



Northern Ireland
Assembly

Committee for Agriculture, Environment and
Rural Affairs

OFFICIAL REPORT (Hansard)

Climate Change (No. 2) Bill: Environmental Justice Network
Ireland; Northern Ireland Local Government Association;
Rural Community Network

4 November 2021

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Members present for all or part of the proceedings:

Mr Declan McAleer (Chairperson)
Mr Philip McGuigan (Deputy Chairperson)
Ms Clare Bailey
Mrs Rosemary Barton
Mr Thomas Buchanan
Mr Patsy McGlone

Witnesses:

Dr Ciara Brennan	Environmental Justice Network Ireland
Dr Thomas Muinzer	Environmental Justice Network Ireland
Councillor Robert Burgess	Northern Ireland Local Government Association
Ms Karen Smyth	Northern Ireland Local Government Association
Mr Aidan Campbell	Rural Community Network

The Chairperson (Mr McAleer): We now have evidence from a number of stakeholders on the Climate Change (No. 2) Bill. There will be a joint presentation from a number of key stakeholders. I welcome, via StarLeaf, Ms Karen Smyth, NILGA; Dr Ciara Brennan and Dr Thomas Muinzer, Environmental Justice Network Ireland (EJNI); Mr Aidan Campbell, Rural Community Network (RCN); and the Belfast Climate Commission.

The Committee Clerk: Chair, excuse me. Apologies. I am advised that we have just received apologies from the Belfast Climate Commission. Unfortunately, its representative cannot be here today.

The Chairperson (Mr McAleer): Thank you.

You are all very welcome to the Committee this morning. We very much welcome your engagement and support on this matter. It helps the Committee to scrutinise the Bill. I will ask one representative from each organisation to give a brief summary of, say, three or four minutes of their organisation's views on the Climate Change (No. 2) Bill. We will begin with Karen, and we will then hear from Ciara, Thomas and Aidan. After your statements, members will ask questions.

Ms Karen Smyth (Northern Ireland Local Government Association): Thank you very much for the opportunity to speak this morning. I am conscious that our president, Councillor Robert Burgess, is

here. He was hoping to introduce my comments, but I will kick off. Chair, you will have read our submission, so I will try to keep my comments to a minimum.

I assure the Committee that local government is keen to see effective actions to mitigate and adapt to climate change put in place as soon as possible to prevent further irreversible damage to our planet. To enable this to happen, we need strong local climate legislation and a robust climate action plan to develop public understanding of the issue, to allocate government resources for action, to encourage private-sector confidence in attracting investment, to direct the development of new skills and to ensure a just transition.

As we told the Committee previously, the majority view in the Northern Ireland Local Government Association (NILGA) is supportive of the DAERA intent to set a target of an 82% net reduction, at least, in Northern Ireland's greenhouse gas emissions by 2050, with other members favouring the more stringent approach taken by the private Member's Bill. We are also supportive of the interim targets laid out in the departmental Bill. However, NILGA has some concern that there is room in the Bill to lengthen the time available to achieve these targets, or to reduce them. This must be prevented. Any allowable change should be geared towards tightening, rather than relaxing, the targets. We therefore recommend amending clauses 4 and 5.

NILGA supports the policy objectives of the Bill and the explicit inclusion in it of the adaptation programme and reporting. However, we have concerns that the Bill is very much orientated towards government, with the obvious intent being to include sectoral targets in associated strategies and climate action plans. We believe that the explicit mention of key sectors in the private Member's Bill rendered that Bill more accessible to and more easily understood by the public. It has more clarity on where the greatest action is required. We had hoped that sectoral targets might surface in the draft green growth strategy, but the consultation document on that strategy notes:

"We do not set sectoral targets in this strategy. This will be informed by a Northern Ireland specific Climate Change Act, which will provide additional detail around specific targets".

NILGA is not particularly confident that the departmental Bill informs sectoral targets. Instead, it passes responsibility on to Departments to take this work forward. This Bill is much more arm's-length than we would like.

That concern extends to reporting requirements. Part 3 is focused on the Departments and seems to deflect responsibility for reporting from the emitting sectors. We are also aware of the degree of crossover of government responsibilities between Departments and are keen, for transparency purposes, to see some sort of responsibility map and a sectoral reporting plan.

Part 4 places duties on the UK Climate Change Committee (CCC) to send to the Department at relevant times reports giving a view on the Department's progress against emissions targets and carbon budgets. NILGA has concerns that there is no mechanism for dealing with failure.

We also object to the wording of clause 21, which talks about imposing a duty on councils. In the absence of resources, legislation or requirement to report, councils are already active in developing local climate action plans and adaptation plans, a fact that is lauded in the draft green growth strategy. Imposition of such a duty therefore seems somewhat heavy-handed. As a sector, we would prefer to co-design future requirements and to be treated as a partner in government, rather than as a wayward child.

We will seek clarity from the Department on what it requires from councils as a key partner, and we look forward to appropriate resources being made available to councils to enable effective delivery and to the Department to enable effective partnership working between central and local government. NILGA is deeply aware, however, that the main cost of this legislation will not be to the Departments responsible for developing policy and strategy but to the affected sectors and the community, who will be reliant on government and other investors to ensure a just and fair transition. The opportunities and costs of this change are only beginning to surface, and it is imperative that we develop a better evidence base to ensure that the most vulnerable are protected and that no one gets left behind. A multi-year funding approach will be vital.

We are confident that the long-term opportunities and benefits will outweigh the short-term costs. We look forward to the opportunities that new technology will bring for energy, transport and agriculture, and we advocate a green new deal approach. We look forward to working more closely with the UK

Climate Change Committee and with colleagues, nationally, across the border and internationally, as we face our common challenge.

We are happy to take any questions.

The Chairperson (Mr McAleer): Thank you very much for that, Karen. We will go to questions after the opening speeches. Ciara, you are next in the order to speak.

