

Call for evidence and views on the Climate Change (No. 2) Bill

Closes 30 September 2021

Opened 16 August 2021

Overview



Climate Change is one of the most important issues facing our society and how we address it could affect how we live, work and travel.

It is a global problem and many countries around the world have, in recent years, introduced laws and strategies to reduce emissions from greenhouse gases (GHG) that are known to be harmful to the environment.

As part of the *New Decade, New Approach* agreement, the Northern Ireland (NI) Executive made a commitment to introduce legislation that would set out how carbon emissions would be reduced in line with the 2015 Paris Agreement pledge “to limit global warming to well below 2, preferably to 1.5 degrees Celsius, compared to pre-industrial levels.”

[The Climate Change \(No.2\) Bill](#) that has been introduced by the Minister for the Department for Agriculture, Environment and Rural Affairs (AERA) sets out a framework to deliver on the *New Decade, New Approach* commitment and establishes legislation to mitigate the effects of Climate Change locally.

Why we want your views

The Assembly's AERA Committee recently sought views from individuals and stakeholder organisations to help inform its scrutiny of a Climate Change Bill that has been sponsored by a Member of the Legislative Assembly (MLA).

The Minister for DAERA has developed a separate Bill on Climate Change (No. 2 Bill) that was introduced to the Assembly in July 2021.

The Committee is now seeking views and evidence **on this Bill** as it is anticipated that it will be referred to the Committee for scrutiny in September 2021.

We understand that this is an unusual situation with the Committee seeking views on two pieces of legislation that cover the same policy area, and that many individuals and organisations have provided their views to the Committee on Climate Change in recent weeks.

However, the Committee has a responsibility to scrutinise each Bill independently and to consider their specific merits and potential impacts in accordance with the legislative processes of the Assembly.

That is why it is **very important** that the Committee hears your views and perspectives on the Climate Change (No. 2) Bill.

When completing your response, we respectfully ask that you address the specific clauses and wording of this Bill, and try to avoid comparison with the Climate Change Bill that we have previously sought evidence on.

Consultation contents

You only need to answer the questions that are most relevant and important to you but we ask that you complete this response form in full, providing your views and making suggested amendments to the Bill where possible. If you are unsure as to how to answer a particular question, you may leave it blank.

Tips for completing your response

I'm not sure how to answer all of the questions.

To help inform your views before completing your response, we recommend reading the [Climate Change Bill](#) or the [Summary](#).

Do I have to answer every question in the consultation?

You are required to answer the consent question for publishing your response. The rest of the survey questions are optional. Please answer the questions that are most important and relevant to you.

Your details (Required Section)

Please note that in most cases **your written submissions will be published** on our website and may be quoted in the Committee's report or in Committee meetings (which are public and broadcast).

If you would like to request that your name not be included in what is published, or to request an alternative format to give comments, please contact the Clerk at the following email address: Committee.AgriEnvRural@niassembly.gov.uk. We will consider all requests for information to be treated anonymously.

Please provide comment on any or all parts of the template. If you do not agree with a particular clause of the Bill, please consider suggesting how it could be amended.

PRIVACY NOTICE

1. Introduction

The Northern Ireland Assembly Commission is committed to protecting and respecting your privacy. This Privacy Notice sets out how the Northern Ireland Assembly Committees use and protect any information we collect from you, or that you provide to us through the work of Committees. Please read the notice to understand our practices regarding personal data and how we will treat it. We will ensure that any personal information you provide is protected and used in line with data protection legislation.

2. Why we collect information

Assembly Committees collect information in the process of undertaking their statutory and other roles, including advising and assisting the Executive in the formulation of policy, legislation

and undertaking inquiries. Information may be provided by you in the form of written submissions, correspondence or when appearing as a witness.

Any information you provide will be stored on the Assembly's secure IT system and be subject to the Assembly's retention and disposal schedule unless otherwise stated.

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Your information will only be collected when absolutely necessary and it will only be used for the purposes it was provided. Further information on the different ways information can be collected and how it is used is outlined below:

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You should note that the majority of committee meetings are public meetings and are therefore broadcast live from the Assembly's website (and on occasions the coverage may be picked up by the media). Video recordings of Committee meetings are retained and shared on the Committee's webpage and on YouTube, video recordings of committee meetings are retained until the end of the mandate.

If you are appearing as a witness, you will have provided contact information to the committee staff. This information will be stored in a secure manner, accessed only by those staff directly involved with this process, and only used for the purpose provided, including follow-up from your evidence session. This information will be retained until the end of the mandate.

