

## **Motion to Council 5/19**

### **(5/19), Submitted by Councillor M de Whalley (original 1 b removed by way of amendment proposed by J Moriarty and agd at cncl)**

**1. This council recognises that:**

- a. Local Government exists to ensure the wellbeing of its population through its statutory and moral authority across a wide range of economic and social aspects of local life.
- b. Recent climate changes have had widespread impacts on human and natural systems. This and other factors have led to a crisis in ecology and biodiversity.
- c. West Norfolk is already at a high and increasing risk of the effects of climate change which endangers the population. This council has the legal and moral responsibility to act both across its own corporate activities and those wider economic and social issues over which it has regulatory control and influence.
- d. The 2015 Paris Agreement, which the UK has ratified, sets a temperature target of limiting global heating well below 2°C with efforts to achieve 1.5°C.
- e. “For King's Lynn and West Norfolk to make its fair contribution to delivering the Paris Agreement's commitment to staying ‘well below 2°C and pursuing 1.5°C’ global temperature rise, then an immediate and rapid programme of decarbonisation is needed.”
- f. The 2018 Intergovernmental Panel on Climate Change report showed that “impacts are much greater if 1.5°C is exceeded.”
- g. The social and economic costs of delayed action far outweigh those of rapid mitigation and adaptation to the 1.5°C target.

**2. For the above reasons the Borough Council of King’s Lynn and West Norfolk declares a climate and biodiversity emergency and commits to the following actions:**

- a. Ensure that every decision made by this council takes into consideration the impact on climate change and biodiversity as the top priority.
- b. Achieve carbon neutrality by 2030, or earlier, across the Borough Council’s own corporate activities.
- c. Use all Council regulatory means (such as local plan, transport, regeneration etc.) to ensure that the relevant aspects of life across West Norfolk become net zero carbon by 2030, or earlier, across the population to meet the Borough Council’s fair share of the UK commitment to the Paris Agreement temperature target.\*
- d. Not to exceed a Borough population-wide all-time “energy only” budget of 8 million tonnes of CO<sub>2</sub> (or equivalent) emissions, as calculated recently to meet the Paris Agreement temperature target.

- e. Prepare a report, within six-months of this motion, outlining how West Norfolk can sufficiently reduce carbon emissions through energy and other Council strategies, plans and contracts to ensure the above commitments are met.
- f. Include a full carbon footprint for the Borough with future trajectories.
- g. The above report will be overseen by the formation of a Climate Change and Biodiversity task group which will report to the appropriate Council body.
- h. Review and performance monitoring of climate change strategy will take place every six months.
- i. Establish a West Norfolk Climate Change Partnership with key stakeholders & Government departments to develop new strategic and policy approaches.
- j. Invite contributions and instigate a wide-ranging programme of community engagement and awareness within the next six months.
- k. Lobby Westminster to deliver the legislation and resources necessary for the required changes.
- l. Provide adequate staff, time and leadership to effect the above.

\* Tyndall Centre, Manchester, "Setting Climate Commitments for King's Lynn and West Norfolk", October 2019.

### **Response to Motion 5/19**

## **2. For the above reasons the Borough Council of King's Lynn and West Norfolk declares a climate and biodiversity emergency and commits to the following actions**

The UK Parliament declared a Climate Emergency on 1<sup>st</sup> May 2019. The Rt. Hon. Michael Gove, MP Secretary of State for the Environment at the time agreed there was a Climate Emergency. Since October 2019; 261 District, County, Unitary and Metropolitan Councils have declared a Climate Emergency (around 64%). Some have just declared a Climate Emergency, some have declared a Climate Emergency with a target date of 2050 and others have declared a Climate Emergency with a target date of 2030.

As of 27/11/2019, Breckland, North Norfolk and Norwich councils have declared a climate emergency. South Norfolk, Norfolk County Council, Great Yarmouth and Broadland have not declared a climate emergency.

