



Climate Change Commission for Wales:

June 2015

**Response to National Assembly for Wales Environment & Sustainability Committee inquiry -
Environment Bill**

The Commission was established in 2007 as an important independent forum for developing and driving forward the Welsh programme of action to tackle the causes and effects of climate change. It brings together leaders and representatives from all sections of Welsh society (business, academia, the voluntary sector, environmental groups, political parties, public sector and local government), and seeks to advise Welsh Government on climate change, mobilise action and build consensus across sectors.

The Commission welcomes the introduction of the Environment (Wales) Bill, and particularly the focus on climate change, the creation of a statutory framework for action on climate change including targets for reducing emissions of greenhouse gasses, and setting carbon budgets.

Our response specifically addresses Part 2 - Climate Change, and the following questions:

1. Do you agree with the proposals for the 2050 target?

The Commission has for some time been calling for a **stronger framework** for climate change and emission reduction in Wales, and in [our response](#) to Welsh Government's Climate Change Policy Refresh last year we called for

- a much clearer structure of responsibility, accountability and reporting across Government and the public sector to enable monitoring of progress against climate change objective, and
- the introduction of statutory targets (within forthcoming legislation) for public bodies to monitor and report on emissions and adaptation performance.

The current 2050 target is in line with the existing UK Climate Change Act (2008), so there is a question about whether it should be going beyond this. What is critical is that these targets are based on the **latest scientific evidence** and any developments in international negotiations. The current Welsh targets (40% and 3% per annum) are also based on analysis undertaken for the 2010 Strategy, so again we would recommend that these are brought up-to-date and based on the latest evidence as presented by the IPCC in 2014.

In addition the Environment Bill has to clearly link to, and strengthen, the requirements of the **Well-being of Future Generations (Wales) Act** and the indicators, milestones and measures that are being developed to support the delivery of the seven wellbeing goals.

2. *For your views as to whether the interim targets should be on the face of the Bill?*

With such a complex issue as climate change we understand the difficulty of placing targets on the face of the Bill. Not including a target would allow for a greater degree of flexibility, however there could be arguments for including something (perhaps the 40% by 2020 target) to reinforce the Welsh Government's commitment.

3. *Do you believe that the introduction of carbon budgets is a more effective approach than the 3% annual emissions reduction target that is currently in place in Wales?*

Yes – it will set the route map for reducing emissions across all Government departments over appropriate time periods, and is also in line with the UK's approach. We agree that the timing for the budget should be aligned to the electoral cycle and also to the requirements under the Well-being for Future Generations (Wales) Act and development of local Wellbeing plans.

We are slightly concerned that the progress reports will only be undertaken every five years – this may not be sufficiently frequent to hold Welsh Government to account. Currently the Welsh Government reports annually on their climate change targets, and this is the main way that the Commission is able to scrutinise progress and provide advice on areas for improvement. Would the carbon budgets replace the current annual targets, and if so how will progress against emission reduction be reported?

The Commission recently funded the **Tyndall Centre** to carry out a study on carbon budgets for Wales – **copy attached**. This provides an in depth analysis of the evidence for targets and budgets, including what would be a 'fair' budget allocation for Wales, so should be considered as part of the evidence base for the Environment Bill.

We would like to see how the carbon budgets will extend to an analysis of the carbon impact of financial budget setting similar to the emission impact assessment of the fiscal budget that is undertaken in Scotland.

4. *What are your views on what emissions should be included in targets? All Welsh emissions or those within devolved competence?*

To allow for consistency with the United Nations Framework on Climate Change (UNFCCC) reporting guidelines, we advise that all Welsh emissions should be included. The Scottish Government has adopted this approach, although when assessing performance against the targets it allows for the sale and purchase of relevant carbon units (tradable emissions allowances), through the European Union Emissions Trading Scheme (EU ETS). In effect, this means that, when assessing performance against targets, the emissions attributed to the traded sector are those allowed within their annual cap, as opposed to the emissions actually made (see <http://www.gov.scot/Publications/2014/06/5527/4>). The issue of devolved competence (which

may change over time) is probably best addressed when setting the particular value of each target or budget.