During some evidence sessions, Hansard provide an official report of your evidence session (the Official Report is a substantially verbatim transcript of the proceedings). If they do this during your evidence session, they will contact you to provide you with a copy of the transcript of your evidence session. These records are published on the Assembly's website and retained for historical purposes.

You will be advised in advance of your appearance at a committee meeting as to whether your appearance will be video recorded and whether your evidence will be transcribed for the Official Report.

Correspondence

On occasions, members of the public send correspondence to committees which contains personal data. Individual committees take decisions on how they deal with items of correspondence. However, your correspondence will not be shared with departments or public bodies without your explicit consent. We may use the contact details you provide to contact you in relation to your correspondence. Items of correspondence are retained by the Committee in line with its retention and disposal schedule.

Written Submissions

Committees, on occasion, will seek written evidence on a particular topic. This may be linked to a piece of legislation or a committee inquiry. If you make a written submission to a Committee,

you should be aware that submissions are published on the Committee's website and within the Committee's report on the topic. Your submission will be published along with your name and position, unless you ask that these details are not published alongside your submission. Committee staff will seek to ensure that any other personal data contained in your submission is redacted from the Report.

We may use the contact details you provide to contact you in relation to your submission. For example, we may also get in contact to see if you would like to attend a committee meeting to present your submission or if we would like you to provide further written information. Please inform us when you send a written submission if you would like us retain your contact details and contact you for these purposes. If you decide to opt into further contact, you may opt out of further contact at any point by letting us know.

Committee Events

A Committee uses events to allow it to seek the views of stakeholders on policy issues. Committees will seek to invite relevant stakeholders to events. If you provide your contact information to the Assembly in the course of arranging your attendance at an event, that information will only be used for the purposes of attending that event. At the event you will have the option to sign up for further contact in relation to the work of the Committee.

It should be noted that at the event, photographs or videos may be taken. Your invitation will make this clear and state how the images/video will be used (ie. In reports, social media etc.). However, if you wish to not appear in any images or video please advise staff upon your arrival and they will advise you on how that can be accommodated.

4. Your rights

If you have any enquiries in relation to Committee procedures, please contact the Committee office.

If you would like to: engage any of the rights that you have under the legislation (such as the right of access); ask a question; or make a complaint about how your information is used; please contact the Assembly's Information Governance Officer at:

Email: dpo@niassembly.gov.uk

Tel: (028) 90521147

You can also make a complaint to the Information Commissioner's Office (ICO) if you believe we have not used your information in line with the law. ICO Contact details on their website: <https://ico.org.uk/concerns/>

How would you like your response to be published?

I would like my response to be published

I would like to request my response not be published, and I understand this will only be accepted in exceptional circumstances

If my request is turned down I understand that I can choose to withdraw my submission or agree to my response being published in full or as amended by me.

What is your name?

Steven Agnew

What is your email address?

Steven.agnew@RenewableNI.com

Please indicate if you are providing a submission as:

An individual

On behalf of an organisation or business

If on behalf of an organisation or business, please state its name:

RenewableNI

And please tell us briefly how the organisation or business relates to the subject matter of the Bill:

RenewableNI (RNI) is the trade association and voice for the renewable electricity industry in Northern Ireland. We represent over 30 businesses, fostering knowledge exchange, sharing best practice and supporting policy development. Engaged in wind, solar, tidal and battery storage, our members make up a large majority of the renewable industry supply chain.

Question 1: The Bill Objectives

The objectives of the Bill are to:

- *Set targets for the years 2050, 2040 and 2030 for the reduction of greenhouse gas (GHG) emissions;*
- *Provide for a system of carbon budgeting;*
- *Provide for reporting and statements against the targets and budgets;*
- *Provide for the ability to impose climate change reporting duties on public bodies;*
- *Provide for reports and advice from the UK Committee on Climate Change (CCC)*

a. What are your views on the overall Bill objectives?

Broadly positive

Broadly negative

Unsure

Please give us a reason for your answer

RNI views the targets outlined in the Bill as unambitious and an insufficient response to the Climate Emergency. RNI notes that the 2050 target is based on the 'Balanced Pathway' within the Committee on Climate Change's (CCC) *Sixth Carbon Budget* however we would draw attention to the outlined stretch target for Northern Ireland of 94% Greenhouse Gas (GHG) reductions by 2050. It is RNI's view that this is the very least target that should be set.

RNI has previously supported the net zero by 2045 target and retains this position. We note that the Climate Change No. 2 Bill does not set a target date for Northern Ireland to achieve net zero which would put us behind even China which has set a target date of 2060 by which to achieve net zero. This Bill, if enacted without amendment, would set Northern Ireland as the climate laggards of the world.