The Local Government Association (LGA) passed a motion at its 2019 annual conference in support of the UN Sustainable Development Goals (SDGs) and the role of local government in delivering them. This included a declaration of a 'Climate Emergency' and committed to supporting councils in their work to tackle climate

change by providing a strong unified voice for local government, and sharing best practice across all councils.

Options for the Borough Council are:

- To fully recognise the evolving climate crisis and work towards Borough Council carbon footprint neutrality and net zero district carbon emissions. The dates will be determined taking into account emerging policies at the national and local level.
- If the Council chooses not to declare a Climate Emergency then the reason for this decision should be make clear
- Declare a Climate Emergency and leave a target date blank until the Carbon Audit and further policy work has been carried out.
- Declare a Climate Emergency with a target date of 2050 which would be in line with the Government target and Paris Agreement.
- Declare a Climate Emergency with a target date of 2030 which would be in line with various environmental groups and the 5/19 Motion.
- Declare a Climate Emergency with a target date of 2041 in line with the Tyndall Centre report

After consultation regarding the legal consequences of declaring a climate emergency, it has been identified that the declaration of a climate emergency has no legal effect. However, depending on the terms of the declaration, it could have public law implications. The declaration may create material considerations, legitimate expectations and may trigger the duty to act consistently.

It is interesting to note that in recent months there have been multiple calls for many other policy issues to be declared emergencies:

- High streets emergency – District Councils Network.
- Air quality public health emergency – Health and Social Care Secretary Matt Hancock.
- Food poverty health emergency – British Medical Journal.
- Youth violence social emergency – Home Affairs Committee.

**2(a). Ensure that every decision made by this council takes into consideration the impact on climate change and biodiversity as the top priority**

Council must consider a wide range of issues when making decisions, some are statutory and others local or follow existing Council Policies. Some areas for example have a wide remit to consider Climate Change such as Planning Development and the Local Plan. Some others such as Environmental Permit already have this as a core pollution issue but must follow Legislation and Statutory guidance rather than local policy.

The council is already under a general Duty of Best Value to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.”

Under the Duty of Best Value, therefore, authorities should consider overall value, including economic, environmental and social value, when reviewing service provision. Authorities also have a statutory duty to consider social value for services above specified procurement thresholds at the pre-procurement stage. Authorities can however apply the concept of social value more widely than this and the statutory guidance recommends that authorities consider social value for other contracts (for example below the threshold or for good and works) where it is relevant to the subject matter of the contract and deemed to be beneficial to do so.

The draft Corporate Business Plan, commented upon by all of the council’s policy review and development panels, proposes six priorities of equal weight, one of which is “Protecting and enhancing the environment including tackling climate change”.

The Cabinet Decision Paper has already added “Environmental Issues” as one of the considerations when reporting on matters. This will enable Cabinet to consider environmental issues as part of their decisions. Criteria for how to assess environmental issues are being drawn up.

The phrase “Top Priority” is ambiguous and needs further clarification.

**2(b). Achieve carbon neutrality by 2030, or earlier, across the Borough Council’s own corporate activities.**

The Government have set a UK wide target to be carbon zero by 2050. Cabinet have already requested a Carbon Audit for the Council’s carbon footprint to be undertaken. Work on this has started and is expected to be completed by January 2020. Until the baseline is known, we will not know what actions are required to achieve carbon zero and over what timeline this can be completed.

The medium/long term financial sustainability of the council is uncertain pending the outcome of the current Government’s proposed spending review and financial settlement. This will be delayed by the 12 Dec 2019 general election. The council’s capital resources are focused on generating financial returns to help meet future revenue requirements of existing service provision. Borrowing rates from PWLB have recently increased and thereby reduced investment yields and revenue streams. Additional financial pressures may arise related to business rates if the NHS is successful in challenging the current charging practice. Consequently, it is uncertain how this will affect our ability for the Borough Council to achieve carbon neutrality by 2030.

What is meant by “corporate activities”? Does this mean central functions or everything the BCKLWN is involved in? This phrase is ambiguous and needs further clarification.

