

PERTH AND KINROSS COUNCIL

30 August 2021

DEVELOPMENT OF A PERTH AND KINROSS CLIMATE CHANGE COMMISSION

**Report by Head of Planning and Development
(Report No. 21/142)**

PURPOSE OF REPORT

In June 2019, Perth & Kinross Council agreed a Motion committing the Council to lead by example in accelerating the transformational change required to address the Climate Emergency, declared by the UK and Scottish Governments. In Perth and Kinross Council's Interim Climate Emergency Report and Action Plan (Report 19/362 refers), approved in December 2019, it was agreed that proposals for the establishment of a Perth & Kinross Climate Change Commission would be brought to Council.

This Report proposes a structure and approach for the establishment of a Perth and Kinross Climate Change Commission (PKCCC). The proposed PKCCC will provide scrutiny and oversight to Perth and Kinross's Climate Change Plan (planned Autumn 2021), help champion and connect with our businesses and communities, and serve as an enabler to accelerate ambitious climate action.

1. BACKGROUND / MAIN ISSUES

- 1.1. Under the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, Perth and Kinross Council has a legal duty to make Perth and Kinross net zero by 2045 and become climate resilient. Perth and Kinross Council currently has an Interim Climate Emergency Report and Action Plan (2019) that outlines necessary action.
- 1.2. The Council is directly responsible for only 3% of Perth and Kinross's overall CO2 emissions, but indirectly influences approximately 70% through policy and regulation, supply chains and projects. Taking the necessary comprehensive and urgent action on climate change will require the Council to work in partnership with our communities, businesses and organisations at an unprecedented scale.
- 1.3. Climate change commissions bring together people and organisations from the public, private and civic sectors who work collaboratively to help drive, guide, support and monitor climate action. Commissions are independent bodies that complement the activities of local government, extend their reach and build an area's capacities to deliver climate resilience and low carbon transitions. Many other cities have already established Climate Change Commissions – for example, Edinburgh, Leeds, Surrey, Belfast, with many more under development.

- 1.4. In approving the Interim Climate Emergency Report and Action Plan, it was agreed that proposals for the establishment of a Perth & Kinross Climate Change Commission would be brought to the Council for consideration. The Covid -19 pandemic has had a significant impact on the development of a Climate Change Commission, and associated public engagement
- 1.5. Scotland is due to incorporate the United Nations Convention on the Rights of the Child (UNCRC) into domestic law with the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill which was passed by Scottish Parliament in March 2021. When ratified, it will be unlawful for public authorities to act incompatibly with the incorporated UNCRC requirements. This gives children the right for a meaningful voice in policies and decisions that impact on them.

2. PROPOSALS

- 2.1. It is proposed that the Perth and Kinross Climate Change Commission will bring together a diverse and knowledgeable collection of people, with a range of climate change expertise and representing the public, private and third sectors, as well as our communities including the youth of the area.
- 2.2. The Commission's remit primarily focuses on the provision of scrutiny and guidance, as well as tracking the delivery of targets and climate action by monitoring progress to hold the Council and wider actors to account. In addition to this, the Commission will play a vital role in promoting a climate resilient future which is also fair and ensures that no one is left behind during the transition to a more sustainable future. The Commission will play an active role in shaping and championing the delivery of Perth and Kinross' Climate Action Plan.
- 2.3. The proposed remit of the PKCCC is detailed in the attached draft Terms of Reference (Appendix 1). It will be to
 - scrutinise the initial roadmap developed by the Council (to be published in Autumn 2021)
 - shape further development or iterations of the roadmap through co-production, guidance and feedback.
 - oversee delivery of the roadmap and its impact through regular monitoring
 - champion climate change and priority actions throughout Perth and Kinross
 - use its influence across the public sector, private sector and in our communities to drive the necessary urgent action
- 2.4. It is not envisioned that the PKCCC will have an implementing role as there are existing community-based organisations, including the Perth City Leadership Forum, which are actively focused on delivering wider action in their areas and across Perth and Kinross as a whole. It is intended to formalise our partnership working approach with these existing organisations

and have the PKCCC provide additional scrutiny against progress delivering these.

- 2.5 The PKCCC will provide an annual report on its work and in doing so will provide its assessment of the Council's progress.