Dr Ciara Brennan (Environmental Justice Network Ireland): I am a lecturer in Newcastle University and the director of the Environmental Justice Network Ireland. On behalf of EJNI, I thank the Committee for the opportunity to present evidence on the Climate Change (No. 2) Bill.

COP26 has seen the global community commit to ramping up action to address the climate crisis. It has been all over the news for the past couple of weeks. The enhanced ambition demonstrated by world leaders in all the news from the summit really throws into sharp resolution the shortcomings of the Bill that is before the Committee today. In brief, the Bill is outdated, outmoded and unfit for purpose. Our status as a climate laggard will be cemented in perpetuity if we do not introduce legislation that is far more sophisticated and more ambitious than this Bill. Although the framework Bill includes many helpful features, its components just do not go far enough in crucial areas. There are also important components that are missing completely.

First, robust accountability mechanisms are absent. That is really important in the Northern Irish context, where enhanced accountability is essential because public trust has been eroded by decades of weak governance and regulation in the context of the environment. We also have an inherent conflict of interest. We have a single Minister and Department responsible for agriculture and the environment. That fundamental conflict of interest requires a higher level of accountability than is currently present in the No. 2 Bill.

Secondly, just transition principles are missing from the Bill. Enshrining those principles in primary legislation will provide unequivocal protection to those most gravely impacted by climate change. It is also important that we recognise that just transition principles will provide protection to those impacted by the necessary process of moving to a low carbon economy, such as the agricultural community. That essential component should not be relegated to strategy or secondary legislation.

Finally, the absence of transboundary considerations, given the shared nature of environmental challenges on this island, is a serious omission. The current governance arrangements for all-island cooperation on the environment are not functioning in a way that ensures that shared action can withstand turbulent politics. Enshrining the need for the consideration of transboundary issues in primary legislation would, in effect, insulate action on climate from political developments. In addition, the inclusion of a prerogative to consider developments and advice from beyond the UK would contextualise Northern Ireland's role in the global community's action on climate. Conversely, unambitious targets that diverge from those in place south of the border, in the UK and those created in the EU [*Inaudible owing to poor sound quality*], as we have seen this week through the COP26 summit, will leave Northern Ireland behind. That carries with it a far greater risk than taking meaningful action on climate now. The cost of inaction will be far, far higher than investing in making the necessary changes to how we live now. The people who live here deserve better than that.

I will hand over to my colleague Dr Muinzer, who will talk about some of the areas of the Bill that simply do not go far enough.

Dr Thomas Muinzer (Environmental Justice Network Ireland): Thank you. It is nice to be back with you all today. I am Thomas Muinzer from the University of Aberdeen and EJNI.

Let us move on to consider the distinct category of areas where the Bill does not appear to go far enough. We can usefully begin with what appear to be some outdated and unambitious targets. The 2030, 2040 and 2050 emissions targets are useful components of the Bill because they set out a clear trajectory over time that gives policymakers a temporal indication of where the jurisdiction needs to be, at minimum, at the turn of each decade. Those features are, however, partially undermined by the negative trend that has been partially distinguished already in certain things that Dr Brennan pointed to, namely that they do not go far enough. That is evident when one considers the levels at which the targets are set. The levels do not work towards a net zero emissions reduction target: neither prior to 2050 nor by the time of 2050. That is a departure from prevailing global scientific and political opinion about how quickly jurisdictions must act to avoid catastrophic climate change. The weaker level of

ambition renders each of the targets and the general reductions trajectory that they sketch out generally unsuitable, especially given the widely accepted premise that the cost of inaction or delayed action will far surpass that of mitigation and making a swift and just transition to a low carbon economy now.

I now come to the issue of a weak carbon budget pathway. The carbon budgets that are proposed in the Bill are also useful and largely follow the standard practice found in certain other climate change Acts. However, the negative trend that we described again exerts something of an undermining impact on that feature. The weak trajectory for emissions reductions employed by the framework drives a carbon budget pathway that is too weak to be suitable for purpose and is outdated compared with the prevailing views on how quickly jurisdictions should act.

I will move on to the notion of inconsistency regarding the role of the UK Climate Change Committee. It is also worth pointing out that, arguably, DAERA, in the Climate Change (No. 2) Bill and in its critique of the private Member's Bill, appears to apply partially different and potentially inconsistent interpretations of the degree to which the NI Assembly can dictate the UK CCC's role. Part 4 of the Climate Change (No. 2) Bill endeavours, in fairly strident language, to compel the CCC to do a range of things. For example, clause 22(1) states:

"Before the end of 2027, the Committee on Climate Change must send a report to the Department".

I emphasise the word "must". It may be possible that the NI Assembly has the authority to insist on the CCC's carrying out that sort of action, but it makes for slightly curious reading, given that DAERA's document, 'DAERA response to AERA Committee Call for Evidence/Views on the non-Executive Climate Change Bill', makes the following sorts of emphatic points about the private Member's Climate Change Bill's net zero target for 2045. That documents states:

"as the CCC advice has been ignored in the setting of the headline target within the Bill, there is an issue and difficulty in expecting the CCC to provide advice on progress with action plans to deliver a target which they do not consider to be credible."

It is difficult, I suggest, to see how the DAERA Bill can use fairly strident language to compel the CCC to undertake certain tasks when DAERA has already suggested, albeit incorrectly, in our view, that the CCC appears to enjoy substantial autonomy that permits it to choose whether it will engage with obligations set down in a Northern Irish climate Bill, as per that quote, regardless of the level of ambition of its targets.

I want to briefly cover responsibilities for key duties. It is worth pointing out that these appear to be somewhat unclear in certain places. Clause 29 appears to inadequately socialise key duties across the Northern Ireland Departments in a somewhat nebulous manner. In my view, the duty to secure a primary target, such as the 2050 target, should ideally be placed on an identifiable, responsible actor: for instance, the Minister who holds the primary portfolio, who is the AERA Minister. Another credible option may be the Executive Office.

