

Discussion paper – Proposals for Taking Forward NI Climate Change Legislation

Comments by

Northern Ireland Environment Link

29th January 2016

Northern Ireland Environment Link (NIEL) is the networking and forum body for non-statutory organisations concerned with the environment of Northern Ireland. Its 62 Full Members represent over 90,000 individuals, 262 subsidiary groups, have an annual turnover of £70 million and manage over 314,000 acres of land. Members are involved in environmental issues of all types and at all levels from the local community to the global environment. NIEL brings together a wide range of knowledge, experience and expertise which can be used to help develop policy, practice and implementation across a wide range of environmental fields.

These comments are made on behalf of Members, but some members may be providing independent comments as well. If you would like to discuss these comments further we would be delighted to do so.

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NIEL welcomes the opportunity to comment on the DoE's consultation paper containing *Proposals for Taking Forward NI Climate Change Legislation*. We broadly support the proposals expressed in the document. Climate change is one of the most serious challenges facing the world, and Northern Ireland, today and in the coming decades. Action is urgently needed to limit the wide-ranging impacts that climate change will have on society (even those living in the temperate mid-latitudes). Climate change has recently been cited as the biggest threat to the global economy in 2016 by experts¹. We believe that we have a responsibility to act both for the wellbeing of our own society in Northern Ireland, and for the global community of which we are a part, especially through work with other jurisdictions, cross border and east-west.

Climate Change Legislation would act as a positive and necessary driver for change in Northern Ireland. A Bill would provide the framework necessary to guarantee an integrated and comprehensive approach to climate change mitigation and adaptation, ensuring that Northern Ireland's people and economy realise the benefits of developing a low carbon future, and protecting our infrastructure from inevitable climatic changes.

Northern Ireland is specific enough in its societal, economic and environmental characteristics that we believe setting up our own legislative framework would be beneficial, allowing greater control of our own particular circumstances. It will bring to the forefront of politics, business and the public the reality that there are advantages to proactively addressing climate change issues and impacts.

Comments on proposals:

1. Make provisions for a long term target to reduce greenhouse gas emissions;

A long term target is absolutely necessary. Legislation implies that a target is there to be achieved, and demonstrates that the government in NI takes climate change seriously, and is committed to action. This step is needed to provide more certainty as a basis for businesses to invest. The target should be ambitious but achievable for NI (in line with the targets set in other parts of the UK, i.e. an 80% reduction by 2050). A strong target complements the Minister's vision of NI as a global leader in low carbon economies.

2. Make provisions for interim targets to reduce greenhouse gas emissions;

NIEL believes that interim targets are necessary. The existence of interim targets makes the achievement of the long term target more likely – they set the trajectory for meeting that target.

While we recognise that establishing less ambitious interim targets in the short term is an attractive option, we would stress Lord Stern's oft repeated position – that it is more economically beneficial to front-load change (i.e. a steep interim target in the short term). NIEL suggests that 2020 should be the first interim reporting date. It is also vital to recognise that early changes are both the most beneficial and also the

¹ <http://www.theguardian.com/business/2016/jan/14/climate-change-disaster-is-biggest-threat-to-global-economy-in-2016-say-experts>

easiest to achieve; delaying action will cost more and, ultimately, make change more difficult.

It may be reasonable to use subordinate legislation to fine-tune interim targets and to set sectoral targets based on evolving scientific evidence and technology.

3. Place a duty to set limits in carbon budgets on the total amount of greenhouse gas emissions that can be emitted in Northern Ireland.

We broadly support the introduction of carbon budgets that would set limits on the total greenhouse gas emissions in Northern Ireland, also taking into consideration carbon sequestration and storage through land management practices.

However, we would take this opportunity to highlight the significant, and potentially damaging, 'policy clash' that is arising across government, where the DoE seek to progress towards the development of a low carbon future in Northern Ireland, whilst at the same time the UK government (and DETI) seek to remove incentives for the production of renewable energies. Apart from reducing the pace of introducing renewable energy (and the dampening of innovation), such a policy signals a significant stepping away from Northern Ireland's commitment to reduce carbon-based energy. If we are really seeking to progress toward a low carbon future (which NIEL supports), including setting limits on total emissions, there needs to be a clear policy direction in NI toward clean alternatives to fossil fuels.

4. Provide powers to request specified public bodies to report on their transition towards a low carbon economy and their plans to adapt to the effects of climate change.

Yes, NIEL believes that legislating implies/demands the need for public reporting and measurement of change.

Adaptation may eventually be the most important aspect of our response to climate change – thought is therefore needed as to how we can monitor progress in adaptation to climate change impacts. Mitigation has clear/unambiguous targets through emissions reduction – similarly, there is a need for adaptation targets measuring behavioural response (perhaps a more qualitative approach than for mitigation).

NIEL believes that undertaking mitigation measures should be a requirement for all public bodies as well as those industries which are reliant upon public monies. This includes our agricultural industry (the largest single contributor to GHG emissions in NI) which receives significant public money. It is therefore appropriate that public benefit, in the form of reductions in GHG emissions, is derived from this investment.

We would suggest that Climate NI could work alongside reporting organisations and departments to develop a measurement and monitoring process for climate change adaptation progress. This work could be based on lessons from Scotland (voluntary reporting system which is becoming mandatory).

5. Contain provisions to establish a Northern Ireland Committee on Climate Change or to designate an existing body to exercise advisory functions should it be decided that this is appropriate.

NIEL suggests that the existence of such an advisory body would be beneficial (if genuinely independent), and would facilitate greater cross-government advice and working in the area of climate change. A local committee would be useful in monitoring and reporting on progress against local targets. Close liaison and integrated membership of a local Committee with the UK Committee would be essential, with access to their expertise and research. The local body would not need to be large (indeed it could probably be a single individual, perhaps in an ombudsperson type role) or expensive, but should have significant status and authority.

