

Report to	Council
Date of meeting	13 th October 2020
Lead Member / Officer	Corporate Governance and Audit Committee, Cllr Brian Jones & Cllr Tony Thomas / Judith Greenhalgh
Report author	Helen Vaughan-Evans
Title	Having regard to tackling climate and ecological change in Council decision making

1. What is the report about?

- 1.1. This report is about the amendments proposed to the Council's Constitution to support the Council in having regard to tackling climate and ecological change when making decisions.

2. What is the reason for making this report?

- 2.1. To outline the amendments proposed to the Council's Constitution and supporting documents and processes and the timeline for implementing these changes, if approved by Council, including the roll out of Carbon Literacy Training.
- 2.2. The Corporate Governance and Audit Committee considered these proposals on 9th September and agreed unanimously that the recommendation be put forward to Council for approval.

3. What are the Recommendations?

- 3.1 That Council approve to amend Section 13.2 of the Council's Constitution- Principals of Decision Making to include an additional bullet point under "*All decisions of the Council will be made in accordance with the following principles*" with the following wording: "*having regard to tackling climate and ecological change*".

3.2 That Council confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix A) as part of its consideration.

4. Report details

4.1. The Council declared a Climate Change and Ecological Emergency on 9th July 2019. Please see appendix B for background information and relevant wider context.

4.2. A number of pieces of work have been identified by the Climate Change and Ecological Emergency working group as “kick start” actions to be completed in 2020/21 which are practical, feasible and affordable and have the potential to make a significant difference. These were included in the Climate Change and Ecological Emergency Declaration progress report to Council on 28th January 2020. This included the action to have sufficient regard to tackling climate and ecological change in Council decision making with the example to include ‘environmental’ implications on all reports.

4.3. In lessons learned of previous large projects delivered by the Council it is also recognised that earlier and fuller consideration of tackling climate and ecological change in decision making on funding for the project and development of the project would have influenced the final outcome for the better.

4.4 By having regard for tackling climate and ecological change in decision making we hope to limit the Councils impact on further exacerbating climate and ecological change and maximise on the opportunities to make a positive contribution.

4.5 Following consultation with the Monitoring Officer, the change proposed is to Section 13.2 of the Council’s Constitution- Principals of Decision Making. It is the addition of a bullet point under “*All decisions of the Council will be made in accordance with the following principles*” with the following wording: “*having regard to tackling climate and ecological change*”. Full detail of the change is provided in Appendix C.

4.6 To support the organisation and its Members in “*having regard to tackling climate and ecological change*” in their decision making it is proposed a number of documents and processes are amended in consultation with officer leads. See

Appendix D for a description of the potential change per document/ process. If approved at Council, these changes would be rolled out from November with appropriate communication and support for officers and Members.

- 4.7 An investment in Carbon Literacy Training is proposed for all Councillors and key officers to support them in enacting the principals of decision making as amended- having regard to tackling climate and ecological change. This will be an accredited 1-day training course with providers being able to deliver it remotely on an online video conference platform. It is intended that this training will be undertaken throughout Autumn and Winter.

5 How does the decision contribute to the Corporate Priorities?

- 5.1 The Climate and Ecological Change Strategy and Action Plan, by having regard to tackling climate and ecological change in decision making, and supporting officers and Members in assessing options and making decisions to the benefit of addressing the Climate Change and Ecological Emergency will make a direct contribution to the current Environment Priority within the Corporate Plan 2017-2022.
- 5.2 It will also provide a significant contribution towards the Council achieving its aim of becoming Net Carbon Zero and Ecologically Positive by 2030 in response to the Climate Change and Emergency declared by the Council in 2019 and in line with the Welsh Government policy for the public sector to be carbon neutral by 2030 and the Councils statutory duty under Section 6 of the Environment (Wales) Act 2016 to “seek to maintain and enhance biodiversity”.

6 What will it cost and how will it affect other services?

- 6.1 The action to the change the Council Constitution and supporting documentation will not incur any additional cost to the Council aside from staff time. From indicative quotes, Carbon Literacy Training would cost c.£70 per head. There is a one-off budget set aside for 2020/21 in order to help progress the net carbon zero and ecologically positive work which includes provision of staff time and funding for Carbon Literacy Training.

7 What are the main conclusions of the Well-being Impact Assessment?

- 7.1 The DCC's Climate and Ecological Change Strategy and Action Plan in its very nature of combating climate and ecological change has protecting and improving the well-being of generations now and in the future at its heart. Having regard to tackling climate and ecological change in decision making is a key enabling action for the Council to contribute to mitigating climate and ecological change impacts now and for future generations and the development and delivery of the 9-year programme will continue to maximise on the opportunities, taking a long term view, to do just that.