In conclusion, it is prudent to acknowledge the Bill's apparently weak overarching message. The overall tendency created by the omissions and weakened components of the Climate Change (No. 2) Bill creates something of a negative trend and a negative impression that it does not go far enough to signal to society the scale of the changes necessary to ensure a just transition to a low carbon economy. I will end there. Thank you for listening.

The Chairperson (Mr McAleer): Thank you very much for that, Dr Muinzer. That was very informative.

We will move on to Aidan Campbell.

Mr Aidan Campbell (Rural Community Network): Thank you, Chair. Thank you to the Committee for the invitation. I work for the Rural Community Network as a policy officer. I will make a few general comments about climate change and rural communities. I will then make a few short comments on the Bill.

The climate change debate in rural communities is often framed in a negative way. It is about what we have to give up or change as opposed to what we could gain and the opportunities that arise from

change. To bring more people into the debate, we need to reframe it. Tackling climate change, tackling air and water pollution and restoring biodiversity in ecosystems cannot be done without farmers and landowners. They are integral to any actions taken. However, we need to recognise that although, to date, farming and agri-food have been the focus of the debate on the impacts of climate legislation on rural Northern Ireland, there are other important considerations in rural areas, such as travel and the need to reduce emissions in rural communities. We recognise that it is hard to develop and promote public and active transport in rural areas, but focusing on towns and cities will not be enough to reduce emissions, given that 35% of our population live in rural areas and travel for longer distances. On fuel poverty and heating, rural areas are heavily dependent on oil and solid fuel for home heating. Significant investment in retrofitting will be needed, but that also brings the potential for job opportunities in rural areas.

A reduction in commuting and the promotion of working from home or locally as much as possible carry the potential to revitalise towns and villages, and they go some way to meeting the Programme for Government outcome of achieving balanced regional development.

Measures to restore biodiversity and ecosystems have the potential to develop sustainable tourism in rural areas, but access and sustainability will need to be carefully thought through.

RCN made a written submission to the call for evidence on the Climate Change (No. 2) Bill, but I will comment on some of the headline points from our organisation. We welcome the intention to introduce climate change legislation into Northern Ireland, as we lag way behind other jurisdictions. We do not think that a legally binding target for a net reduction in carbon of 82% is achievable by 2050 without a matching commitment by the Government to fund measures that will support people, businesses and farmers to make a just transition. Meeting the target will need a massive level of political leadership and a commitment to deliver the scale of transformation required for our society. As well as individual and household change, the achievement of carbon reduction targets across society will require a Marshall Plan-style transition of energy, land use and food systems, a rapid development of efficient zero carbon technology and the development of economic models that focus on well-being.

In principle, RCN believes in the need to decarbonise and feels that setting a stretching target shows leadership and ambition, but we require a much wider and deeper engagement with individual citizens, communities and businesses to develop a collective understanding of what moving to a low carbon or zero carbon society will mean. An independent office will be required to monitor progress and assess the performance of Departments in meeting carbon budgets and interim emissions targets. If progress is not being made or is judged to be too slow to meet interim carbon reduction targets, how will that be addressed? The Bill does not appear to make provision to address that.

The final point that our board was concerned with was how carbon leakage would be measured and taken account of in the carbon budgeting process. RCN does not want a Climate Change Bill that, for example, reduces meat and dairy production in Northern Ireland and simply replaces it with meat and dairy imports from other countries, the production of which would require a higher carbon footprint. That would be completely counterproductive.

That is our initial statement. Again, thanks for the opportunity to come to the Committee.

The Chairperson (Mr McAleer): Perfect.

Councillor Burgess, sorry for not referring to you at the outset. You are very welcome. Is there anything that you would like to add?

Councillor Robert Burgess (Northern Ireland Local Government Association): Thank you, Chair. Chair and members, it is good to see you again to further discuss the climate legislation that is being taken forward in Northern Ireland. We met you in September to discuss the private Member's Bill, and I welcome the opportunity to explore the departmental Bill in more detail with you. I will also be at COP26 next week to promote the importance of local government in tackling the climate crisis, and I hope that it will not be too long before we have credible climate legislation in place in Northern Ireland. I will not hold up the meeting, but thanks very much for inviting NILGA to give you some of its views.

The Chairperson (Mr McAleer): We greatly value NILGA's input and views as we scrutinise these two Bills.

Mr McGlone: I thank everyone for presenting their evidence. I would like to explore a number of things a wee bit more. The role of the Climate Change Committee was mentioned earlier. What role should the CCC have in overseeing progress, or otherwise, here in the North when we get to the stage at which we have a climate change Act? That is just one issue, and it is pretty simple, one way or the other, but I need to get it clarified in my mind.

The major issues were coming through. I would like to put this next question to you all, because it is not very clear in the Bill. Aidan, in his presentation, touched on transport issues, homes being refurbished and working from home. You will know that we talked about some of that earlier, if you were listening, and about the potential for a mini inquiry by the Committee into post-COVID problems and issues in rural areas.

Key to getting buy-in from rural communities in particular is an explanation of what a just transition means in practice. It may hold opportunities, but, in order for it to do so, we need a bit more meat on the bones, which does not seem to be in the Climate Change (No. 2) Bill. Can I hear from each of you what you think a just transition actually means? It sounds like a good concept, but, in practice, what are its outworkings, as you see them, so that we can arrive at a point where there is maximum buy-in to any climate change legislation that is on the way forward?

The Chairperson (Mr McAleer): Do any of you want to kick off on that?

Ms Smyth: Chair, I will come in. Certainly, one of the concerns that we have about the Bill is that it reads as though government is talking to government, and, as I think Thomas mentioned, it is pushing the clarity on what is required further down into strategy and policy. That puts it on the long finger and means that finding out what is required is not just as accessible to people. There is fear out there and a lack of understanding about what is coming. Certainly, we are very much in favour of widespread carbon literacy training in order to make sure that people understand what is required of them and how their life will change.