It is also worth noting that all Wales emissions are provided on a yearly basis by the National Atmospheric Emissions Inventory report. The latest [figures](#), published on June 9th, shows that although emissions have reduced by 12% compared to base year, they have increased by 10% between 2012 and 2013. This increase is largely driven by emission from the production of heavy industry and a shift from natural gas to coal use in power stations. It would therefore appear that the generation and reporting of all Wales emissions would not require much additional work for the Welsh Government for either the budget period report or the annual update.

As well as considering the devolved / non-devolved issue, it's also worth considering reporting on consumption-based emissions particularly as Wales is a net exporter of energy. This would support action in relation to personal behaviour change and individuals taking greater responsibility for supporting actions that lead to emission reduction.

5. Do you agree with the Bill's proposals as to what should happen if the Welsh Ministers fail to meet emissions targets or carbon budgets?

Yes we welcome a **framework for stronger accountability across Welsh Government**, and the emphasis on the need for a **cross-departmental approach** to deliver emission reduction. We would welcome further consideration of accountability outside Welsh Government across the public and private sector bodies – for instance the Scottish Act has a requirement on all public sector bodies to contribute to their climate change targets and this would seem a sensible approach for Wales.

Again we feel that any requirements on the public sector would need to build on and complement the requirements in place through the **Well-being of Future Generations (Wales) Act**.

6. What should the role of an advisory body on climate change be?

We feel that there is a need to clarify the role of the various bodies here. The UK Committee on Climate Change, who already advise the UK Government on setting carbon budgets and have significant analytical and scientific capacity, are well placed to advise the Welsh Government on the technical detail e.g. setting initial carbon budgets for Wales.

The Well-being of Future Generations (Wales) Act sets out a clear role for the **new Future Generations Commissioner** in relation to providing advice on climate change (Part 3, Section 19 1a) – the Environment (Wales) Bill should seek to strengthen and clarify this role and not undermine it. A review of the Climate Change Commission for Wales is currently taking place and the findings will inform the future role of the new Commissioner.

ADAPTATION

We note that Part 2 focuses entirely and in much detail on emission reduction. There is no explicit reference to **Adaptation**. This is in marked contrast with legislative frameworks in other home countries. The Climate Change Act 2008 places a duty on the UK Government and the Northern Ireland Administration to place plans before their respective Parliament and Assembly, outlining how they are addressing the risks identified in the most recent UK Climate Change Risk Assessment (which is undertaken every five years). The Climate Change (Scotland) Act 2009 places a similar requirement on the Scottish Government. There is, however, no corresponding legal requirement placed on the Welsh Government.

The **Well-being of Future Generations (Wales) Act** stipulates that Welsh Ministers must take account of the UK CCRA when producing their Future Trends Report, and that Public Service Boards should do so when preparing their Assessments of Local Well-being. Presumably, actions arising from taking account of the UK CCRA will be embedded within Welsh Ministers' Well-being Objectives, and within Local Well-being Plans, and would encourage action to support the Resilient Wales goal. Similarly the Environment (Wales) Bill, as introduced, places a duty on Welsh Ministers to "prepare, publish and implement national natural resources policy ... including what they consider should be done in relation to climate change".

As things stand, therefore, actions to adapt to climate change will be embedded within a range of mainstream programmes – as is appropriate for effective integration. The question is whether Welsh Government is content that, if challenged, they could extract from these programmes the actions that when collated would constitute an "Adaptation Programme for Wales". In this situation we think it may be appropriate for this Act to consider placing a specific duty on Welsh Ministers to prepare a National Adaptation Programme for Wales which takes account of the most recent UK CCRA. It would be helpful to look at lessons from the UK National Adaptation Programme and the Scottish Adaptation work to develop the most appropriate response for Wales.

The Commission's **Adaptation sub-group** would be happy to provide further information and insights about this. Further the Commission's **Land Use sub-group** wishes to emphasise the role of land management in adaptation – protecting us from the extremes of storms, flood and drought as well as retaining carbon stocks in peat and other organic soil. The ability of land to sequester more carbon will contribute very little to the overall budget and our land management policies should reflect this.