8 What consultations have been carried out with Scrutiny and others?

- 8.1 The proposed change to the Principals of Decision Making Section of the Council's Constitution has been developed in consultation with the Council's Monitoring Officer and engagement with regard to the amendments of the supporting documentation and process has been undertaken with all relevant officers.
- 8.2 These proposals have been discussed and agreed in principal by Cabinet and Group Leaders in July and are supported by the Climate Change and Ecological Emergency Working Group. The Corporate Governance and Audit Committee considered these proposals on 9th September and agreed the recommendation put forward to Council.

9 Chief Finance Officer Statement

- 9.1 The report is supported in principle. The proposed changes to Council processes and forms will ensure that this key target is embedded in decision making. It is expected that a budget pressure will need to be included in the 2021/22 budget proposals in order that progress can continue in this area.

10 What risks are there and is there anything we can do to reduce them?

- 10.1 Notable risks are included in Appendix D.

11 Power to make the decision

- 11.1 See Appendix E.

Appendix A- Wellbeing Impact Assessment

See separate PDF

Appendix B- Background and wider context

- i. The Council declared a Climate Change and Ecological Emergency on 9th July 2019 which contained a set of actions for DCC including the goal for the Council to become net carbon zero by 2030 at the latest, to enhance biodiversity in Denbighshire and to draw up a clear plan to achieve this.
- ii. In 2019, the Welsh Government published Wales' Low Carbon Delivery Plan "Prosperity for All: A Low Carbon Wales" which contained a requirement for "public sector to baseline, monitor and report progress towards carbon neutrality" (policy 20) and set the ambition for the public sector in Wales to be net carbon zero by 2030.
- iii. The Climate and Ecological Change Strategy and Action Plan seeks to get the Council to net carbon zero and ecologically positive by 2030. The strategy will contain a set of existing and new policies across the range of Council services and operations that are supportive of low carbon, increased carbon sequestration and biodiversity improvement. The action plan will cover the years 2021/22 – 2029/30 and outline the projects the Council intends to deliver, subject to the securing of the necessary funds, to reduce carbon, to increase carbon sequestration and improve biodiversity. By the Council reducing its carbon as fast and as far as it can it will deliver our contribution to tackling climate change as well as maximise on the financial savings that can be realised over the life of the strategy and beyond.
- iv. It is proposed that the final Climate and Ecological Change Strategy and Action Plan is submitted to Cabinet and Full Council for formal approval in January 2021. Once adopted, it is proposed that progress in achieving the goals set out in the Climate and Ecological Change Strategy and Action Plan will be monitored by the Corporate Plan Board up until 31st March 2022 and the equivalent Board which may be established thereafter. Once adopted (scheduled for January 2021), it is proposed that the Climate Change and Ecological Emergency Working Group disbands and compliance and progress scrutinised by Internal Audit and Scrutiny Committees at appropriate points and at the discretion of the Chief Internal Auditor and Scrutiny Chairs and Vice Chairs.

Appendix C- Amendments in detail to the Council's Constitution

CURRENT	PROPOSED
<p>page 76, Section 13.2- Principals of decision making</p> <p>All decisions of the Council will be made in accordance with the following principles:</p> <p>13.2.1 proportionately (i.e. the action must be proportionate to the desired outcome);</p> <p>13.2.2 due consideration and the taking of professional advice from Officers;</p> <p>13.2.3 respect for human rights;</p> <p>13.2.4 a presumption in favour of openness;</p> <p>13.2.5 clarity of aims and desired outcomes;</p> <p>13.2.6 consideration of any alternative options; and</p> <p>13.2.7 the giving and recording of reasons for the decision and the proper recording of these reasons.</p> <p>13.2.8 having regard to the sustainable development principles and the well-being of future generations.</p>	<p>page 76, Section 13.2- Principals of decision making</p> <p>All decisions of the Council will be made in accordance with the following principles:</p> <p>13.2.1 proportionately (i.e. the action must be proportionate to the desired outcome);</p> <p>13.2.2 due consideration and the taking of professional advice from Officers;</p> <p>13.2.3 respect for human rights;</p> <p>13.2.4 a presumption in favour of openness;</p> <p>13.2.5 clarity of aims and desired outcomes;</p> <p>13.2.6 consideration of any alternative options;</p> <p>13.2.7 the giving and recording of reasons for the decision and the proper recording of these reasons;</p> <p>13.2.8 having regard to tackling climate and ecological change; and</p> <p>13.2.9 having regard to the sustainable development principles and the well-being of future generations.</p>

