



## Response to AERA Committee questions on Climate Change (No. 2) Bill

### 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 bill

Broadly negative

#### Please give a reason for your answer

NFFN believes that the objectives of the Climate Change (No. 2) Bill are unacceptably weak, lacking in ambition and open to change at the sole discretion of the Department (DAERA). In addition, the bill lacks the critical components necessary for suitably ambitious climate change legislation, namely:

- (1) A net zero target for GHG emissions, preferably by 2045 or earlier but no later than 2050
- (2) A requirement for Climate Action Plans (CAPs) and carbon budgets for all sectors
- (3) A mechanism for independent scrutiny via a NI based Climate Office and Climate Commissioner
- (4) Provision for a just transition which will help support sectors move to net zero.

#### (b) Do you think the bill will meet these objectives

Yes

#### Please give a reason for your answer

NFFN's opinion is that the Climate Change (No. 2) Bill, in effect, already meets the objectives set. However, this is primarily because the stated objectives do little beyond ensuring that a particular form of words is in place.

For instance, one of the objectives of the bill is to “Set targets for the years 2050, 2040 and 2030 for the reduction of greenhouse gas (GHG) emissions”. The bill sets targets and so, in that regard, the objective is already achieved. The important point is that the detail of those targets is not given, rendering the objective meaningless.

In the same vein, the Climate Change (No. 2) Bill provides for a system of carbon budgeting and the other components of the bill as listed. As such, these objectives will be met if the bill is passed. However, setting a target or making a provision for something does not mean that target will be met, or the desired outcomes achieved. Consequently, NFFN would argue that the objectives listed above are of little value, as the objective of any good climate change legislation for NI is not merely to set targets but to set appropriately ambitious targets and to ensure, as far as possible, that they are achieved.

Having a delivery plan to map out how those targets will be achieved will also be crucial. This is the role of the Climate Action Plans, as outlined in the Private Members Climate Change Bill. Given the lack of provision for climate action plans, it is less likely that the outcomes, which are lacking in appropriate ambition, will be achieved.

## **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?**

#### **Tell us your views**

The target for 2030 is very close to what the latest scientific evidence suggests is necessary (i.e. a reduction in GHG emission of approximately 50% by 2030) and as such is within the range of what is acceptable.

However, NFFN believes that the targets for 2040 and 2050 show a lack of ambition and fall well short of what NI could and should be aiming to achieve. We are also concerned that paragraph 4 (1) in part 1 of the bill gives the Department the authority to alter the targets for 2030, 2040 and 2050 both in terms of the scale of emission reductions to be achieved and the year by which those reductions are to be achieved. In short, DAERA has the power to change the targets as it sees fit and as such the targets in the bill are not really fixed targets at all.

### **b) Do you think these emissions targets are achievable?**

Yes

NFFN believes these targets are achievable, furthermore we would argue that much higher, more ambitious targets are achievable. In our response to the Private Members Climate Bill we called for a target of reaching net zero by 2045. We stand by the opinion that this could be achievable with sufficient ambition and political will.

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

Yes

As previously stated, NFFN believes that these targets are achievable and furthermore believes that much higher, more ambitious targets which aim to reach net zero are achievable if the will is there to do so.

**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?**

No

**b) What are your views on this?**

NFFN does not support the proposal to give DAERA the sole power to change targets if it decides to do so. According to the Climate Change (No. 2) Bill, if the department decides to change a target, the Assembly's role is only to ratify that change. This also weakens the scrutiny role of the Assembly as it cannot make any changes to targets. Considering that the only advice the department proposes to consider is the advice of the CCC, this further weakens the accountability mechanisms. Consequently, the Climate Change (No. 2) Bill has greatly reduced accountability - virtually none compared to the provisions made within the Private Members Bill.

Given the views that have been expressed by current and former ministers on climate change and the scale of the climate emergency it would seem inappropriate to enable someone who is not convinced of the need to appropriately tackle climate change to direct the department to significantly alter NI's climate change targets, so they are weakened without other accountability mechanisms. It appears that the wording of this bill opens the door to that possibility.

The principle of amending targets is fine. In fact, NFFN believes that it is an essential aspect of such a bill. The issue is on what basis targets are to be amended. We would argue that targets should only be amended to better align with the best available scientific evidence and/or relevant policy and/or legal position such as if the UK net zero GHG target was brought forward. The theoretical possibility of targets being weakened is concerning. Therefore, the wording of the Climate Change (No. 2) Bill needs to be reviewed such that targets can be brought forward but not pushed back.