We are keen to see the Department for the Economy and DAERA working together on the energy piece in particular. That is particularly important in rural areas that are not on the main gas network. Even if the gas network changes to hydrogen, for example, that will not necessarily impact on a lot of rural housing. An awful lot needs to happen. There is not the clarity in the Bill to set the course for making those changes. That is particularly difficult.

The Climate Change Committee has outlined a number of actions that it wants to see taken forward urgently by the Northern Ireland Government in the next two years. It is keen to get things going. The role for the committee is a wee bit unclear. I am not sure whether there have been discussions between the Department and the Climate Change Committee about its role that say, "It must do things" and about the Department's ability to require it to inform the process. There is not an awful lot of clarity on any of that.

The Chairperson (Mr McAleer): Do any of the other stakeholders want to pick up on anything Patsy raised?

Dr Brennan: I can come in. Can everybody hear me OK?

The Chairperson (Mr McAleer): Yes.

Dr Brennan: The Paris agreement obviously realises that we have to not only take action to reduce greenhouse gases but take into account the imperatives of a just transition of the workforce and the creation of decent work and quality jobs. That is highlighted in the recent Intergovernmental Panel on Climate Change report, which talked about the "code red for humanity" as well as the consideration of how ethics and equity can help us to deal with the uneven distribution of the impacts of the climate crisis. We know that a just transition has to happen one way or another when we are dealing with the impacts of the climate crisis and with attempts at mitigation and adaptation. However, what that means in practice needs to be considered very carefully, as Patsy said.

The Bill does not really mention it. There are just transition principles in some of the strategies coming out of the Bill, but not hooking it into primary legislation undermines its principles. Ultimately, what just transition means is that people cannot be left stranded when we make the transitions, which are going to have to happen. Climate legislation that is introduced in Northern Ireland must recognise that reality. It has to support jobs and the growth of jobs that are not only climate resilient but

environmentally and socially sustainable. It has to support net zero carbon investment and create work that is very high-value, fair and sustainable and that reduces inequality as far as possible. Neighbouring jurisdictions already have those mechanisms, and we need to see that as a protection for communities such as the agriculture community. If those things are not in climate legislation, that protection is missing.

The Bill does not go far enough to protect the agriculture community, those who will be impacted by the transition and those impacted by climate change. Rather than integrating weak or unambitious targets into legislation or pushing the problem down the line and, essentially, leaving people stranded, producing really robust and sophisticated legislation that includes a just transition and addresses climate change head-on would be a better approach.

Mr McGlone: I will pick up on that, Ciara. I do not want to land you in the middle of it, but you are a specialist in your field. I am in Cookstown now, and if I met a man or woman down the street here who is from an isolated rural area, they may ask, "What are you boys doing up in Stormont with all this climate change stuff?", I might say to him or her, "We are working on a just transition", and they will look at me as if I have grown wings or something. Can you give me practical examples of what a just transition will mean in effect so that we can start to put meat on the bones? It seems to be a good concept, but, to go back to my original point, we need maximum buy-in from the average member of society so that they will say, "That is a good thing. I am committed to climate change mitigations and addressing this huge issue that is affecting us". What does it mean in the transition to that new and, hopefully, better society?

Dr Brennan: Obviously, the climate action plans will put in the detail of how we ultimately meet the targets. The reduction that needs to happen will be shared out among the different sectors, and that will be decided through lots of consultation and will, essentially, identify the areas that need support. In doing that, the kind of support that is necessary will be identified.

For example, if farmers and the agriculture community are being asked to reduce their emissions, how can we help them do that in a way that not only addresses the required reduction but ensures a sustainable agriculture economy and sustainable jobs and that creates rural communities that are connected, have a high quality of life and are not impacted unfairly? There are all sorts of potential subsidies that you could use. I know that they are being used in other jurisdictions that are heavily reliant on the agriculture economy.

A just transition is a system where farmers are supported in making that transition and are protected through primary legislation so that, in a couple of years' time, when the truth comes crashing down about the extent to which we have to make the changes, we are not sitting saying, "Oh Jesus, we should have done that two years ago". We want to be ahead of the game, and we should have protection in place for all the sectors, not just agriculture, and for issues like domestic heat poverty. We must set that up in strong legislation now in order to ensure that those people are not stranded in a position where the industry comes crashing down. It must be protected from the start. My colleague Dr Muinzer may have some additional comments to make on that.

Dr Muinzer: Thank you, Ciara. Those are very good questions, Mr McGlone. Briefly, on the first question, the role of the CCC is set out in Part 2 of and schedule 1 to the Climate Change Act 2008. The CCC has reporting and advisory functions. I do not see anything in those functions that is particularly at odds with what is proposed in the Bill, but I underscored that the language is a little strident in asserting that the CCC will do certain things. That aside, the Committee is discussing having a climate commissioner, and there is probably capacity for an NI climate commissioner to augment the functions of the CCC. I do not necessarily see that there would be any degree of conflict per se.

You are quite right; there is not much meat on the bones of the just transition in the legislation, and that is partly the function of this type of framework legislation. By the very nature of the framework, the meat is often not necessarily on the bones as much as we would like. In the just transition, that presents a particular problem, because it will become very abstract if we do not flesh it out.

I think that the Committee has been directed previously to the Climate Change (Scotland) Act 2009. If you look at section 35C, which I believe that you have been directed to, you will see that it is very helpful, because the Scots articulate their understanding of just transition principles. That section makes them concrete. One then needs to go beyond that and say, "What does one do with that principle?", and what the Scots do is establish a duty in their legislation for climate action plans, which

are to be set out on a rolling basis by the Scottish Government and construed in concert with those principles. The plans are to reflect the input of those principles. It is not a negative, abstract obligation. The Government have to account for how they have factored the principles in. That is a very good starting point for avoiding some of the difficult abstractions and the lack of meat on the bones in that area, as you rightly point to.

