



Environment & Climate Change Committee

09 June 2022

Title	Sustainability Strategy Update
Report of	Chair of Environment and Climate Change Committee
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	None
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Summary

Following the Declaration of a Climate Emergency at Council on 24th May 2022, this report provides an update on next steps in meeting the commitment to achieve Net Zero in council operations by 2030, and in the wider Borough by 2042.

Officers Recommendations

1. The Committee notes the Climate Emergency declaration at Council on 24th May 2022
2. The Committee instructs officers to draw up proposals for a Citizens Assembly to inform the development of a Sustainability Strategy and Climate Action Plan and the delivery of agreed commitments, and delegates authority to the Deputy Chief Executive in consultation with the Chairman of the Environment & Climate Change Committee to establish the Assembly.

<p>3. The Committee are asked to approve the appointment of Councillor Schneiderman, as the Lead Member for Climate Change and approve the appointment of Director of Growth as the Lead Officer for Climate Change.</p>
<p>4. The Committee note a full update will be taken to the next meeting Environment & Climate Change Committee including a roadmap to achieve our commitments to Sustainability and commitments in the manifesto</p>
<p>5. The Committee notes existing delegations to officers to develop and implement initiatives to deliver reductions in carbon emissions and confirms that this work should continue.</p>
<p>6. The Committee notes the formation of the Sustainability Team and the creation of a substantive post of Assistant Director for Sustainability and authorises recruitment to that role.</p>

1. Why this report is needed

- 1.1 Council on 24th May 2022 declared a climate emergency, confirming the target of ensuring that council operations are Net Zero by 2030, and set a new target of ensuring that the borough is Net Zero by 2042. This report provides an interim update on the response to the declaration and targets, and initiates a number of new workstreams in addition to work already underway to deliver the [Sustainability Strategy Framework](#) adopted on 9 December 2021.
- 1.2 The Framework identified work under seven key headings:
- Renewable energy
 - Business skills and partner organisations
 - Natural environment and biodiversity
 - Council operations
 - Supply chain
 - Housing and buildings
 - Transport
- 1.3 An initial series of engagement workshops with residents have already taken place, and an update provided to a future Environment and Climate Change committee.
- 1.4 The formation of a Citizens Assembly on Climate Change and Biodiversity, will provide a platform to co-produce and monitor the delivery of our Strategy and Action Plan, ensuring all residents benefit from green growth, and no one person is left behind in our pursuit of being more sustainable, considering Social and Economic Sustainability, as well as Environmental. The work of a Climate Assembly will be invaluable in shaping Barnet's future sustainability work and securing the buy in necessary for the entire community to be involved in meeting our net zero targets.
- 1.5 The Sustainability Strategy and Climate Action Plan will serve to outline the council's moral and legal duty to reduce the impact of climate change and pollution on the residents of Barnet. The council also recognises the recommendations of the recent 'Climate Change 2022: Impacts, Adaptation and Vulnerability' report published by the Intergovernmental Panel on Climate Change (IPCC) in May 2022, which found that

the average annual global greenhouse gas emissions from 2010 to 2019 were at their highest levels in human history. The report also notes that the next few years are critical in limiting warming to around 1.5°C; it added that to achieve net zero requires global greenhouse gas emissions to peak before 2025 at the latest and be reduced by 43% by 2030.

- 1.6 In order to build on, expand and amplify the work already taking place across the Council and deliver against these commitments through the development of an ambitious and rigorous strategy and associated Climate Action Plan, engagement with residents, partners and communities will be fundamental; this will be achieved through the introduction of a Citizens Assembly on Climate Change and Biodiversity
- 1.7 In order for this work to continue at an accelerated pace and with appropriate rigour, we look to introduce a central Sustainability Team and Assistant Director with responsibility for Sustainability to work across all service areas, embed the necessary change across the organisation and the borough, and drive the work forward on this agenda, recognising Sustainability to be at the heart of everything we do as a council. This will also allow for the creation a dedicated Lead Officer with specific responsibility for Climate Change and Biodiversity across the Organisation.