Membership

- 2.6 The number of members varies across the different models of Commissions across the UK, however a potential structure is outlined below. For example, Edinburgh and Belfast have 15 Members each; whereas Leeds and Lincoln both have 24 members (8x public sector, 8x private, 8x third sector). All the commissioners provide expertise in relation to delivery of the climate agenda. Each of these commissions has theme-based working groups that enable wider and more specialised working.
- 2.7 As the Commission will represent the entire local authority area, it is important to ensure it is representative of the wide spectrum of Perth and Kinross residents when selecting the individual members. This should aim for a geographical spread of the members providing both urban and rural voices. The selection process will also ensure that membership is diverse across a range of characteristics.
- 2.8 Whilst seeking a geographic, sector and diversity spread, each individual needs to be selected for their individual expertise rather than just be a nominated representative from a sector. To ensure this, an application or selection process is required. Elsewhere, commission members were selected through an application process that was overseen by the partners involved in setting up the commission.
- 2.9 It is proposed that Commission members should be selected by an initial panel potentially comprising of 3-5 members chaired by an independent expert. Future appointments may have a different selection method and this will be brought back to a future Council for decision. Members will serve fixed terms of three years, (although this may be phased in for the first round) with the possibility to be reappointed.
- 2.10 One group that many the other commissions have not included is young people. Given the disproportionate impact that climate change will have on younger people, it is important that they are given a voice on the commission. It is proposed to develop a Children's and Young Person's sub-group that represents a wide range of young people, from which nominated representatives will sit on the PKCCC. This also delivers the UNCRC requirement as outlined in paragraph 1.5.
- 2.11 Officers recommend having 26 potential Commission members to provide the optimum breadth and depth of experience. The groups listed below are the type of experience we would expect commissioners to have:

Table 1 Proposed Structure of the PKCCC

Chair	To be appointed in partnership with the selection committee from below for a three-year term. The Chair should be independent of the Council.
Private sector (x6)	Potential members include: -Large businesses -SMEs -Business sector representatives -Construction (could overlap with Buildings' expertise below)
Public sector (x6)	-Three members from the Council (the Council Leader, a member of an opposition group and the Chief Executive) Potential public sector partners could include: -Public Health representative -University (Tay Cities) -SEPA/Scottish Water/Nature Scot/Forestry Authority -Housing Association
Third sector (x6)	Potential members include key members of: -Perth City Leadership Forum -Climate cafés -Local Sustainability Groups -PKAVS -RSGS
Expertise (x6)	Targeted sectors include: -Biodiversity -Rural Land use -Buildings -Transport -Waste/Circular economy -Climate adaptation
Youth (x2)	Nominated representatives from children and young people's sub-group to feed back into the main group

Proposed role of the Council on the PKCCC

- 2.12 In the majority of examples (including Edinburgh, Leeds, Yorkshire & Humber), the commissions are largely independent of the Council, with a limited Councillor presence and a non-Council Chair. There are many benefits of the Commission being an independent body. However, in these cases the local councils have played an active role in establishing the commissions.
- 2.13 A similar approach is proposed for the PKCCC with PKC actively establishing the Climate Change Commission. It is proposed that given its legal duty for

Climate action, the Council will have three permanent seats on the Commission represented by the Leader of the Council, a member of an opposition group and the Chief Executive. Additional Council officers may provide secretariat support and assist the Commission, as required.

- 2.14 It is proposed initially that the Council provides a modest budget of £2000 per year to cover operational expense but does not provide the commission with an annual budget or responsibility of distributing funding. This may change in the longer term and also should the Commission require a budget for specific pieces of research to help it fulfil its remit. In these instances, all funding sources should be explored. The Edinburgh and Leeds Climate Change Commissions have received significant third-party grants to fund the scale of their activities.

Proposed approach for developing the PKCCC

- 2.15 The proposed approach has been designed in line with current best practice and assisted by the Perth City Leadership Forum. The proposed schedule of activities will see the Commission operational before the end of 2021.
- 2.16 It is proposed that the Council appoints five expert representatives to sit on the selection panel - each with significant climate expertise or interest. The selection panel will have guaranteed seats on the Climate Change Commission for the first year.

These representatives are:

- The Chief Executive of the Royal Scottish Geographic Society
 - The founder of the Climate Café movement
 - The Perth City Leadership Forum Zero Carbon Working Group lead
 - The Leader of the Council
 - Youth representative
- 2.17 It is proposed that a call for membership applications will be issued in early September 2021 and open for a minimum of three weeks. The draft Terms of Reference (Appendix 1) will be used. A range of channels will be used for advertising roles to help ensure a diverse spectrum of potential applicants are aware of the opportunity.
- 2.18 The selection panel will meet in early-October and will be responsible for appointing Commissioners. As there may be some overlap of roles (e.g. a Commissioner could provide technical expertise as well as being part of the private sector), the selection panel can exercise discretion over the number of the roles filled with a minimum of 12 and a maximum of 26.
- 2.19 It is proposed that Commissioners serve rolling terms of three-years. As such, it is proposed that the selection panel assigns initial term limits of one, two and three years to the selected commissioners with even split by the indicated categories in Table 1.