#### **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) What are your views on this?**

NFFN supports the use of carbon budgets as a well-established and necessary approach. Under the UK Climate Change Act of 2008 and 2019 five-year carbon budgets are set based on the advice of the CCC and this is a sensible approach that NI should look to replicate. They should specify limits to carbon emissions within the period of the commitment and be aligned with the dates of the interim targets. Carbon budgets should include the quantified contribution of nature and natural habitats to carbon sequestration.

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

Yes

##### **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?**

Unsure

##### **Please give us a reason for your answer**

The CCC has previously advised against the transfer of effort between budgets.

#### **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?**

Unsure

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

This would appear to be no more than a reporting mechanism whereby the NI Assembly is informed of progress. NFFN is concerned by the lack of accountability and scrutiny resulting from the clauses of the bill.

## **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?**

The Climate Change (No. 2) Bill proposes that independent oversight can be solely provided by the Climate Change Committee (CCC). The CCC is the statutory advisory body for the UK in relation to the UK Climate Change Bill and is unquestionably an expert body and is held in high regard by many. However, NFFN believes that it would be inappropriate to rely solely on the CCC for independent oversight.

The lack of independent scrutiny in the Climate Change (No. 2) Bill is a serious failing of this bill. It proposes that the UK Climate Change Committee (CCC) will report periodically on the progress made in terms of meeting emission reductions targets and will make recommendations as required. These reports will be laid before the Assembly but solely as a reporting mechanism - it does not appear as though the Assembly can amend the Department's plans or require it to act in certain ways so is effectively given free rein to correct its own performance, or not, as it sees fit.

The CCC will send a report to DAERA by the end of 2027 outlining its consideration of the progress made towards meeting the emissions targets, the Carbon Budgets that have been set, the likelihood of achievement and any further measures that may be required to meet the targets and budgets. This total reliance on the CCC excludes the NI Assembly and any independent NI specific advice, research or input even from the UK government and because of how the bill has been written, also excludes any international advice such as from the IPCC or other UN bodies as well as the ROI Climate Advisory Council.

As proposed by the Private Members Bill, NFFN would argue that a fully independent Northern Ireland Climate Office should be established with a NI Climate Commissioner at its head. The commissioner should take the lead on reviewing the adequacy and effectiveness of the Act,

providing an appropriate level of independent NI expertise, advice and scrutiny. They must be able to speak freely without fear of funding cuts or political interference as and when criticism of departmental plans or policies is necessary.

## **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?**

No.

NFFN believes that each government department should be required to produce a climate action plan, outlining how it will contribute to achieving the appropriate climate goal in the sectors for which it is responsible.

The production of departmental plans with clear emissions reduction targets and proposed actions should help to accelerate the transition towards a Net Zero future. It demonstrates that tackling climate change is everyone's responsibility – not just the sectors that have the greatest impact. By creating a sense of shared responsibility and a collective call for action, hopefully all sectors will feel a moral imperative and pressure to make the necessary changes.

**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?**

NFFN would support this.

## **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?**

NFFN regards the investment to achieve net zero carbon as necessary. The CCC has been clear on the potentially significant economic benefits to the UK that can be created by achieving net zero carbon emissions.

Wholesale economic analysis has not yet been carried out as to the potential economic benefits of a net zero Northern Ireland, however it is clear that moving to a net zero carbon economy offers massive potential economic benefits. As the AERA Minister has said in the Foreword to the DAERA climate change bill discussion document

“Tackling climate change should be viewed not just as an environmental challenge, but also as an economic opportunity”.

Many actions aimed at reducing a farm’s carbon footprint can also bring economic benefits. For instance, simple changes to crop rotations can reduce the need to buy artificial fertiliser, whilst well planned use of inputs can lead to greater efficiency savings. In some farming systems, reducing livestock numbers in line with natural carrying capacity of the land, can improve profit margins whilst delivering improved environmental outcomes and is likely to reduce overall GHG emissions.

**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?**

The achievement of net zero GHGs, ideally by 2045 but certainly no later than 2050.

As there is no roadmap for how a developed highly carbon dependent economy can transition to a net zero GHG economy in under 30 years, the focus must be on achieving this ultimate outcome.

Appropriately ambitious funding packages which encourage and enable ingenuity and innovation, and ultimately transform our approach to how we farm and manage our land, will be required if we are to meet this goal.