2. Reasons for recommendations

- 2.1 Recommendation 1: the committee are asked to note the Climate Emergency as declared at Full Council on 24 May 2022.
- 2.2 Recommendation 2: introducing a Climate Assembly will ensure that the range of views and insights from Barnet residents can be incorporated into the planning of our activities against this agenda. The output from the assembly will provide local knowledge and lead to Barnet-specific actions and policies that can directly address the challenges and harness the opportunities that this programme presents.
- 2.3 Recommendation 3: the committee are asked to approve the appointment of Councillor Schneiderman as the Lead Member for Climate Change and the appointment of the Director of Growth as the Lead Officer for Climate Change
- 2.4 Recommendation 4: the Sustainability Strategy Framework outlines the council's ambitious net zero targets and proposes a high-level roadmap to allow the organisation and the borough to meet them; further development of the workstreams will enable us to go further and faster in achieving our commitments. It is recognised that in achieving our Sustainability goals these will have a wider health, economic and social benefits, as well as environmental ones. Much work has already taken place in achieving our net zero ambitions (a fuller report will be provided to Environment & Climate Change Committee in July), and a more ambitious programme of activity will enable the council to maintain its momentum in this area, as well as demonstrating its wider intentions to residents, businesses and partner organisations.
- 2.5 Recommendation 5: the implementation of these commitments and the development of a Sustainability Strategy may require further work, such as bidding for external funding, and spending in line with the objectives of this funding; repurposing existing delegated budgets across the organisation; and advancing corporate resources in line with financial regulation and the objectives set out in the Sustainability Strategy

Framework, Chief Officer approval will enable the programme to remain agile in its deliver of our commitments.

- 2.6 Recommendation 6: the formation of a dedicated resource within the council will ensure the implementation of any actions at pace and with appropriate rigour, whilst remaining agile and recognising the importance of a changing landscape. A dedicated team with specific responsibility for this agenda will ensure there is horizon scanning and partnership working, which is essential for coordinating cross-cutting streams of work, identifying any risks and opportunities for delivery, and providing support for service areas.

3. Alternative options considered and not recommended

- 3.1 This paper notes the work already taken place and recognises the need to go further faster; the development of a Sustainability Strategy and Climate Action Plan will enable us to achieve our ambitious targets, therefore, alternative options have not been considered in this paper.

4. Post decision implementation

- 4.1 Work will commence to design and introduce a borough-wide Citizen's Assembly for Climate Change and Biodiversity, in consultation with the Chair of the Committee.
- 4.2 Work to deliver existing carbon reduction and sustainability initiatives will continue; recognising the need to go further faster; the development of a Sustainability Strategy and Climate Action Plan will enable us to achieve our ambitious targets.
- 4.3 Work will continue in developing appropriate role profiles and team structure; recruitment to the substantive post of Assistant Director for Sustainability and the wider team will commence at pace.

5. Implications of decision

5.1 Corporate Priorities and Performance

- Following the declaration of a climate emergency, delivering and implementing the Sustainability Strategy and Climate Action Plan is a key corporate priority for the council.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- Finance & Value for Money: funding for the proposals noted within this report will be considered further in the development of detailed action plans.
- Feasibility studies and delivery plans will be developed as part of this work; but will not be a barrier to us delivering our ambitious plans, at pace and with rigour. These will include estimated project costs, staffing and other resource requirements, and potential sources of funding.

- There are a range of funding opportunities, including CIL and s106, in addition to the grant funding that the government is expected to make available. The Council has already secured a number of external funding sources and grants, as outlined in previous reports. However, resource requirements will be further explored throughout the development of any actions.
- **Procurement:** any procurement proposals identified within this report in support of delivery will be subject to procurement in accordance with the Council's Contract Procedure Rules. Additional procurement requirements arising from the development of the workstreams will be authorised in accordance with value and as appropriate under the delegated authority of the Deputy Chief Executive, subject to the approval of this report; the full cost of this will be analysed further following approval of this report and will be detailed in the forthcoming detailed programme and action plan which will be brought back to Environment and Climate Change Committee for noting.
- **Staffing:** Resources will be required post approval of this report, to develop the proposals, manage projects and support with the development and implementation of any actions. This will be undertaken via delegation to the Deputy Chief Executive.
- **IT:** at this time there are no implications
- **Property:** at this time there are no implications.
- **Sustainability:** the report specifically notes the positive impact on all three aspects of Sustainability (Social, Economic and Environmental). The implications of individual proposals noted within this report will be considered further in the development of the Sustainability programme and action plan, and feasibility studies and delivery plans, which will follow the approval of this report.