The current Climate Change Risk Assessment process has highlighted considerable gaps in knowledge about how our changing climate may impact Northern Ireland society. There is a need for independent research to be commissioned and undertaken to inform climate change adaptation policy development for a resilient Northern Ireland.

To enable policymakers to make decisions based on the needs of Northern Ireland, there is need for an independent advice, research and analysis service (similar to ClimateXChange in Scotland), which would support the NI Assembly as it develops and implements policies on adapting to the changing climate and in the transition to a low carbon society. (ClimateXChange has three different ways of working. They provide a call-down service to respond to immediate questions and requests for evidence raised by Scottish Government policy teams. They also work in partnership with the Scottish Government and its agencies to identify upcoming evidence needs, and then independently plan research and analysis to meet policy timelines. Finally, they facilitate conversations and broker knowledge across sectors, disciplines and institutions to provide new insights for policy.)

6. Contain a requirement for Northern Ireland to obtain an independent assessment for progress made towards implementing the objectives, proposals and policies set out in the Northern Ireland Climate Change Adaptation Programme.

Yes. This would demonstrate a clearer support for adaptation-related action, which NIEL strongly endorses.

Climate resilience in Northern requires more than just government action. The current Northern Ireland Climate Change Adaptation Programme only specifies actions for government, whereas the National Adaptation Programme for England includes actions for other bodies. The Climate NI *'Planning for Climate Change'* stakeholder report reflects business sector opinion that it would be beneficial for climate change adaptation policy to reach outside of government to the private sector.

7. Provide any other comments you may have in respect of the above proposals or on any other important issues you feel may have not been adequately covered in this paper.

- The Welsh government has introduced a Well-being of Future Generations Act², ensuring that planning for the future is given legislative footing, so that resources are un-impaired for future generations. Climate legislation could make up part of a larger picture on ensure we are planning for the wellbeing of future generations in a holistic manner.
- The relationship between climate change and energy production/use should be elucidated in the Bill.
- The Bill should have a statement on potential for grants and assistance; support mechanisms are needed to enable and assist action.
- There is no mention in the consultation document of the need for a Land Strategy (as per the Scottish Model). Given the importance of Northern Ireland's natural environment as a carbon store and the significance of the agricultural industry this should be included in the Bill. In Scotland the relationship between land use and climate change has been considered and land use planning is an integral part of managing the net carbon budget. This land use planning is at national level through the Scottish Land Use Strategy, which is a requirement of the Climate Change (Scotland) Act 2009, is integrated within Scotland's National Planning Framework (NPF2), and requires an integral mechanism within Strategic Environmental Assessments that form part of all major spatial planning and land use decisions.
- In stimulating action on climate change, and related to the management of land, there are significant opportunities around peatland restoration in NI, turning degraded peatlands from carbon emitters into carbon sinks through re-wetting. There are a range of benefits including water quality improvements, attenuated flood peaks, better summer base flows in rivers, reduced water treatment costs, huge biodiversity improvements, additional carbon storage and the potential to generate income through carbon off-setting. Research has begun to demonstrate the positive impacts of peatland restoration³. Legislation could include the potential for new or innovative funding models to make it easier to get such projects underway.
- There was no reference in the consultation document to the marine environment and climate change; this should be rectified. A Climate Change Bill would need to address the different legislative framework that operates in the marine environment, and ensure that the measures introduced for the land apply equally to the sea.

² <http://www.legislation.gov.uk/anaw/2015/2/contents/enacted>

³ Shuttleworth EL, Evans MG, Hutchinson SM & Rothwell JJ. 2015. Peatland restoration: controls on sediment production and reductions in carbon and pollutant export. *Earth Surface Processes and Landforms* 40: 459–472 DOI: 10.1002/esp.3645

- Planning structures are in place for renewables but little or no funding or finance is available from the banking sector to help industry take advantage of the huge opportunities available.
- Many assume that such legislation will have a dampening impact on the economy. This is not necessarily the case. NIEL believes that the potential positive impacts on the wider economy are significant, for example:
 - Considerable work is required to enable the electricity grid in NI to deal with an increased proportion of renewable energy. In addition, work needs to be done on establishing local 'shared delivery' of heat (e.g. Community level CHP). In the 2008 report, Northern Ireland Renewable Energy Supply Chain, the Carbon Trust estimated that as many as 33,000 jobs could be created in the renewables sector.
 - The Green New Deal Group demonstrated how 10,000 – 15,000 jobs could be created in retrofitting homes with energy efficiency measures. In the city of Freiburg, Germany, around 10,000 jobs have been created in the renewables and environmental services sector. Over 300,000 jobs have been created in the German renewables sector. Evidence for growth of the sustainable building industry in UK (even during recession) is given in the following report: http://www.worldgbc.org/files/1513/6608/0674/Business_Case_For_Green_Building_Report_WEB_2013-04-11.pdf
 - The report, *Low Carbon and Environmental Goods and Services: an industry analysis*, from the Department of Business, Enterprise and Regulatory Reform estimated the Northern Ireland market value of Low Carbon Environmental Goods and Services to be £3.3 billion with 1,620 companies employing 30,600 people. A Climate Change Bill would allow for significant expansion of this market.
 - The Bill would provide the opportunity for the private sector to lead positive change and stimulate competition. There is thus incentive for industry to lead now, rather than being caught on the wrong side of legislation/policy in the long run. Legislation provides the certainty, 'level playing field', and opportunity to compete internationally, which business requires.