The Chairperson (Mr McAleer): OK. Thank you for that. This is an elaboration on Patsy's point. One of the issues that we got a briefing on from the Clerk is the Just Transition Commission in Scotland, and I note that Scotland has the agricultural transformation programme to enable farmers to make that just transition. Do you think that there is any role for something similar here in the North in order to enable, for example, the agriculture sector to make that type of transition?

Dr Brennan: There is definitely scope for a body to do that. It could be done by other accountability bodies that are proposed by legislation. We should really place the just transition at the front and centre. That is where the impacts of the transition to a zero carbon economy will be felt by society and by people living on the ground. Patsy talked about sitting in Cookstown and a farmer asking him, "What does that mean?" That is why it has to be enshrined, and there has to be an accountable structure to ensure that that happens, because, if it does not happen, we simply will not bring people along with us. There is a political imperative to push for strong action on the climate, but politicians have to be supported by society, and that is why there should be a strong signal that any legislation that we introduce will protect society not just from the worst impacts of climate change but during the transition itself.

That is what a just transition is about. It is about fairness and ensuring that, like I said, people are not left stranded and that, when we do make these moves, government is ahead of the game. As we have said, we have been a climate laggard. We now have to catch up, and we have to do it quickly. There is no time to sit and wait for the effects to impact society and to then act retrospectively. We have to ensure that a just transition is embedded in it and give practical examples. As Thomas said, there are very good examples from Scotland on how that can be done. It cannot just be a vague term or a buzzword; it has to actually set it out properly. Any legislation that is set up for the North of Ireland definitely needs to include that and do so in more than just a vague way.

Mr Campbell: I want to respond to Patsy's question. One of the things that people are concerned about is oil-fired central heating and decarbonising central heating in rural communities, which are very reliant on oil and, in some homes, on solid fuel. The Housing Executive is undertaking a pilot project in Irvinestown, and it has installed air source heat pumps [*Inaudible owing to poor sound quality*] are retrofitted. It is spending £12,000 per property on that, and it will measure not only the improvement and the thermal comfort but the cost of that change over the next four or five years. If an ordinary person meets you on the street and says, "What is a just transition?", for me, a just transition is about people who can afford to make that transition. If part of the Climate Change (No. 2) Bill — I know that [*Inaudible owing to poor sound quality*] — is that oil-fired central heating has to be phased out or central heating has to be decarbonised in homes over the next five or 10 years, there should be some sort of means-tested scheme for householders to do that so that not only it is fair and people who can afford to make those changes can go ahead and do that but the people who cannot are supported. There are examples. The Department for Communities already funds, through councils, an affordable warmth scheme to tackle fuel poverty in older and vulnerable households. That needs to be retooled in such a way to make it not only decarbonised but fair while supporting a wider stratum of people who do not have the facility to make that change.

In making the big changes that have to happen, we have to look at who can afford to make them and who cannot and at how we can support people. Another example is DAERA's recent consultation on its peatland strategy. You know, Patsy, that, in the lough shore area, there is a lot of peat extraction. There could be 200 or 300 people involved in commercial peat extraction around the lough shore. We know that that has to stop for carbon-related reasons and in order to support ecosystems and biodiversity. In order to halt that extraction, there has to be support for people to transition out of that employment and into other sustainable employment. Whether they will be involved in re-wetting bogs or restoring peatland, I do not know, but some consideration needs to be given to how the transition is made away from economic activity that is producing carbon and degrading an ecosystem to activity that prevents that and restores the ecosystem.

Those are examples of how people in communities are thinking about what just transition is.

The Chairperson (Mr McAleer): Thank you for that, Aidan.

Mr McGuigan: The Chair and Patsy dealt with a number of issues. I wanted to talk about accountability, just transition and targets, but those issues were dealt with in the initial presentations or the questions.

I want to ask the contributors about all-island or transboundary issues. Dr Brennan pointed out that they are seriously lacking in the Bill. I will ask Aidan from the RCN or Karen from NILGA about that specific aspect. Councils and rural communities across the border will be affected by different sets of scenarios or principles and by different impacts of climate change. What is your feeling about that not being an issue in the Bill?

Ms Smyth: I will come in on that. I was talking to one of the officers from Derry City and Strabane District Council yesterday about that. She said that the council worked closely on blue-green infrastructure plans and climate plans across the border with Donegal County Council, which has been very successful, particularly on adaptation work, in attracting money from Europe to try to take things forward. She said that, because the council in Donegal has a mandate to do stuff and has the legislation in place, *[Inaudible owing to poor sound quality]* from government and funding to go forward, a disparity — it is not causing a difficulty, but it is noticeable — is emerging between the councils in the South and our councils.

All five of our border councils have been very active in working on cross-border decarbonisation projects. There is a catchment care project in Armagh City, Banbridge and Craigavon Borough Council that is cross-border. A lot of our river catchment areas are cross-border. The Collaboration Action for the Natura Network project, which is going through Newry, Mourne and Down District Council with border councils, is looking at peatland restoration.

We have been very active, innovative and proactive in the absence of the legislation, but legislation would make things so much easier. Legislation attracts funding from government and instils confidence in the private sector to invest in what is needed in Northern Ireland. At the minute, there is no direction of travel, so anybody who is looking to invest in renewable technologies or anything else is asking, "When is the right time to do this?" There is money available. From work carried out by the likes of KPMG, we know that investors are sitting out there and waiting to see how they can work on this kind of thing in Northern Ireland, but without legislation, direction or targets, why would they? There is a cross-border element to that, because people look at this as an island if they are outside — if they are American or whatever — and want to invest. There are elements where we can do that.

Ciara is right that we are a laggard, particularly with regard to government funding. Work is already ongoing in GB to fund retrofitting housing and to look at how to invest in heat pumps or whatever technology they are looking to use. We need to really make sure that we do not miss out on the Barnett consequentials that come from that funding. Those should come across to Northern Ireland and be ring-fenced for climate action and just transition. If money is already available, we need to start looking at how to access it in Northern Ireland and how to put it in the right place. Without legislation and targets, that will be very difficult to do. Ciara is right that, without specific mention of and well-articulated principles on just transition in the legislation, everything is made very nebulous.