5.3 Legal and Constitutional References

National Legislation:

- 5.3.1 The Climate Change Act 2008 introduced a legally binding target for the UK to reduce greenhouse gas emissions by 80% by 2050 compared to a 1990 baseline. In June 2019, the target was updated to reach net zero by 2050. In April 2021, the UK government committed to reducing emissions by 78% by 2035 compared to 1990 levels. The Environment Act 2021 gained Royal Assent on 9th November 2021 with an aim to develop similar legally binding targets for biodiversity, air quality, water, and waste.
- 5.3.2 Section 40 of the Natural Environment and Rural Communities Act 2006 places a general duty on the Council to conserve and enhance biodiversity and it must from time to time consider what action the authority can properly take, consistent with the proper exercise of its functions, to further the general biodiversity objective. After that consideration the authority must (unless it concludes there is no new action it can properly take), determine such policies and specific objectives as it considers appropriate for taking action to further the general biodiversity objective, and take such action as it considers appropriate, in the light of those policies and objectives, to further that objective.
- 5.3.3 The Localism Act 2011 includes a 'general power of competence' which gives

local authorities the legal capacity to do anything that an individual can do that is not specifically prohibited

- 5.3.4 In London, the Mayor is required to prepare and publish a London Environment Strategy by the Greater London Authority Act 1999 (as amended).

International Legislation

- 5.3.5 The Paris Agreement set the international target to limit global temperature rise to well below 2°C with the aim of 1.5°C above pre-industrial levels. The IPCC's follow up report stated that this requires a global reduction in greenhouse gas emissions of 45% by 2030¹.
- 5.3.6 Legal challenges to governmental policies on carbon management have been made in the European Court of Human Rights, particularly by Dutch environmental pressure groups, relying on provisions in the European Convention on Human Rights which are given effect to in UK domestic law by the Human Rights Act 1998, particularly the provisions relating to the right to life, private and family rights, and the right to effective remedies. The European Court on Human Rights has consistently rejected the proposition that the European Convention on Human Rights confers general rights to environmental protection (Kyratos v Greece and Fadeyeva v Russia). The Dutch Supreme Court has, however, found that the state is responsible for excessive emissions, triggering positive emissions reduction obligations, based on the provisions in the European Convention on Human Rights relating to right to life and privacy and family life. Such a position has not yet been established in the UK, although it has been found that the establishment of a direct 'causal nexus' between a 'real and immediate threat' to individual rights may trigger a positive obligation on a state to take action (Osman v UK).

Council Constitution

- 5.3.7 The Council's Constitution, Article 7 Committees, Forums, Working Groups and Partnerships, sets out the functions of the Environment and Climate Change Committee:

(1) Responsibility for all borough-wide or cross-constituency matters relating to the street scene including, parking, road safety, lighting, street cleaning, littering, fly-tipping, fly-posting, graffiti, transport, waste, waterways, refuse, recycling, allotments, parks, trees, crematoria and mortuary, trading standards and environmental health.

5.4 Insight

- The council will take an evidence-driven approach to ensure that we are taking the most impactful action. Therefore, data and insight will be used to develop our action plan and monitoring thereof of it.

5.5 Social Value

- The Council must take into account the requirements of the Public Services (Social

¹ <https://www.gov.uk/government/news/uk-becomes-first-major-economy-to-pass-net-zero-emissions-law>

Value) Act 2012 to consider how what is to be procured might improve the social, economic and environmental wellbeing of the area and how it might act to secure such improvement in conducting procurement. Environmental wellbeing is a core part of social value considerations and the Sustainability Strategy Framework will seek to maximise the sustainability impact of the forthcoming Social Value Policy.

