this process is setting carbon budgets for five year periods The UK’s greenhouse gas emissions are reported annually but with a two year lag as a result of timescales to collate this data 	<ul style="list-style-type: none"> Potentially could see a requirement for local authorities to set specific annual targets to reduce emissions. 	<ul style="list-style-type: none"> No links identified at present 	<p>The Panel considered that we are likely to need to move towards the annual approach if we are to achieve anything in the short term because of the importance of this matter. This would relate to budget setting as well as measuring annually.</p> <p>In relation to the annual carbon budgets, would need to be clear on how this would be monitored and enforced.</p>
<i>f. The UK has a strict nature target so that by 2030 nature is visibly and measurably on the path of recovery in line with the Global Goal for Nature. The Bill also ties this nature target to international pledges, locking them into law. This will ensure that the UK will comprehensively fulfil its obligations under the UN Convention on Biological Diversity—and meet the commitments set out in the Leaders’ Pledge for Nature</i>	<ul style="list-style-type: none"> 25 Year Environment Plan⁷ (and related plans & strategies) include commitments in relation to restoring specific habitats (marine, freshwater and land based) and increasing woodland Environment Act 2021 sets a requirement to establish a species abundance target to be achieved by 2030⁸, there are also provisions relating to the preparation of Local Nature Recovery Strategies, species conservation strategies, and protected site strategies 	<ul style="list-style-type: none"> There is a duty on public authorities to have regard to conservation of biodiversity in exercising their functions – this is being strengthened in the Environment Act 2021 to reference to conservation and enhancement of biodiversity. Anticipate that national strategies, targets and legal provisions will need to be implemented across local areas – anticipate will need to respond to local circumstances. 	<ul style="list-style-type: none"> Corporate Plan (local environment priority). TVBC will be drafting a new corporate plan in 2022. CEAP includes a ‘natural environment’ theme but there are opportunities to strengthen the links. Biodiversity Action Plan Green Space Strategy 	<p>The Panel considered whether the Council should give more emphasis to carbon sinks within our own land and new open spaces. Also we should think about signposting in relation to agricultural land and the opportunities for enhancing nature.</p>
<i>g. The UK’s ecosystems are protected and restored with a focus on biodiversity and ecosystems that act as resilient natural carbon sinks—and that the health of nature is achieved, above all else, by avoiding its destruction</i>	<ul style="list-style-type: none"> 25 Year Environment Plan (and related plans & strategies) – recognition of opportunity of the Nature Recovery Network delivering additional benefits including carbon capture Environment Act 2021 Agriculture Act 2020 and associated policies and funding including links to Environmental Land Management schemes⁹ 	<ul style="list-style-type: none"> This could influence the approach to conserving and enhancing biodiversity (including through funding / grants available). Need to think about the implications of climate change on biodiversity and ecosystems, for example whether to restore to what the environment has been in the past, or think about what might be appropriate in the future 	<ul style="list-style-type: none"> Corporate Plan (local environment priority). TVBC will be drafting a new corporate plan in 2022. CEAP actions around opportunities for wilding and nutrient mitigation which will contribute to carbon sequestration Green Spaces Strategy 	<p>The Panel’s position on this matter was reflects that set out for items a) and f).</p> <p>Additionally, there is a need to be mindful of links between adaptation¹⁰ and biodiversity, in terms of what will be able to survive in future climate conditions.</p>

⁶ More information at: <https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/oil-gas-development>

⁷ Available: <https://www.gov.uk/government/publications/25-year-environment-plan>

⁸ Consultation commenced in relation to national targets linked to the Environment Act 2021, see: <https://consult.defra.gov.uk/natural-environment-policy/consultation-on-environmental-targets/>

⁹ More information at: <https://www.gov.uk/government/publications/environmental-land-management-schemes-overview/environmental-land-management-scheme-overview>