### **2(c). Achieve District CO2 zero by 2030.**

Currently, the Government have set a UK wide target to be carbon zero by 2050. Other targets have also been suggested by third parties. The Tyndall Centre for Climate Change Research has given the Borough of King’s Lynn and West Norfolk a 95% carbon neutrality target of 2041.

The BEIS data for the district shows that there are many activities and sectors that the Council does not have any direct (legislation) or policy impacts over. Work has started on reviewing the district carbon bubble and researching the different sectors and which ones the Council has the ability to change and adapt and which the Council has little or no influence.

As an example, the gas power station (commissioned gas power station B) is an example of nationally important infrastructure. Additional generation capacity could be brought online outside of the council’s control and significantly impact upon the borough’s CO2 emissions. Additionally, car and lorry manufacturers are anticipated to maintain sales of internal combustion engine vehicles beyond 2030 and forecasts for electric vehicle sales indicate these will not have replaced existing internal combustion engine vehicles by 2030. The Government’s Freight Carbon Review 2017 states:

*“Developing a decarbonisation strategy for HGVs is challenging for two key reasons. Firstly, although electric drivetrain options are available for smaller HGVs, the technological solutions for larger HGVs are at a relatively early stage of development and not yet available for deployment across the HGV fleet. Secondly, the complex nature of the road freight sector, which comprises a diverse mix of vehicle configurations, vehicle weights, duty cycles and fleet sizes, means there is not a single industry-wide decarbonisation solution and a range of measures will be needed”*

With regards to tackling domestic there are implications for retro-fitting renewable energy powered central heating and hot water systems across the district’s entire housing stock. Mainly, do we have the commercial capacity to deliver this? Permitted development rights could also hinder action on new and altered dwellings.

Concessionary bus fares for public transport are not covered by BCKLWN and insufficient to boost public transport, address air quality and congestion. Therefore, the BCKLWN has little power to incentivise individuals to start using public transport.

National climate change targets are unlikely to be met unless councils are given long-term funding, devolved powers and easier access to complex government funding pots (Local Government Association).

This is a very wide ranging area that requires more detailed work before any conclusions can be reached. Additionally, this area of work will require more resources and a longer timeline than the Council Carbon Audit to complete.

**2(d). Not to exceed a Borough population-wide all-time “energy only” budget of 8 million tonnes of CO2 (or equivalent) emissions, as calculated recently to meet the Paris Agreement temperature target.**

Based on the Tyndall report we only have 8 years (from 2019) to start reducing our emissions significantly. If we don't, then by 2027, we will have used up our entire carbon budget of 8 megatons CO2.

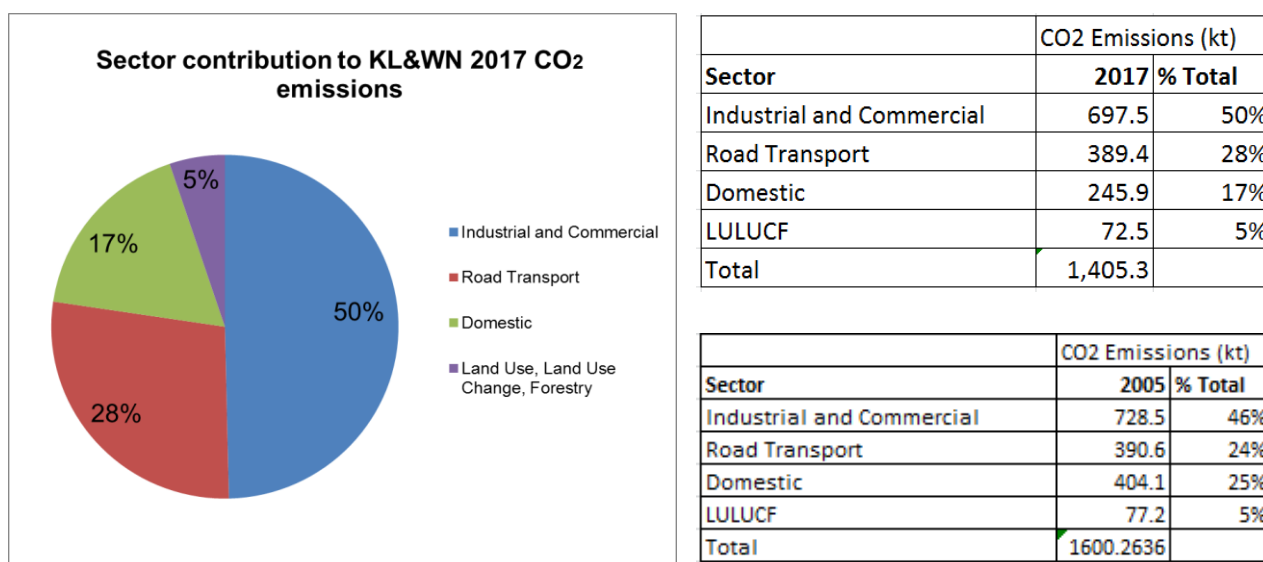
This brings up questions regarding the motions 2(b) and 2(c). In order to not exceed our all-time “energy only” budget of 8 megatons CO2e (set by Tyndall); we would need to adhere to their consistent 95% emissions reduction target of 2041. Yet the above motions require the BCKLWN to be carbon neutral by 2030 and borough emissions to be zero 2030. This is not in line with the Tyndall centre's own emission pathway for the borough, bringing into question the possibility of the borough being carbon neutral in 10 years.