Again referencing the Sixth Carbon Budget, RNI notes that the CCC states:

"There is no purely technical reason why Net Zero is not possible in Northern Ireland.". And further adds:

"A target for Net Zero CO₂ emissions in Northern Ireland by 2050 would be consistent with the UK's Net Zero ambition."

The terms of reference for the Sixth Carbon Budget, in respect of NI, is what is required by NI for the UK to achieve its net zero goal. RNI believes that the Environment Minister should request a CCC Carbon Budget for NI to achieve net zero, ideally by 2045 but at least by 2050.

The failure of NI climate policy has been the lack of local targets with NI already 12 years behind Scotland in enacting climate legislation. To produce legislation that only seeks to contribute to the UK target, rather than set a local ambition, would be to continue the failed approach of the last decade.

Climate Action Plans

RNI notes that the Bill does not make provision for Climate Action Plans. We believe that action plans are necessary to ensure a coordinated cross departmental approach to decarbonisation.

Sectoral Targets

RNI notes that the Bill does not provide for carbon budgets by sector. RNI would draw Committee's attention to the assertion by the International Energy Agency in its [Net Zero by 2050](#) roadmap that all advanced economies should achieve net zero power by 2035. This call is echoed in the *Sixth Carbon Budget* which sets a target for the UK power system to be net zero by 2035. RNI believes NI should create a legislative requirement for net zero power by 2035 and would direct committee to the Baringa [Achieving Zero](#) report which demonstrates that this is achievable with technologies known to us today and is consistent with the Department for the Economy's (DfE) aim of affordable energy.

b. Do you think that the Bill will meet these objectives?

Yes

No

Unsure

Please give us a reason for your answer:

As previously stated, RNI is concerned that the Bill does not provide for Climate Action Plans. In their absence it is hard to assess whether the Bill objectives will be achieved. The target of an 82% GHG reduction by 2050 is unambitious in our view, and therefore certainly achievable.

Question 2: Declaration of a Climate Emergency

- Clause 1 of the Bill legally declares a Climate Emergency in Northern Ireland.

1. Tell us your views on declaring a Climate Emergency in Northern Ireland.

RNI supports the Assembly's declaration of a Climate Emergency but see a lack of urgency by departments on climate action. We have seen with Covid what acting in an emergency looks like and this is not reflected in climate action.

For example, in March 2020, DfE held a call for evidence on a new energy strategy which will provide a pathway for energy decarbonisation. In March 2021 it consulted on an Energy Strategy options paper. It is due to publish a new strategy before the end of this year but RNI understands that this aspect of the strategy will be subject to further consultation. The house is on fire and we are testing the smoke alarms.

A windfarm in NI will typically spend twice as long in the planning system as a similar project in GB. RNI has called for a fast tracking of green infrastructure projects which would demonstrate that we are acting as if in an emergency situation, but we have so far been frustrated in our efforts.

Question 2: Emissions Targets

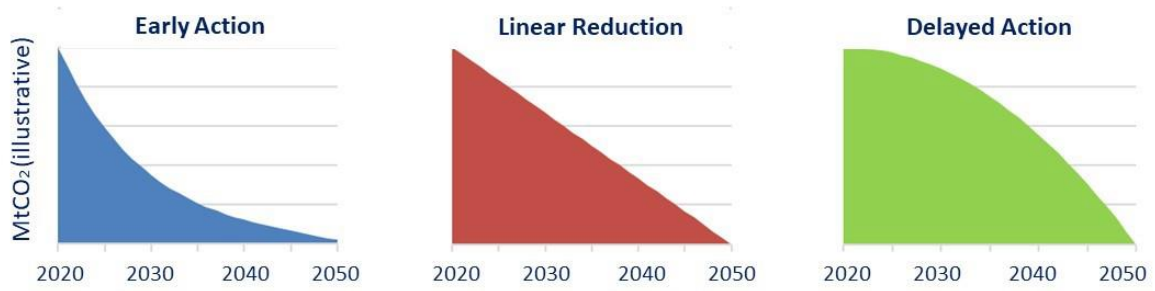
Clauses 1-3 of the Bill set the following GHG emissions targets for NI, compared to baseline levels (either 1990 or 1995 emissions, depending on the particular gas)

- Net emissions will be *at least* 82% lower by 2050
- Net emissions will be *at least* 69% lower by 2040
- Net emissions will be *at least* 48% lower by 2030

a. What are your views on these emissions targets?