5.6 Risk Management

- The Council has an established approach to risk management, which is set out in the Risk Management Framework. Managing risk will be an essential part of programme management and will be considered in the development of the action plan and Strategy. Risk will also be considered at the feasibility stage for specific projects.

5.7 Equalities and Diversity

- Equality and diversity issues are a mandatory consideration in the decision making of the Council. Decision makers should have due regard to the public sector equality duty in making their decisions. The Equality Act 2010 and the Public-Sector Equality Duty require elected Members to satisfy themselves that equality considerations are integrated into day-to-day business and that all proposals emerging from the business planning process have taken into consideration the impact, if any, on any protected group and what mitigating factors can be put in place. The equalities duties are continuing duties they are not duties to secure a particular outcome. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:
 - A public authority must, in the exercise of its functions, have due regard to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
 - Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

- Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - Tackle prejudice, and
 - Promote understanding.
- Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:
 - Age
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation
 - Marriage and Civil partnership
- This is set out in the Council's Equalities Policy together with our strategic Equalities Objective - as set out in the Corporate Plan - that citizens will be treated equally with understanding and respect; have equal opportunities and receive quality services provided to best value principles.
- Progress against the performance measures we use is published on our website at: www.barnet.gov.uk/info/200041/equality_and_diversity/224/equality_and_diversity
- We are in the process of producing an Equalities Impact Assessment, which will be presented to Committee with the Sustainability Strategy. Each proposal will consider equalities and be cognisant of the fact that some protected characteristics could be affected more than others. Due to the breadth of issues and projects covered in this report, it is not possible to provide all the necessary impacts and information at this time. As appropriate, individual Equalities Impact Assessments will be undertaken as the proposals are developed.

5.8 Corporate Parenting

- In line with Children and Social Work Act 2017, the Council has a duty to consider Corporate Parenting Principles in decision-making across the Council. The outcomes and priorities in the refreshed Corporate Plan, Barnet 2024, reflect the Council's commitment to the Corporate Parenting duty to ensure the most vulnerable are protected and the needs of children are considered in everything that the Council does. To this end, great attention has been paid to the needs of children in care and care leavers when approaching business planning, to ensure decisions are made through the lens of what a reasonable parent would do for their own child.
- Climate change will hold greater implications for children and young people, and future generations than it does current adults residing in Barnet. Our surveys of children and

young people highlight the strength of feeling they have around climate action. The Corporate Parenting Principles have been considered in the development of this report and will continue to be considered in the development of the strategy; they will also be considered in the development of the Equalities Impact Assessment

5.9 Consultation and Engagement

- The formation of a Citizens Assembly on Climate Change and Biodiversity will engage with all relevant sectors of the Barnet community and will be undertaken in line with the council's corporate guidelines.

5.10 Environmental Impact

- The delivery of an ambitious sustainability action plan will enable us to deliver on our commitment to climate change; this work will have a positive impact on our borough and the environment in which we live, work and visit. The proposals included in this report aim to improve the sustainability of Barnet's environment and will have wide ranging environmental impacts which should provide a net positive impact. The potential benefits of the proposals are detailed throughout the report, and their environmental impact will be assessed on a project-by-project basis when conducting feasibility studies and delivery plans

6. Background papers

- 6.1 Update on Barnet Sustainability Strategy – Environment Committee, 11 March 2021
<https://barnet.moderngov.co.uk/documents/s64151/Sustainability%20Strategy%20Update.pdf>
- 6.2 Sustainability Strategy Framework – Policy & Resources Committee, 9 December 2021
<https://barnet.moderngov.co.uk/documents/s69067/Sustainability%20Strategy%20Framework.pdf>
- 6.3 London Borough of Barnet Air Quality Annual Status Report for 2021, May 2021
[Barnet Air Quality Annual Status Report 2020 \(ODT, 835KB\) | Barnet Council](#)