There doesn't appear to be much consistency and pragmatism in terms of the targets being suggested. We have one motion suggesting the council is carbon neutral by 2030. The next motion suggests borough carbon neutrality also by 2030. It doesn't appear realistic to expect the entire borough to be carbon neutral within the same timeframe set for just the BCKLWN.

We currently have three timelines; 2030 will put the borough in line with various environmental groups and the 5/19 motion. 2041 will put the borough in line with Tyndall report projections for 95% emissions reductions. Finally, 2050 will put the borough in line with the government's UK wide carbon zero target. A factor that needs to be given thought is what impact the BCKLWN will feel from other councils and sectors declaring earlier targets than 2030/50.

Currently, further work needs to be carried out to determine the best timeline for reducing the borough's carbon emissions. We need to establish which timeline is the most pragmatic and achievable, based on what sectors the borough council can realistically influence. The BCKLWN's scope of influence is important in understanding where it is possible to achieve extreme emissions reductions. There needs to be an aspect of realism involved when setting our targets, especially with regards to the required cultural change that is needed to reduce emissions. Future timescales should consider a start-up time.

Currently the district's emissions profile highlights large emissions from the commercial and industry sector and the road transport sector. In order to tackle these sectors, we first need to identify the borough council's scope of influence over these sectors, helping us identify which timeframe is most achievable. A breakdown of the district's emissions can be found below.



The Committee on Climate Change (CCC) has assessed the impact on competitiveness to business. They suggest that the major costs are limited to those in high energy and resource use industries or high exposure to export markets. Therefore, the Government needs to continue to set out policies and support over time to help these industries implement the changes required. These macro-policies are beyond our scope to influence.

Many of the national issues such as aviation, shipping, and decarbonising the energy supply, and developing carbon extraction technology are not within the regional or local remit. Thus, the majority of these costs will be covered and allocated at national level.

**2(e). Prepare a report, within six-months of this motion.**

Work has started and is ongoing in several areas. We do not believe that the work that is required will be completed within 6 months. Management Team have agreed a time table to complete the Carbon Audit and some policy work. We anticipate that this can be achieved with the current resources. Some other areas such as the Local Plan may have a different timeline.

We expect that this will be taken forward and a more pragmatic approach and timeline is required with the current resources available.

Our current work plan and timeline is as follows:

**September 2019:**

- Set up a climate change officer working group (CCOWG).
- Agree terms of reference and work plan for CCOWG.
- Appoint a student intern. Start the Carbon Audit of the BCKLWN.

**October 2019:**

- Engage with the NA LEP regarding district CO2 emissions work.