Mr Campbell: We agree that transboundary considerations are really important, Philip. We are one bio unit. Karen made a point about the environment, particularly river basins and stretches of peatland, crossing the border. We know that agri-food and food chains are hugely integrated across the border, so there has to be close working between both jurisdictions on climate change legislation and any targets that are set for stakeholders further down the line.

Mr McGuigan: Thank you. I am not sure whether Dr Brennan or Dr Muinzer have anything that they want to add on that specific issue.

Dr Brennan: Yes, I have a couple of points. I talked about the importance of transboundary cooperation and considerations, and I will unpick that a bit further. Problems are created when you do not have effective cooperation across the border. That includes things like disparities in control leaving gaps that unscrupulous people can take advantage of. We had that with waste regulation and the illegal transboundary transport of waste. That is not to say that there could be similar unintended or unanticipated consequences if you had differentials in climate regulation and air pollution.

There are also risks associated with pollution across the border. We have already seen, as with the case of cross-border ammonia pollution, that that can be a serious problem. If, for example, higher standards are put in place on one side of the border and not on the other, that would create risks of

having potential legal issues associated with breaching international transboundary anti-pollution conventions.

You have a lot of issues where you do not have proper cross-border cooperation on the island, but you also have, and this is sometimes underappreciated, the benefits of proper cooperation. That is because the existing structures that are designed to deliver cooperation on environmental governance on the island, which were set in place by the Good Friday Agreement, have not functioned to their full capacity yet. There have, obviously, been political issues in recent years that have prevented that, such as those with the North/South Ministerial Council, but the urgency and magnitude of the task ahead of us on climate means that we cannot afford not to have all-island cooperation on the issue. If we enshrine meaningful transboundary considerations into a really robust piece of climate legislation in Northern Ireland that requires us to cooperate on an all-island basis, we would be able to avail ourselves of the benefits of working together on either side of the border to meet targets. That would also take away some of the problems that could be created if we do not cooperate. I highlight that there are two sides to that: the benefits and the potential negatives if we do not have meaningful cooperation.

Mrs Barton: Thank you all for your contributions. I want to follow up on what Aidan said about the project that is happening in Irvinestown. Obviously, Aidan, you will be aware that Irvinestown is in my constituency. You talked about the Housing Executive putting in boilers at £12,000 or £15,000. At the same time, Fermanagh and Omagh District Council is organising an affordable warmth scheme, and if individual homes wanted to change to this, that money would not be available for them. It makes me ask the question: does there not need to be a lot more cooperation between all our Departments to work on climate change together? For example, there is no point in somebody now putting in a boiler that is not carbon-neutral. In working towards carbon neutrality in 2050, we should be trying to maximise the grants that are being given out now.

Mr Campbell: Rosemary, by way of background to that project in Irvinestown, the Housing Executive is one of the partners; ARC Healthy Living Centre is the other. The £12,000 per property that they have put in is part of an EU-wide northern periphery programme looking at fuel poverty and energy transition across the northern periphery of the EU. There are partners in Scandinavian countries, south of the border and in Scotland.

The £12,000 was for air source heat pumps, retrofitting and insulation in those houses and for changing whatever radiators were needed. It is a small-scale project that the Housing Executive is looking at in trying to think about the costs and the benefits of retrofitting housing. I agree with you on the affordable warmth project. Putting public money into funding affordable warmth but putting in carbon-intensive heating systems makes no sense, nor does replacing old oil burners with slightly more efficient oil burners that we know that we are trying to phase out over the next five to 10 years.

Part of it goes back to Dr Muinzer's comment that this a framework Bill that is setting broad ideas and principles. It is about getting down into the details of what that will mean in the Department for Communities and what it will mean for that Department in funding the councils, which are delivering the affordable warmth scheme and making those changes. It is almost a cascading process that will take 18 months to two years when we do not have a whole lot of time to do it. There is pressure on us all, as the climate scientists have told us that the 2020s are the crucial decade for making this transition and for avoiding going over 1.5°C and causing huge environmental damage plus incurring even more significant costs.

Mrs Barton: Like Patsy, I live in a rural community. I have concerns about the just transition: how do we get our agricultural community to buy into it? We have the CCC's advice and the advice of 100% reduction by 2045, and our farming community seems to be caught in the middle and is the scapegoat. I had hoped that that would not be the case. It is the scapegoat in the Climate Change (No. 2) Bill in the sense that people are not happy with the target of 82%. I listened to what you said about bringing in regulations and laws in relation to a just transition, but I am still not convinced that you can convince our farmers of that. Is there another way?

The Chairperson (Mr McAleer): Do any members of the panel want to respond?

Dr Brennan: I completely understand where you are coming from. This is one of the problems. The Committee has heard hundreds of hours of evidence from people, and there are a lot of buzzwords around the climate stuff, like "just transition" and "net zero". Those concepts are very difficult to get your head round, even for people who make their careers as experts in this area. The concepts are

constantly changing as the science changes, and our analysis changes as well. They are difficult, and communication is really key. Politicians should lead by indicating and signalling to all communities. It is not just the agricultural community that will be affected; it will affect everybody in the world, and everybody needs to be informed about what kind of changes have to happen.

Just transition can be boiled down to an issue of fairness; it is about the fair distribution of the effort that needs to happen. There is an unequivocal need, informed by science, to reduce emissions. This framework Bill sets the broad, overarching concepts into law of what needs to happen. The climate action plans that will be developed after that will flesh out, as we have heard before, what that means in practice. At that point, we need to ensure that when decisions are being made, a risk assessment is carried out to identify the justice and fairness in each of them.

There are things like, for example, providing support for a well-defined, nature-based solutions approach, ensuring that there is biodiversity and that any actions taken to help farmers to make the transition are taken in a way that does not prejudice the ability of other sectors, including the domestic sector, to meet emissions targets as well. The bottom line is that the reduction will have to occur across all sectors. It should be fair, as every sector will have to make sacrifices. That is a sense that needs to be communicated; it is not that there are scapegoats in one particular sector. There are sectors that have higher emissions, and we need to make sure that the burden or the effort, whatever way you want to look at it, is shared equally across sectors.