- 2.20 The Leader of the Council will appoint an acting Chair for the first meeting of the Climate Change Commission. At this meeting, the acting Chair will invite nominations for the Chair and the Terms of Reference will be reviewed and agreed.

3. CONCLUSION AND RECOMMENDATION

- 3.1 Taking the necessary comprehensive and urgent action on climate change will require Perth and Kinross Council to work in partnership with communities, businesses and organisations at an unprecedented scale. Developing the Perth and Kinross Climate Change Commission will provide an effective structure to bring together people and organisations from the public, private and civic sectors to work collaboratively to help drive, guide, support and monitor climate action in Perth and Kinross. It supports the objective of the Perth and Kinross Offer to enable everyone to play their part in shaping the future.

- 3.2 It is recommended that the Council agrees:

- i. the approach set out in the report for the development of a Climate Change Commission;
- ii. the appointment of the five nominated roles to the selection panel as recommended;
- iii. that should any of the appointees be unable to take up their roles, responsibility for selecting a replacement is delegated to the Chief Executive;
- iv. that Perth and Kinross Council will be represented by the Leader of the Council, a member of an opposition group and the Chief Executive;
- v. that the Climate Change Commission will submit an annual report updating on progress and containing specific recommendations for the Council's consideration.

Author(s)

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Approved

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Barbara Renton	Interim Chief Executive	19 August 2021

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ANNEX

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan	Yes
Corporate Plan	Yes
Resource Implications	
Financial	Yes
Workforce	n/a
Asset Management (land, property, IST)	n/a
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	Yes
Sustainability (community, economic, environmental)	Yes
Legal and Governance	n/a
Risk	n/a
Consultation	
Internal	Yes
External	Yes
Communication	
Communications Plan	Yes

1. Strategic Implications

Community Plan

1.1 The establishment of the PKCCC directly contributes to three of the five Perth and Kinross Community priorities:

- (ii) Developing educated, responsible and informed citizens
- (iii) Promoting a prosperous, inclusive and sustainable economy
- (v) Creating a safe and sustainable place for future generations.

The Commission will help improve the wider climate engagement with our businesses, residents and visitors and will help them make informed and responsible climate choices. Addressing climate action will help create a sustainable economy in Perth and Kinross and make this a sustainable place for future generations.

Corporate Plan

1.2 This is the same as for 1.1.

2. Resource Implications

Financial

- 2.1 The proposal would allocate £2000 per year from the existing Climate Change Budget to cover the operating expenses of the Commission.

3. Assessments

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties. The Equality Impact Assessment undertaken in relation to this report can be viewed clicking [here](#).

Strategic Environmental Assessment

- 3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

Sustainability

- 3.3 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:
- in the way best calculated to delivery of the Act's emissions reduction targets;
 - in the way best calculated to deliver any statutory adaptation programmes; and
 - in a way that it considers most sustainable.

The proposed PKCCC will help monitor progress and drive action towards delivering our Climate Action Plan and meeting our emissions reduction targets and building our climate resilience.

4. Consultation

Internal

- 4.1 The proposals for the PKCCC have been discussed with the officer Climate Change Project Board at the meeting on 21 July 2021.

External

- 4.2 Discussed at various public engagement events. The Perth City Leadership Forum has actively been involved in the development of the proposed climate change commission.

5. Communication

- 5.1 A Communications Plan will be developed at a later stage.

2. BACKGROUND PAPERS

Place based Climate Action Network - <https://pcancities.org.uk/>
Edinburgh Climate Commission – <https://www.edinburghclimate.org.uk/about-edinburgh-climate-commission>
Leeds Climate Commission– <https://www.leedsclimate.org.uk/>
<https://leedsclimate.org.uk/news/leeds-groups-win-25m-climate-emergency-action#:~:text=Place%2Dbased%20climate%20action,-More%20than%20%C2%A3&text=Funding%20from%20The%20National%20Lottery,for%20broader%20and%20transformative%20change>
Yorkshire & Humber Climate Commission - <https://yorksandhumberclimate.org.uk/>
Lincoln Climate Commission - <https://www.lincolncclimate.org.uk/>

3. APPENDICES

Appendix 1 – Perth and Kinross Climate Commission Draft Terms of Reference