

Agenda Item	6
Report No	CCWG/17/20

HIGHLAND COUNCIL

Committee: **Climate Change Working Group**

Date: **6th November 2020**

Report Title: **Updates to Annual Public Bodies Climate Change Duties Reporting Requirements**

Report By: **Executive Chief Officer – Infrastructure & Environment**

1. Purpose/Executive Summary

- 1.1 This report provides an overview of changes to legislation which will significantly amend the information which will need to be provided under the Public Bodies Climate Change Duties (PBCCD).

2. Recommendations

- 2.1 Members are asked to note the contents of this report.

3. Implications

- 3.1 Resource – there are no direct resource implications arising from this report. However, the amendments to the reporting requirements as detailed within this report will clearly require the Council to better align its spending and use of resources to contribute to reducing emissions.
- 3.2 Legal – The Council has a legal requirement to report on its carbon emissions in accordance with the information requested by the Scottish Government. This includes complying with any deadlines or monitoring and verification standards that are imposed. In addition, the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 places a legal duty on the Council to contribute to the delivery of national emissions reduction targets of 75% by 2030 and to end Scotland’s contribution to climate change by 2045, whilst acting in the way best calculated to help deliver any statutory climate change adaptation programme..
- 3.3 Community (Equality, Poverty and Rural) – there are no community implications arising from this report.
- 3.4 Climate Change/Carbon CLEVER – Accurately monitoring and reporting on carbon emissions and climate change will help to focus attention on action to reduce carbon emissions across the

Council and the wider Highland region, and becomes increasingly important following on from the Council's declaration of a climate and ecological emergency in 2019.

- 3.5 Risk – There is a significant reputational risk to THC of not being seen to deliver on its commitment to achieving a carbon neutral Highlands by 2025. Climate change is now recognised as a Corporate Risk, and it is therefore important that its impacts are properly assessed. The Council should plan to mitigate against and adapt to the effects of climate change across all service functions.
- 3.6 Gaelic – There are no Gaelic implications arising from this report.

4. Background

- 4.1 The Climate Change (Scotland) Act 2009 and the subsequent Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 ("the Act") introduced binding targets and legislation to reduce Scotland's emissions by 75% by 2030 against a 1990 baseline, and to end Scotland's contribution to climate change no later than 2045. In addition, the Act places specific duties on public bodies relating to climate change.
- 4.2 The Act requires that a public body must, in exercising its functions, act:
- In the way best calculated to contribute to delivery of the Act's emissions reduction targets;
 - In the way best calculated to deliver any statutory adaptation programme; and
 - In a way that it considers most sustainable.
- 4.3 In 2015, the Scottish Government introduced an Order under the Act requiring all public bodies to submit an annual report detailing their compliance with the climate change duties detailed above. The Council continues to comply with this requirement with its most recent annual return having been presented to Members of the Economy & Infrastructure Committee on 2nd November 2020.
- 4.4 However, as a result of the Scottish Government's own declaration of a climate emergency and to ensure public sector compliance with revised targets set out at para 4.1 above, the [Climate Change \(Duties of Public Bodies: Reporting Requirements\) \(Scotland\) Amendment Order 2020](#) ("the Order") will come into force from November 2020. This order will require public bodies to include the following information in annual reports, from reporting year 2021/22:
- where applicable, a target date for achieving **zero direct emissions** of greenhouse gases, or such other targets that demonstrate how the body is contributing to Scotland achieving its emissions reduction targets;
 - where applicable, any targets for reducing **indirect emissions of greenhouse gases**;
 - how the body **aligns its spending plans and use of resources** to contribute to reducing emissions and delivering its emissions reduction targets;
 - how the body will **publish**, or otherwise make available, its **progress towards achieving its emissions reduction targets**;
 - how the body is **contributing to Scotland's Adaptation Programme**.

5. Key Impacts for The Highland Council

- 5.1 Whilst the Council will only have to officially include the information highlighted at para 4.4 in our November 2022 return, it would be prudent to begin to plan for and include this information from November 2021 to ensure that the new requirements are properly embedded within Council operations well in advance of the official reporting requirement.

- 5.2 Over the course of the coming weeks and months, there will be a pressing need for the Council to re-examine and update its own internal targets in respect of climate change, and to formally commit to a target date for achieving net zero direct emissions. This work will require widescale engagement with both Elected Members and senior officers to develop costed, evidence-based scenarios to allow a realistic target date to be set. It is anticipated that this work will be a necessary precursor to wider engagement in respect of the budget setting process to ensure that spending plans and use of resources are consistent with both the Council's revised and updated net zero ambitions, as well as those of the Scottish Government.
- 5.3 It should be noted that the Council is only required to set a target date for achieving zero direct emissions of greenhouse gases – these are Scope 1 emissions which the Council has direct control of. Based on the sectors scoped into the Council's current carbon management plan, this would include the following:
- **Natural gas** – used for space heating across the built estate, accounting for 6,457tCO₂e in 2019/20.
 - **Burning oil** – used for space heating across the built estate, accounting for 4,832 tCO₂e in 2019/20.
 - **Petrol** – used to fuel fleet vehicles, accounting for 329tCO₂e in 2019/20.
 - **Diesel** – used to fuel fleet vehicles, accounting for 5,568tCO₂e in 2019/20.
 - **Gas oil (red diesel)** – used to fuel the winter gritting fleet, accounting for 757tCO₂e in 2019/20.
- 5.4 Overall, Scope 1 emissions accounted for 18,493tCO₂e in 2019/20, or 45.5% of our total corporate carbon footprint.
- 5.5 The requirement to include information in respect of the reduction of indirect emissions (Scope 2 and Scope 3) will be largely focussed on the Council's use of electricity, and to a lesser extent, staff travel, waste and water. It has clearly been recognised that achieving net zero emissions from consumption of electricity is largely out with the public sector's direct control and is predicated on the complete decarbonisation of the electricity grid. Focus has therefore shifted to analysing how public bodies are working to reduce overall consumption and installing their own renewable generation capacity, where grid capacity allows.
- 5.6 It is anticipated that guidance will be issued over the coming weeks to support public sector bodies in meeting the new reporting requirements, and this will of course be welcomed. However, the amended reporting requirements are relatively straightforward, and should be viewed as a helpful intervention with respect to increasing the need for more robust corporate focus on the wider climate change agenda.

Designation: Executive Chief Officer – Infrastructure & Environment

Date: 20th October 2020

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