That is my take on it. Communication is key, as is political signalling, along with robust primary legislation that includes a just transition that protects agricultural communities as well as communities across the island better than vague, nebulous legislation that does not include that.

Mrs Barton: I understand what you are saying. You talk about reductions being shared equally, but I find that difficult to understand. The CCC's advice to the agricultural community is 82% by 2050. Should that not be followed? The agricultural community is being asked to make an equal contribution to the reductions, but it is at a stage where it is impossible to reach net zero because of the extra sacrifices that it will have to make. Why, therefore, in your opinion, is it not acceptable to have 82% by 2050? Should the CCC advice not be followed?

Dr Brennan: I will pass that over to my colleague, Thomas. He is up to speed with the UK CCC and its role in the provision of advice.

Dr Muinzer: Rosemary, a partial issue has emerged relatively recently with the 82% figure. You will recall from the session on the private Member's Climate Change Bill that EJNI was supportive of a net zero 2045 marker. However, the CCC, as we know, calculated that 82% target as part of five pathways in the sixth carbon budget. It did that on the basis of what I would describe as a "business as usual" assumption. It put quite heavy stress in its calculations on the fact that we are:

"a significant net exporter of agri-food products with nearly 50% of all agri-food products produced in Northern Ireland consumed in the rest of the UK."

There is one particular view in that modelling that the CCC put forward. I have underscored before that it is not a policy-setting body. That is one factor that we need to consider, although it is probably not an overriding determinative factor. Since then, the UK has entered into a substantial free trade agreement with Australia, which, it seems, will have significant impacts on the agri-market here in the UK. In addition, an agreement has been made in principle with New Zealand, which is also projected to have significant impacts.

Although it was a research paper rather than government policy, there was a substantial leak relatively recently of a blueprint design to change public behaviour to cut carbon emissions that included levies on high-carbon food. That was published alongside the Government's net zero strategy and was then quickly withdrawn. I underscore that that was a research paper; it was not government policy, but the content leaned towards tax that would radically affect our export market in principle to GB. That, presumably, would be concerning if it were followed through in terms of the status quo that the 82% figure is modelled on. The 82% figure was calculated on a business as usual model. Things have shifted now. If I were a Minister, I would probably ask the CCC to recalculate it, based on some of the changes and shifts that we have seen. Forbye that, EJNI has given reasons as to why we lean towards net zero by 2045, but, since there has been a shift in business as usual, that 82% figure might be subject to some concerns and queries.

Mrs Barton: OK. Thank you.

The Chairperson (Mr McAleer): Clare, you are next.

Clare? Have we lost Clare?

Ms Bailey: No, you have not. Thanks.

The Chairperson (Mr McAleer): We have got you.

Ms Bailey: Great.

This has been really interesting. I have two avenues of questions that follow on from what you said, Thomas. The No. 2 Bill has set 82% as a target by 2050. We hear that the 82% target is based on the science. I would like your thoughts on that. Following on from what you were discussing, do you think that 82% is a scientific target? How would Northern Ireland setting 82% in primary legislation impact on us across the island? The UK is trying to get to net zero by 2050, or faster. What if we are sitting at 82%? You also have transboundary and all-island issues. The Republic of Ireland is going for net zero. Talk us through the things that we need to consider about the impact of that.

This question is for Karen and Aidan: what roles do you feel that councils [*Inaudible owing to poor sound quality*] be given? The Minister released his green growth strategy one evening during recess. Have you had a chance to look at that? That is where we are looking at the principles of just transition and the climate action plans. Do you feel that the strategy to roll that out is the best place for it, or do we need to look at embedding it in primary legislation to maximise the potential for adaptation measures? It is good to hear [*Inaudible owing to poor sound quality*] heat pumps and that sort of adaptation and transition. Is it fair enough to leave that in a strategy, or would it help you guys better if it were in primary legislation?

Dr Muinzer: Thanks for the interesting questions, Clare. They really point to drawing out insightful issues. You asked whether the 82% target was predicated on the science. One may answer yes, but that is probably an incorrect answer. The UK as a whole is going for net zero by 2050 under section 1 of the Climate Change Act 2008. That covers us scientifically, if you will. My sense is that we could probably go even further than that, but Northern Irish performance at 82% is aggregated within that. That performance at 82%, however, is considered scientific only on the basis that it is aggregated within the broader 2050 net zero target.

The fundamental point is that we need to aim for the net zero target by 2050, or sooner, if we want to be in keeping with the science. The idea that we are just aggregated into that broader figure does not suggest to me that, on a jurisdictional basis, we are in keeping with the scientific demands of the problem to hit the target by 2050 or, indeed, sooner. Net zero by 2045 would be an improvement on that, to point to the CCC's calculations.

The CCC sketched out five pathways. I am not a scientist or an environmental economist, but it is probably fair to say that, presumably, the CCC modelled the outcomes correctly. It did not sketch out further pathways, however. As the CCC points out in the sixth carbon budget, there is no technical reason why NI cannot reach net zero. If I were king for a day, I would like to ask, "Could you model that path, so that we can see what it looks like?". That is an important part of modelling.

I also underscored to Mrs Barton that, if you follow politics — you do more than follow politics; you folks are steeped in it — in the news and so on, you can argue that the business as usual types of calculations on which the CCC predicated the agricultural aspect of its calculations and assumptions have moved. I have mentioned a couple of free trade agreements that we have seen — OK, there was only one particular leak, which was a report and not policy — but there is a strong argument that there is a psychology around potentially taxing agri-food in GB and so forth, which underscores the potential vulnerabilities of relying on the market as we currently understand it.