Given our starting point, 48% GHG reductions by 2030 seems like a reasonable target and is in line with climate science, however after this the targets begin to diverge from what is necessary to achieve the Paris Agreement target to keep temperature rises below 1.5°C.

Early action is essential and we reiterate that we need to act with urgency. As this illustrative graph from MAREI's [Zero by 50](#) shows, there are many ways to get to the same end point, but delayed action will result in double the emissions of early action in achieving net zero.



These three illustrative emission reduction pathways all achieve net-zero emissions in 2050, but the 'Delayed action' pathway has cumulative emissions that are double the 'early action' cumulative emissions and therefore double global warming impact. Source: (McGuire et al UCC, 2020)

b. Do you think these emissions targets are achievable?

Yes

No

Unsure

c. Do you think that the timescales to deliver the emissions targets are achievable?

Yes

No

Unsure

Question 3: Power to Amend Targets

Clauses 4 and 5 of the Bill give the Department for Agriculture, Environment and Rural Affairs (DAERA) the authority to change, through regulations, the emissions targets, years and baseline. A proposed change must be ratified by the Assembly.

DAERA may only bring forward a proposed change if:

(1) It is satisfied that it is justified on the basis of significant developments in law/policy, scientific knowledge or technology relevant to Climate Change and the UK Committee on Climate Change (CCC) has advised that the change is the most ambitious that it could be (if relevant); OR

(2) The CCC has recommended the change (or it is not substantially different from a CCC recommendation)

a. Do you think that this is appropriate?

Yes

No

Unsure

b. Tell us what you think about amending targets.

One purpose of setting targets is to give certainty to industry and investors (and others) as to the direction of travel. As currently drafted, the Bill creates uncertainty. RNI would suggest that the provision for amendment of targets should be restricted to increased ambition therefore making it clear that these are minimum targets and therefore provide certainty in relation to the direction of public policy.

Question 4: Carbon Budgets

The Bill proposes that DAERA will prepare “Carbon Budgets” that will set the maximum GHG emissions level for NI for a period of time.

The first Carbon Budget period is planned to cover 2023-27 and thereafter Budgets will be set on a 5-yearly basis.

The Carbon Budgets will be established to help meet the overall emissions targets for 2030, 2040 and 2050.

DAERA will be responsible for submitting a report to the Assembly outlining the policies that will be taken forward by NI Government Departments to meet a Carbon Budget. This report must be submitted before the end of Year 1 of the Carbon Budget period.

a. Tell us what you think about Carbon Budgets.

Climate budgets are a vital part of climate legislation and if set appropriately can help us avoid the ‘delayed action’ scenario outlined above. RNI would like to see the bill go further and require carbon budgets by sector to ensure all aspects of our economy are being decarbonised at the appropriate pace.

b. Do you think the proposed Carbon Budgets are an effective way of delivering on the emissions targets?

Yes

No

Unsure

Please give us a reason for your answer.

As highlighted by MAREI, a net zero target can be met in different ways. Our end point is important but so is the journey we take in getting there. Carbon budgets are necessary to ensure we are decarbonising at an appropriate pace and prevent us from 'spending' beyond our environmental limits. Appropriate carbon budgets can be set which ensure that we follow an urgent action pathway.

c. Clause 15 of the Bill allows DAERA to adjust a Carbon Budget by carrying a proportion of the emissions level forwards or backwards to a different Carbon Budget period (up to a maximum of 1% of the later Budget) after consulting other Government Departments and the CCC.

Do you think that this is appropriate?

Yes

No

Unsure

Please give us a reason for your answer.

RNI is concerned that this could lead to 'back loading' the climate actions resulting in a 'delayed action' scenario.

Question 5: Progress Reporting

The Bill requires DAERA to submit reports to the Assembly as follows:

- An interim progress report must be laid before the end of Year 3 of each Carbon Budget period
- A Final Statement must be laid within 24 months of the end of a Carbon Budget period outlining whether the Carbon Budget was, or was not, met. If **not met**, a report must be laid within 3 months outlining proposals to compensate for the excess emissions
- A Compliance Statement must be laid within 24 months of the end of each respective year for 2030, 2040 and 2050, with an assessment as to whether the relevant emissions target was achieved

a. Do you think that this is an effective way to monitor progress?

Yes

No

Unsure

b. Please tell us your views on the proposals for progress reporting as outlined in the Bill.

This appears appropriate.

Question 6: Independent Oversight

Part 4 of the Bill outlines the responsibilities of the CCC in terms of reporting to DAERA on the effectiveness of Carbon Budgets and attainment of the emissions targets.