**November/December 2019**

- Arrange COCOWG meetings as required
- Start background work on policies/ best practice/ strategy options
- Start background work on district CO2 bubble
- Consider use of UEA Environmental Consultancy

**January 2020:**

- Attend Norfolk District's Climate Change Group
- Complete the carbon audit of the BCKLWN.
- Report to MT/ Cabinet

**March 2020 onwards:**

- Consider best practice and develop strategy options for consideration.

**April 2020 onwards:**

- Adopt a Climate Change Strategy.
- Review of district CO2 emissions – Unlikely to be completed this financial year
- Engage with local stakeholders and interested parties as required.

A report could be a brief update. The scale, scope and content will need to be agreed so that it would be deliverable.

We could also have an idea of policies and strategies being taken forward. We can present the carbon audit within 6 months with a general update on other work streams.

**2(f). Include a full carbon footprint for the Borough with future trajectories.**

As per 2(b) above, the Council will be completing a Carbon Audit and then Council can agree a timeline/target. This would require monitoring and reporting on the carbon savings and how they have been achieved.



We are currently in the process of reviewing the BEIS local authority emissions data for the borough. As per 2(d) above we have a timeline presented by the Tyndall report entitled 'Setting Climate Commitments for King's Lynn and West Norfolk'. This timeline sets out proposed future trajectories (based on an 8 megaton carbon budget), that culminates in 95% carbon neutrality by 2041.

However, as mentioned we need to look further than a footprint in order to set future trajectories. Currently within the district carbon bubble, there are installations and operations that the council is unable to influence. These need to be taken into account and properly investigated, in order to set achievable future trajectories. Unfortunately, the Tyndall report doesn't seem to take into account the council's scope of influence when setting future trajectories. Before trajectories are set, further work need to be done in order to identify a practical carbon neutrality timeline.

When setting future trajectories for borough emissions, monitoring and reporting of carbon savings is required. Therefore, trajectories could be updated post-implementation of strategies and policies, to give a realistic trajectory based on what is being done.

How will we calculate the trajectories? We do not have the resources of the Tyndall Centre to calculate a meaningful trajectory. A trajectory is only part of the overall response of a community leader. The trajectory should be accompanied by an assessment to inform the impact upon the borough's economy in terms of investment required, consequent impact on GDP/GVA, etc. and a transition plan.

Is there a regional/sub-regional target? We are not aware that the New Anglia LEP has done this.

The CCC has assessed the impact on competitiveness to business – suggesting that the major costs are limited to those in high energy and resource use industries or high exposure to export markets, and therefore the Government needs to continue to set out a set of policies and support over time to help these industries implement the changes required. Therefore these macro-policies are beyond our scope to influence.

Many of the national issues such as aviation, shipping, and decarbonising the energy supply, and developing carbon extraction technology are not within the regional or local remit, and therefore, the majority of these costs will be covered and allocated at national level.

**2(g). The above report will be overseen by the formation of a Climate Change and Biodiversity task group which will report to the appropriate Council body.**

Management Team and Cabinet have agreed to setting up an Officer working group to prepare the Carbon Audit and help develop a Climate Change Policy. As with any policy this will then go through the normal scrutiny review process.

In setting up a Climate Change and Biodiversity task group, there is a risk of replicating work and using scarce officer resources. There are also other groups such as the Local Plan Task Group which are already working on environmental matters which will feed in to the general policy.

It is not clear how the proposed Climate Change and Biodiversity task group will interact with other similar task groups. What is the task group's term of reference, what are its aims, objectives, what scrutiny will be applied and how it will be resourced?

Instead, it could be considered setting up an invite only De-carbonising Group made up of big emitters, NA LEP etc. There already appears to be interest from other council's. Norfolk County Council mentioned in their environmental policy that they want to engage with partners and neighbours.

The Norfolk Chief Executives have recently agreed to set up a Norfolk District's Climate Change Group which will allow collaborative working on environmental and green issues. This group will allow the Borough Council to review and develop its own policies within this area.