**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?**

No.

**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?**

NFFN believes that it would be inappropriate to limit the source of expert advice solely to the CCC. The CCC is a highly respected body and is the statutory advisor to the UK government and therefore NFFN supports the CCC continuing to provide advice to the UK government on achieving its climate change targets, in particular those related to achieving net zero GHGs. However, the advice and recommendations from the Committee may be limited by UK Government policy and as such NFFN believes that it would be inappropriate to rely exclusively on their advice, not least because there is a need for all island co-operation on climate change in NI.

NFFN believes it would be prudent to take advice from the Climate Advisory Council as well as other bodies such as Met Eireann, the Met Office, NGOs and international bodies such as the UN IPCC and leading academic institutions so as to keep up to date with the latest research. Consulting bodies

from within the island of Ireland should help to ensure that NI's response to climate change takes account of NI's specific circumstances.

## **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.**

The Climate Change (No. 2) Bill fails to appropriately address transboundary issues in relation to climate change. For example, as outlined above, NFFN believes it would be wise to take advice from the Climate Advisory Council as well as other bodies such as Met Eireann, NGOs, international bodies such as the UN IPCC and leading academic institutions when deciding on what actions to take and which policies to set, many of which may be in the Republic of Ireland.

Given that there are three international river basins on the island of Ireland, shared marine waters and many biodiversity issues that needs to be managed on an all-island basis, it seems sensible to take a broader all-island approach to tackling climate change.

The need to work across borders also applies to issues in England, Scotland and Wales with whom NI needs to continue to collaborate.

Climate Change is a global threat and one that can only be addressed through international co-operation, especially with our near neighbours. Therefore, it is essential that we adopt a transboundary approach.

### **b) Do you think that there should be a transboundary approach to Climate Change?**

Yes

## **11. Additional Information**

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

NFFN believes that ensuring a just transition will be an essential component of any future Northern Ireland climate change legislation. The Private Members Bill facilitates a just transition and requires that sectoral plans must support sustainable jobs and job growth, net-zero carbon investment and infrastructure, create work and reduce inequality, poverty and social deprivation. These requirements are referred to in the Explanatory Financial Memorandum (EFM) that accompanied the draft bill as "just transition principles".

There is no provision in the Climate Change (No. 2) Bill for a just transition. In our opinion, this is a major failing. It is disappointing that the bill does not see fit to support sustainable jobs and job growth, net-zero carbon investment and infrastructure, create work and reduce inequality, poverty and social deprivation.

NFFN believes that NI could and should adopt an approach similar to that taken in Scotland. The Scottish Government established the Scottish Just Transition Commission in 2019 to advise on a net-zero economy that is fair for all. The Scottish principles for a just transition state that action to reduce net greenhouse gas emissions should: support environmentally and socially sustainable jobs;

support low-carbon investment and infrastructure; create decent, fair and high-value work in a way which does not negatively affect the current workforce and overall economy and contribute to resource efficient and sustainable economic approaches which help to address inequality and poverty.

The Scottish Government also committed funding towards a just transition with £100m pledged towards a Green Job Fund, £60m to help industrial and manufacturing sectors decarbonise, £70m for improved refuse collection infrastructure and £150m to deliver a 50% increase in woodland.

Similar funding in Northern Ireland would help to create opportunities for blue and green infrastructure, sustainable tourism, nature-based solutions to mitigate the impacts of climate change and help progress other key Executive priorities. NFFN welcomes the Department for Infrastructure's commitment to £20m for Green and Blue infrastructure in June 2021 and the £2.8m funding for greenways announced on 16th September 2020. These are steps in the right direction, however, more action and longer-term planning and funding will be required.

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

NFFN's members stand ready to play their part in tackling the global climate emergency. The current wording of the Climate Change (No. 2) Bill fails to recognise the seriousness of the situation that we find ourselves in. Without the inclusion of clear, legally binding targets to reduce GHG emissions (ultimately to net zero), detailed departmental action plans, independent scrutiny of progress towards achieving the bill's goals, and transboundary co-operation, we cannot hope to adequately address the real and growing threat to our health and well-being, livelihoods and ultimately, survival alongside the countless species we share the planet with.

What's required from the Northern Ireland Executive and DAERA is a genuine commitment to dealing with climate change, bold leadership, innovative thinking, and long-term targeted funding to ensure a just transition to a net zero future for all.