I have a copy of 'The Observer' from 24 October 2021. On page 19, there is coverage, which I can provide to the Committee — you may have seen it — that sketches out Lord Deben's response to those agreements. It is worth pointing out that he is very scathing of them. I appreciate that he appeared before the Committee to discuss the Climate Change (No. 2) Bill, but it would be interesting to draw out his scathing criticism of those agreements because of their specific impact on agri and our internal market. There is certainly a conversation to be had there as well.

Your second question was about what will happen if we nail our colours to the mast on the 82% target when we see the Republic of Ireland striving for net zero by 2050 at least. We know that an EU climate law came in recently that sketches out a net zero 2050 obligation for the EU. We have already touched on the UK's 2050 net zero target under section 1(1) of the Climate Change Act 2008. It is likely that we will start to fall behind, to put it slightly crudely, in a number of important areas, and perhaps even generally economically. How will we draw substantial levels of renewable subsidies into our economy, let us say, if we have a less stringent legislative driver? Will our roads infrastructure, for example, keep up with electric charge points that will increasingly populate roads in the Republic of Ireland? An HGV driver might want to come across the border to do business, travel and do trade here — it is happening all the time — but our infrastructure might not have kept up. Where do we stand with R&D? Will investment go elsewhere?

There is a general principle that, if we do not keep up with the green economy in relation to our neighbours, there is likely to be a substantial negative economic impact. Moreover, that is before we come to the moral case; we want to do our bit morally to redress the problem. There would be adaptation problems as well, which we could talk about in relation to mitigation.

That is my sense on the two questions you posed, Clare. Thank you very much for those.

The Chairperson (Mr McAleer): Thank you for that, Thomas. It was very helpful. Members, —

Ms Smyth: Chair, I think that Clare may have asked me about the role of councils as well.

The Chairperson (Mr McAleer): Oh, sorry.

Ms Smyth: Clare, the role of councils in Northern Ireland is very different from that of councils across the water, which have a lot of social housing and responsibility for roads, transport and public transport in some areas. The role for councils in Northern Ireland is a lot more defined and a lot smaller, but we have been working closely with our colleagues across the water to look at how to enshrine the role of councils and local government in the climate action plans and to ensure that we have sufficient and appropriate resources and funding to do what we need to do and deliver what we need to deliver. Without retrofitting, social care and transport in Northern Ireland — the main things that we have influence over — the most important thing is probably the planning function and making sure that we have an intelligent, climate-informed planning policy and local development plans. We may not have the same objections to the technologies and developments that we need to decarbonise as a region. That conversation will really ramp up over the next while.

Obviously, we have a big responsibility for waste management. I was listening in on your conversation earlier about anaerobic digesters. There is a need for an intelligent conversation about how we decarbonise our waste management operations. We have been successful in dealing with food waste and diverting that from landfill, but we need to go much further.

We have an involvement in influencing procurement and in the community leadership work that we need to do to broker those conversations to bring the community forward and build that understanding that is coming across from yourselves that may not yet exist in some areas. I agree that people have a fear hanging over them now, and we need to make sure that people are aware of what they are doing.

NILGA is working with the Department for Business, Innovation and Skills, which has provided funding for regional road show events as part of COP26. One that we helped to fund is a two-week festival in Belfast to start community and business conversations about how to go forward. In particular, there is a circular economy element to that work. That civic leadership role will be really important for us.

Our city and growth deals need to be very aware of the decarbonisation agenda. Clare, you asked about the green growth strategy. I worked with the Department on the development of that draft strategy. I am very pleased that the Department has acknowledged the role of councils in Northern Ireland and that we have been getting on with things and being very active.

Most of that has been because we have had mention in UK legislation of adaptation, so we have been able to get on with adaptation and attract funding for adaptation work. The gap has been on the mitigation side. What we are really looking forward to from this legislation is getting a definition on how we need to go forward on mitigation. That is what we are hoping to get out of whatever legislation ends up coming through the Assembly. Hopefully, it will come through soon.

Mr Campbell: Clare, I think that your question, if I picked it up correctly, was whether green growth was better as a strategy or as legislation. I confess that I have not had a chance yet to go through the green growth strategy. From a community point of view, and from the perspective of individuals, whether it is legislation or a strategy, there is a job of work to be done, as Dr Brennan said earlier, on carbon literacy and building people's knowledge and skills at a household and individual business level to get an idea of the choices to be made now on future-proofing to reduce carbon.

There is also a broader piece of work to be done along the lines of the climate assembly that was held in Britain last year or the year before. With all the lockdowns, I am losing track of when things happened. It did interesting work on taking a cross section of people from across Britain and drilling down into the details of what was fair in changes to people's lifestyles in terms of travel, heating and even the types of food that they ate, and the dilemmas associated with that. The choices that people will have to make will have to be thought through in detail if we are to bring communities and people along.

Ms Smyth: Chair, sorry to interrupt. I have to apologise: Councillor Burgess got cut off and has been unable to come back in again. I am conscious that I have had several conversations with Councillor Burgess about this. He is from a farming background, and Mrs Barton referred to the difficulties for farmers. His take on this is that they are looking for clarity; they need to know what they have to achieve. Given that they are working with departmental policies that have been ongoing for a long time — the Going for Growth strategy and so forth — there is a need for a lead-in time for change. They need clarity fairly soon.

What concerned me when I first looked at the green growth strategy is that it does not set sectoral targets. If the sectoral targets are not in the legislation or in the green growth strategy, we are again waiting for clarity in something else. I imagine that the Department has a plan on how to do all this, but, at the moment, it is not transparent to the sectors that need the information.

The Chairperson (Mr McAleer): That is great. Karen, Dr Brennan, Dr Muinzer, Councillor Burgess — you can pass on our thanks to him, Karen — and Aidan, thank you very much, as always, for joining us this morning and for your detailed and insightful responses to our questions. As ever, we appreciate your insight and expertise. Folks, we are into the afternoon now, so I hope that you have a good day. We will, no doubt, be in touch as we continue along this process. Thanks very much, folks. Take care. See you all again. Bye-bye.