



## Environment & Climate Change Committee

06 September 2022

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

This paper provides an overview of the progress against Barnet's Net Zero commitments and the actions taken since the last Environment and Climate Change Committee (9 June 2022)<sup>1</sup>

### Officers Recommendations

1. That the Committee note the progress since the last Environment and Climate Change Committee (9 June 2022)
2. The Committee note the outcomes of the engagement workshops held in March/April 2022; and note the outcomes of these workshops will be used in wider engagement work later in the year.
3. The Committee notes the ongoing work to develop and implement initiatives to deliver reductions in carbon emissions and confirms that this work should continue.

<sup>1</sup> [Committee Report \(moderngov.co.uk\)](https://moderngov.co.uk)

## 1. Why this report is needed

1.1 A report was provided to the Environment & Climate Change Committee on 9 June 2022, with the following recommendations:

- 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.
- 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
- 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.
- 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.

This report provides an update on the progress against each of these recommendations

1.2 Central to our programme of activity is our vision of; *'Working together to be one of London's most sustainable boroughs'*

*We will be a borough that;*

- *is a vocal climate leader;*
- *that takes action to deliver outcomes, tackling the most pressing environmental, social and economic challenges whilst being agile in the ever-changing landscape;*
- *ensures our actions do not negatively impact future generations,*
- *and supports residents and businesses to make sustainable choices*

Our communications and engagement will reflect the way we aim to work as an organisation:

- We will work to future proof our borough, safeguard our environment, protect our green spaces and biodiversity for our generations to come.
- We have declared a climate emergency and will go further and faster than ever before to make Barnet a more social, economic and environmentally sustainable borough.
- We will work together with local people, communities, and business across the borough, to become net zero carbon in Barnet by 2042, and for the Council by 2030.
- We will put sustainability at the heart of what we do and empower local communities to do the same, taking action to tackle the most pressing environmental challenges affecting our borough

1.3 *Outcomes of engagement workshops:* a series of workshops were held throughout March and April 2022 with residents, businesses, and community

groups to discuss the Sustainability Framework and to gather feedback on the current sustainability plans. This feedback will be used alongside wider citizen's engagement and the Citizen's Assembly to develop our Climate Action Plan. A number of recommendations were made through these workshops, work is underway to assess these recommendations and include them in our Action Plans where appropriate. A further update on progress against these actions will be brought to the next Environment and Climate Change Committee.

- 1.4 *Citizen's Assembly and Citizen's Engagement:* the purpose of a Citizen's Assembly on Climate Change and Biodiversity is to provide a platform for co-producing and monitoring our Sustainability Strategy and Action Plan. Work has already commenced to procure a partner to help Barnet deliver a Citizens Assembly. We anticipate the delivery partner being on board from October 2022. Engagement with community groups, businesses and residents will form part of the co-design of the Assembly, discussions have already commenced with Environmental Groups across the borough as to how they may be involved in this work going forward.
- 1.5 We also recognise, wider citizen's engagement will be a key driver to the delivery of the Borough's ambitious commitments; a dedicated Sustainability Engagement Officer, with responsibility for this work, has been appointed and is due to start in October 2022. A further update on engagement plans will be brought to the next Environment and Climate Change Committee.
- 1.6 *Roadmap to delivery:* a review of the proposed actions across our Sustainability Portfolio has taken place and an impact assessment for each of the workstreams is underway, ensuring actions are evidenced and scientifically based; these will form part of our wider Climate Action Plan. A Governance structure has been developed to monitor the progress of our actions and trajectory to Net Zero. Work is underway to develop a dashboard that will provide more regular data updates.
- 1.7 In order to promote the work already under way and provide updates on progress against our commitments, as well as highlighting the actions residents across the borough can take, we have developed a communications plan which will work alongside our engagement work and will be at the heart of our delivery.
- 1.8 *Update on project progress:* following the previous update given to Environment and Climate Change Committee, service areas have moved forward with the implementation and delivery of many projects, including:
  - Launch of Anti-idling Campaign at a local primary school in June 2022,
  - Progressing with the installation of electric vehicle lamp column charge points, with over 200 now in place and a further 500 planned to be installed from Sept 2022, which will be surface mounted rather than on lamp columns , and consulting on the dedication of adjacent bays to ensure residents are able to make use of them,
  - Delivery of PSDS3 (Public Sector Decarbonisation Scheme) to support the decarbonisation of 14 maintained schools, 2 maintained primary school swimming pools, 1 community nursery and 4 Council operational buildings, and the preparation of further bids for the next round of funding (opens in Sept 2022),