**2(h). Review and performance monitoring of climate change strategy will take place every six months.**

The council publishes a corporate business plan monitoring report that is monitored by Corporate Performance Panel every six months. Progress with key actions that contribute towards to the proposed priority of "Protecting and enhancing the environment, including tackling climate change" would be included within this report.

A small number of new measures such as % reduction in energy usage relative to a baseline e.g. Q1, 2019 compared to Q1, 2018, solar power generated/equivalent CO2 avoided, etc. could be included within the indicator suite that is reported quarterly to Environment and Community Panel. The council's performance indicator suite and related targets will be reviewed in May 2020 which should align with the development of the climate change strategy.

We could develop a KL&WN Carbon Management Plan (similar to the one done by Norwich CC). Once we have done the carbon audit, looked at the borough emissions and developed policies and strategies, a document like the one linked below might be worth preparing. It would tell the public what has been done over the last few months and things in the pipeline for the future. It will give a comprehensive review

of where the borough council is at, with regards to its own emissions and the carbon bubble.

Once we have established a timeframe and potential targets, a new version of this document could be written up every 3-5 years or for each new target period, so as to collate in one place what we have done and highlight, where we are with meeting our targets and show what further things that we are doing.

The Environment and Community Panel (E&CP) have received updates on climate change work in September 2019 and December 2019.

**2(i). Establish a West Norfolk Climate Change Partnership with key stakeholders & Government departments to develop new strategic and policy approaches.**

This appears to duplicate the proposed Climate Change and Biodiversity task group and its terms of reference, aims, and objectives will need to be clearly defined. There also appears to be an overlap with existing forums and partnerships that already exist and that could be more readily used to forward the elements of Climate Change. One example is the New Anglia LEP.

If all local authorities did this, it could create significant demands upon some agencies and organisations resources to support their participation e.g. The Environment Agency, Highways Agency, BEIS, LEP, etc.

There could also be a move to establish a county, sub-regional or regional partnership. We could consider setting up an invite only De-carbonising Group made up of big emitters, LEP, etc. This would allow us to share commercially sensitive information about plans and progress.

We could raise this with the West Norfolk Strategy Group, to coordinate activity, investments, etc. for BCKLWN, Freebridge, NHS, CWA, etc.

**2(j). Invite contributions and instigate a wide-ranging programme of community engagement and awareness within the next six months.**

Community engagement will be a key task but will need to be led by a coherent policy and strategy.

We intend to establish a community forum to inform the development of our policy and to inform wider change across the borough. This will be a part of our climate

change policy and strategy. The terms of reference, timescale and resources required will be established as part of our strategy development. We need to be mindful of how these local forums work within the existing and evolving network of partnerships within the borough and across the county.

This area of work will need to be suitably resourced. It is not clear what workload this entails and therefore, the level of resources that will be required. It is not known if this can be achieved within six months, within existing staff workload or if additional resourcing will be required.

**2(k). Lobby Westminster to deliver the legislation and resources necessary for the required changes**

This should form part of the overall strategy going forward but as we do not have a policy yet it is unclear what the Council wants to lobby for. It is not known if this can be achieved within existing staff workload or if additional resourcing will be required. This is the LGA's role, who is already undertaking this, as highlighted in a report to the LGA's Improvement and Innovation Board on 29 October 2019.

**2(l). Provide adequate staff, time and leadership to effect the above.**

Management Team and Cabinet have agreed to fund a UEA Internship post for 4 months to complete the Carbon Audit, review technical data, look into the boroughs emissions and assist with drawing up policies. It is clear that some of this work will take longer than 4 months and additional staff resources will be required to complete it.

Considering the Motion and forward scanning, it is clear that additional resources are to be required over the next 2 years to develop, adopt and then implement any policies. The scale of the workload will be dictated by Management Team and Cabinet but it will not be completed with the existing resources.

We now have a corporate officer group led by service manager reporting to the Major Projects Board.

The Climate Change lead is within the Environment Portfolio supported by Leader of the Council. Scrutiny is by the E&CP.