The CCC will report to DAERA within 6 months of publication of a Carbon Budget Final Statement and the Compliance Statement for years 2030 and 2040, with its consideration on whether the emissions levels have been achieved and any recommendations.

DAERA will send the Assembly a copy of each CCC report within 6 months of it being received.

a. What are your views on this?

RNI respects the expertise of the CCC and sees value in a consistent approach to monitoring across the UK. However, as highlighted in our response to the Climate Change No.1 Bill, we do believe there is a lack of NI specific data which is something that needs to be addressed.

Question 7: Responsibilities on Government Departments and Public Bodies

The Bill places primary responsibility on DAERA for setting Carbon Budgets, reporting on progress and consulting with the CCC.

It also requires all local Government Departments to ensure that GHG emissions do not exceed the set Carbon Budget for any period and to provide DAERA with relevant information and data to support completion of progress reports.

a. Do you think that the responsibilities on Government Departments set out in the Bill are appropriate?

Yes

No

Unsure

Please give a reason for your answer.

We believe that Departments should be assessed against a Climate Action Plan and sectoral carbon budgets. In the absence of these RNI is concerned that there will be insufficient monitoring and a risk of a lack of coordinated action.

b. Under Clause 21 DAERA may impose Climate Change reporting duties on specified public bodies following consultation with the organisation/entity concerned. What are your views on this?

Broadly positive

Broadly negative

Unsure

Please give a reason for your answer.

RNI supports this.

Question 8: Resource Implications

DAERA estimates that the indicative net additional cost of the Bill between 2022 and 2050 could be over £4 billion (approx. £140 million per year).

It is projected that the additional resource costs will be less than 1% of 2018 GDP each year through to 2050 and there will be a significant requirement for capital investment to put in place appropriate and effective low-carbon infrastructure and technologies.

a. What are your views on this?

It is important to view this spend as investment rather than simply as a cost with no return. The CCC's detailed analysis of the costs and benefits of climate action shows estimates that the UK will break by 2037 and accrue net benefits thereafter.

That should not detract from the need for a just transition and to ensure that those on low incomes are not unfairly burdened. Where possible investments should be financed over the long term so that spend is balanced by resultant savings or income. The power sector is a good example of this, where despite considerable investment in grid infrastructure consumers have made net savings as renewables have placed a downward pressure on wholesale electricity prices. This has been detailed in Baringa's [The Wind Dividend](#) report.

NIE Networks' [Networks for Net Zero](#) report estimates that increasing renewable generation to 70% will result in a 1% net saving on consumer bills. Baringa's [Achieving Zero](#) report estimates that going to 80% renewables will result in an additional consumer saving of £50m.

b. What do you think are the most important issues for government to consider when making funding plans to help achieve the aims of the Bill?

Our first principle should be that this is a 'must transition'. Not setting and achieving ambitious climate mitigation targets is unthinkable given the climate emergency. Ensuring that we make the urgency and necessary transition must be our starting point.

After that we should be seeking to maximise the returns on that investment, and evidence from as far back as the Stern report has shown that early action results in long term savings. The CCC in depth analysis of costs corroborates this.

Finally, we should ensure that where up front costs must be borne, that those on the lowest incomes are protected.

Question 9: Access to Specialist Advice

The CCC is the sole source of expertise provided for in the Bill to give advice to DAERA in relation to Climate Change mitigation and DAERA must consult the CCC before initiating any proposed change to Carbon Budgets or emissions targets.

a. Do you think that this is appropriate?

Yes

No

Unsure

b. Are there other sources of expertise that may be needed to inform Climate Change policy and to report on progress in terms of meeting the emissions targets?.

RNI respects the expertise of the CCC but reiterates that there is a lack of NI specific climate related data. This needs to be addressed.

Question 10: Transboundary Considerations

a. What are your views on how the Bill addresses transboundary issues in relation to Climate Change? By transboundary we mean different countries and/or jurisdictions working together.

It is important that the transboundary impacts of activities in NI are considered. RNI believes that enabling a stronger price signal through carbon pricing would provide the right incentives in terms of transboundary issues. For example, applying a border charge to prevent the 'offshoring' of emissions.

Baringa's [Achieving Zero](#) report highlights the need for a carbon price floor of £90 per tonne of CO₂ as part of a suite of policy interventions need to achieve a net zero electricity system. Ideally this would be aligned with GB and ROI.

b. Do you think that there should be a transboundary approach to Climate Change?

Yes

No

Unsure

Question 11: Additional Information

a. Are there any other measures not included in the Bill that you think should be included and why?

b. Do you have any other comments you would like to make?