Appendix D- Amendments to supporting documents and processes

DOCUMENT/ PROCESS	CHANGE PROPOSED
<p>Wellbeing Impact Assessment online tool and report generator</p>	<p>Online tool is amended to include specific guidance/ questions on tackling climate and ecological change and contribution that can be made to the Council achieving its net carbon zero and ecologically positive goals. The Lead Officer for Climate Change to be a member of the WIA Critical Friend Group.</p>
<p>Council's Report Template (Council, Committees, SLT)</p>	<p>Guidance included in the template under the following sections to ensure report author includes information and recommendations with regard to the decisions impact on climate and ecological change.</p> <ul style="list-style-type: none"> - Section 5- How does the decision contribute to the Corporate Priorities? - Section 6- What will it cost and how will it affect other services? - Section 7- What are the main conclusions of the Well-being Impact Assessment? - Section 8- What consultations have been carried out with Scrutiny and others?
<p>The Terms of Reference for the Council's Budget Board, Strategic Investment Group (SIG) and Asset Management Group (AMG)</p>	<p>Inclusion in the terms of reference for these advisory/delegated authority committee's requirements around seeking information in relation to, and considering in the decision and actions of the committee, tackling climate and ecological change.</p>

DOCUMENT/ PROCESS	CHANGE PROPOSED
<p>Strategic Investment Group (SIG) Business Case Template</p>	<p>Adjustment to the Business Options section so that an enhanced eco option is always presented in the option appraisal for the project.</p> <p>Updating the revenue impact section and providing excel template for the calculation and presentation of the whole life cost for proposed scheme.</p> <p>Updating of the existing carbon impact and biodiversity impact sections in light of the net carbon zero and ecological positive goals in terms of scope and ambition.</p> <p>Inclusion of a Lead Officer for Climate Change Statement, alongside the County Landlord and Chief Finance Officer Statement.</p>
<p>The Council's Project Management Templates (Verto system).</p>	<p>Inclusion of a carbon impact and biodiversity impact section along the lines of the SIG business case.</p> <p>Guidance on developing Business Options along the lines of the SIG business case.</p> <p>The inclusion of the Lead Officer for Climate Change in the online review and approval process for the various project management gateways.</p>

Appendix E – Notable Risks

RISK	DESCRIPTION	MITIGATION ACTION
<p>Securing Funding to deliver the Programme</p>	<p>There is a risk that the Council is unable to commit sufficient resource (revenue and capital) to coordinate the programme, deliver net carbon zero and ecologically positive projects and deliver other projects in an enhanced eco way meaning funding bids are not submitted, opportunities not maximised, actions are not delivered and benefits are not realised.</p>	<ul style="list-style-type: none"> • Carbon Literacy Training and ongoing support to officers to factor in eco enhancement from inception stage of projects, building in sufficient provision within external funding bids. • Implementing whole life costing into business case process to capture fully the long term costs and benefits of schemes. • Maximising on the delivery of the many projects which save both money and carbon annually for the Council. • Maximising on the delivery of projects which deliver upon COVID-19 recovery requirements and carbon saving for the Council. • Early input into the Budget Board on calls on revenue and capital for 2021/22 and in particular securing resource commitment for programme and project management support. • Ongoing dialogue with Section 151 officer in relation to longer financial plans via the Medium Term Financial Plan. • Proactively seeking external finance with Welsh Government and Whitehall Departments using the strategy and action plan as our narrative. • Submitting strong and coordinated external funding bids, working collaboratively across the region as well as across internal DCC departments.

RISK	DESCRIPTION	MITIGATION ACTION
Meeting Public Expectation	There is a risk of not meeting public expectation on this agenda and the democratic and reputational damage that could cause.	<ul style="list-style-type: none"> • Continue to engage with the public proactively, constructively and sensitively on this agenda being very clear on the scope and scale of the Council's targets. • Through working with the Public Service Board (PSB) and community development partners, support the public in contributing personally to this agenda at a community level. • Celebrating the Council's existing and continued success in this agenda via press releases/social media and ensuring the public are aware of the range of work the Council are undertaking via webpages.
Reputational Damage	There is a risk of reputational damage to the Council if don't meet Welsh Government and locally set carbon reduction, sequestration and biodiversity targets.	<ul style="list-style-type: none"> • Having a clear strategy and action plan on this agenda, coordinated framework for delivery and understood measures of achievement. • Resourcing (revenue and capital) the delivery of the programme, maximising on external funding opportunities where possible.

Appendix F- Power to make the decisions

LEGISLATION	POWER
Section 2, Local Government Act 2000	<i>the power to do anything which DCC consider is likely to achieve the promotion or improvement of the environmental well-being of their area.</i>
Section 111, Local Government Act 1972	<i>the power to do anything which is conducive to, or calculated to facilitate, the discharge of the Council's functions.</i>