- Surveys underway to develop a costed ‘fabric first’ approach to insulate 11x non-domestic buildings, as part of the ‘Fabric First’ project
- Drafting the Air Quality Annual Status Report, which has been approved by the GLA and work has started to develop our Air Quality Action Plan, these will be presented to a future committee,
- Joint submission by Middlesex University and the Council, to the Net Zero Innovation Programme run through the LGA. Work has commenced in scoping out an initial idea around understanding sustainability inclusion across the Borough, and plan to submit a proposal in September 2022
- A town centres active travel campaign planned for September to promote walking and cycling to high streets, linking in with World Car Free Day and Clean Air Day
- Commissioning a feasibility study to look at the opportunity of planting additional trees, Sustainable Urban Drainage Systems (SUDS) and other interventions to enhance the public realm, mitigate the effects of pollution and increase biodiversity in Cricklewood Broadway
- A new 3,500 sqm public square in Finchley Square is due to start on site in Autumn 2022; includes significant new tree planting, SUDS and support for active travel

1.9 *Formation of Sustainability Team:* the Director of Growth has been appointed Lead Officer for Climate Change and Biodiversity, and Chair of the Environment & Climate Change the Lead Member. A rigorous recruitment campaign has taken place over the last four-months with a team now appointed and in place, to provide oversight and scrutiny against the Action Plan.

## **2. Reasons for recommendations**

- 2.1 Recommendation 1: the committee is asked to note the progress since the last Environment and Climate Change Committee
- 2.2 Recommendation 2: the committee is asked to note the outputs from the engagement workshops that were held earlier in the year, and to note these will form part of the wider programme of citizen’s engagement and our Action Plan.
- 2.3 Recommendation 3: the committee is asked to note the progress to date on reviewing the actions, and to note the impact assessments being undertaken against each of these actions. 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 delivering actions across the organisation in these areas and a wider Transformation Programme is being developed across the organisation, that will enable the council to maintain its momentum in this area, as well as demonstrating its wider intentions to residents, businesses and partner organisations

## **3. Alternative options considered and not recommended**

- 3.1 This paper notes the work that is taking place and recognises the wider programme of work taking place across the council. The ongoing development and monitoring 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 continue to design and implement a borough-wide Citizen's Assembly for Climate Change and Biodiversity; in consultation with the Chair of the Committee.
- 4.2 Work will commence in designing and introducing our wider programme of citizen's engagement, working alongside the Community Participation Strategy.
- 4.3 Work to deliver and monitor the impact of existing and new carbon reduction and sustainability initiatives will continue; recognising the need to be agile in an ever changing landscape.

## **5. Implications of decision**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 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)**

5.2.1 Finance & Value for Money: At a meeting of the Policy & Resources Committee (P&R) in July 2022, a budget was approved to support the delivery of the Sustainability Strategy and Climate Action Plan. £0.350m has been allocated from contingency for the financial period 2022/23 with an additional £0.508m budget from contingency for 2023/24. Funding for the proposals noted within this report will be considered further in the development of detailed action plans, and resourced within the budget envelope approved by P&R.

5.2.2 Additional funding opportunities are available, including those generate by the council through Section 106 and Community Infrastructure Levies (CIL). Previous reporting to this Committee outlined successful bids for external funding sources which will form part of the overall budget envelope.

5.2.3 Feasibility studies and delivery plans will be developed as part of this work; but will not be a barrier to the council delivering its ambitious plans, at pace and with rigour. These will include estimated project costs, staffing and other resource requirements, and potential sources of funding.