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		(e.g. whether species being planted remain appropriate)		
<p><i>h. The UK takes responsibility for its entire ecological footprint. This means preventing adverse impacts on ecosystems and human health caused by consumption, trade and production in the UK and internationally—including via the extraction of raw materials, deforestation, land degradation, pollution and waste</i></p>	<ul style="list-style-type: none"> • 25 Year Environment Plan (and related plans & strategies) • Environment Act 2021 includes provisions in relation to prohibiting using illegally produced forestry commodities • Commitments through COP26 on deforestation 	<ul style="list-style-type: none"> • This may have implications for approaches to procurement at a local level, including any procurement that the Council undertakes. 	<ul style="list-style-type: none"> • No links to the CEAP identified at present 	<p>The Panel supported this item in principle. There are some doubts on whether this can be achieved at the national level when dependent on international circumstances but it could perhaps be influenced at a local level through procurement processes.</p> <p>The Panel considered that changes at a local level are unlikely to have much direct impact in terms of implementing these provisions.</p>
<p><i>i. An emergency strategy is drawn up via a temporary Climate and Nature Assembly, representative of the UK population, in order to advise on the fairest way forward. The Assembly would work directly with the Climate Change Committee and the Joint Nature Conservation Committee, before the strategy is laid before and approved by Parliament</i></p>	<ul style="list-style-type: none"> • In 2020, a national Climate Assembly¹¹, made up of a representative group of the population, discussed how the UK should meet the target of reaching net zero greenhouse gas emissions by 2050. • All the reports, material and the final outcomes are available at: https://www.climateassembly.uk/ 	<ul style="list-style-type: none"> • No specific obligations for local citizens assemblies or other deliberative democracy approaches • A number of local authorities have organised climate assemblies, citizens assemblies on such matters, or used other deliberative democracy approaches 	<ul style="list-style-type: none"> • No links identified at present 	<p>The Panel received a presentation from the Head of Strategy & Innovation about deliberative democracy and local insights to help inform consideration of this matter.</p> <p>The Panel understand the concept and the role climate assemblies and other forms of deliberative democracy can play (including benefit of input of representative group of population to input). However, there are challenges in implementing this at this scale and given breadth of topic. There may be more value if such approaches are used to feed into the consideration of specific targeted points or topics relating to the climate and ecological emergencies.</p>
<p><i>j. More vulnerable communities are positively impacted by the proposals in the strategy, and that financial support and retraining is offered to those people currently working in high-impact industries</i></p>	<ul style="list-style-type: none"> • Home Energy Conservation Act 1995 (HECA) • Minimum Energy Efficiency Standards • Net Zero Strategy includes some links to this matter, including around reporting the skills systems and delivering a lifetime skills guarantee to include 	<ul style="list-style-type: none"> • The Council may have to take a more proactive role working with communities, residents and businesses to reflect the objectives set out in the Bill. • The Council may need to access funds to implement and achieve targets at both a national and local level. 	<ul style="list-style-type: none"> • There are some links to actions associated with CEAP on supporting businesses that links to this matter • Some links to Economic Development Strategy (2019-23, interim) • Links to HECA - recognises local authorities' ability to use their 	<p>The Panel reflected on a number of matters, including the scope to encourage Registered Providers (particularly those who took on Council stock) to enhance their housing stock (and making sure grant schemes are workable and if not, whether we can we provide support); and links to the green</p>

¹⁰ Climate change adaptation related to preparing for and dealing with actual or anticipated impacts of climate change. This could include adjustments made to natural or human systems to mitigate harm or exploit beneficial opportunities.

¹¹ In case of interest, a documentary about the process of the Climate Assembly and the journey of some of those involved is available via the BBC i-player for those with a TV license:

<https://www.bbc.co.uk/iplayer/episode/p097sbzc/the-people-vs-climate-change>

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	<p>retraining or upskilling those in the workforce.</p>		<p>position to improve the energy efficiency of all residential accommodation owner-occupied, privately rented and social housing) in their areas. The Government requires local housing authorities to develop an action plan and report to the Department of Business, Energy and Industrial Strategy.</p>	<p>economy and enhancing skills and training. The Panel recognised that we may also want to think about isolated and rural communities, not just in terms of challenges but also opportunities (such as community energy schemes).</p>
<p><i>k. Annual interim, legally-binding targets are set in order to achieve the Bill's objective.</i></p>	<ul style="list-style-type: none"> For carbon emissions, currently 5 yearly carbon budgets are set (linked to the Climate Act 2008) The Environment Act provides a framework for establishing long term targets in relation to the natural environment 	<ul style="list-style-type: none"> May impact on the Council and require local authorities to set specific annual targets to reduce emissions and its ecological footprint in their local authority area. The Council may need to access funds to implement and achieve targets at both a national and local level. Through the Environment Act, local authorities will need to publish Biodiversity Reports which summarise action that has been taken in line with complying with the updated Biodiversity duty – such reports are likely to be required at least every 5 years. 	<ul style="list-style-type: none"> No links identified at present 	<p>The Panel considered that there is likely to be a need to move towards an annual approach for target setting and monitoring if we are to achieve anything in the short term because of the importance of these matters.</p> <p>There would need to be clarity on how the annual interim targets would be enforced.</p> <p>The Panel reflected on the challenges associated with some metrics, such as the reliability of data and that some metrics may evolve over time. This may result in a need to think about acceptable tolerances in the data or caveats that the situation may evolve.</p> <p>The Panel considered there would be value in adding targets and milestones to the Council's CEAP, as reflected upon through the OSCOM CEAP Panel.</p>

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