5.2.4 Resource requirements will be further explored throughout the development of any actions.

5.2.5 The council must, by statute, set a balanced budget each year. It is good

financial management practice to also set a Medium Term Financial Strategy (MTFS) over a 3-5 year timeframe. Any proposed deliverables arising from the work should not have a negative impact to the council's financial sustainability. Where deliverables have costs exceeding planned resources, it is expected that officers responsible for delivery will mitigate these costs through appropriate actions, for example value engineering of large capital programmes.

- 5.2.6 Procurement: any procurement proposals identified as a result of the Action Plan 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 council's contract procurement rules and delegated authority of the Deputy Chief Executive and Chair of the Environment and Climate Change Committee, as approved at the Environment & Climate Change committee in June 2022; 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 Committee for noting.
- 5.2.7 Staffing: additional resources may be required post approval of this report, to further 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 as approved at Environment and Climate Change Committee in June 2022.
- 5.2.8 IT: at this time there are no implications
- 5.2.9 Property: at this time there are no implications
- 5.2.10 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 portfolio 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 2030<sup>2</sup>

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 (*Kyrtatos 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:

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<sup>2</sup> [UK becomes first major economy to pass net zero emissions law - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/uk-becomes-first-major-economy-to-pass-net-zero-emissions-law)

- 1) Responsibility for all borough-wide or cross-area matters relating to the local environment including: air quality, cycling, walking and healthy streets, biodiversity, transport and public transport, grounds maintenance, highways, on-street and off-street parking, road safety, lighting, street cleaning, environmental crime (including littering, fly-tipping fly-posting, and graffiti), the council's fleet, waste and recycling, waterways, parks and open spaces (including allotments and trees), cemeteries, crematoria and mortuary, trading standards and environmental health (except environmental health functions relating to housing and fire safety).
- 2) Responsibility for the council's response to the climate emergency including:
  - Setting and overseeing implementation of carbon reduction targets, both in relation to the council as an organisation and Barnet as a place
  - Developing strategies to meet those carbon reduction targets
  - Developing strategies for the mitigation of the impacts of climate change, both on the council as an organisation and Barnet as a place
  - Implementing the elements of those strategies that relate to functions listed in (1) above.

#### **5.4 Insight**

- 5.4.1 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**

- 5.5.1 There are no immediate Social Value implications attached to this report. However, the Social Value policy and toolkit contains sustainability measures so we would therefore expect any procurement to actively support the utilisation of those measures in support the delivery our sustainability and carbon reduction aims.

#### **5.6 Risk Management**

- 5.6.1 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**

- 5.7.1 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::

- 5.7.2 A public authority must, in the exercise of its functions, have due regard to the need to:
- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - a) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - b) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.7.3 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:
- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
  - b) 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;
  - c) 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.
- 5.7.4 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.
- 5.7.5 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:
- a) Tackle prejudice, and
  - b) Promote understanding.
- 5.7.6 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:
- a) Age
  - b) Disability

- c) Gender reassignment
- d) Pregnancy and maternity
- e) Race
- f) Religion or belief
- g) Sex
- h) Sexual orientation
- i) Marriage and civil partnership

5.7.7 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**

- 5.8.1 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.
- 5.8.2 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**

- 5.9.1 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
- 5.9.2 Engaging with citizen's, communities and businesses is at the heart of delivering our Sustainability Strategy and a wider plan of engagement is being developed. The outcomes of this will form part of our Action Plan where appropriate.

## **5.10 Environmental Impact**

- 5.10.1 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 - [A4 Letterhead \(moderngov.co.uk\)](#)
- 6.2 Sustainability Strategy Framework – Policy & Resources Committee, 9 December 2021 - [Committee Report \(moderngov.co.uk\)](#)
- 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](#)
- 6.4 Update on Barnet Sustainability Strategy – Environment Committee 9 June 2022 - [Committee Report \(moderngov.co.uk\)](#)