

Draft Climate Change Bill Consultation
Department for Environment, Food and Rural Affairs

**A response by the Baptist Union of Great Britain, the Methodist Church, the
Religious Society of Friends (Quakers) and the United Reformed Church**

Background to our organisations

We welcome the draft Climate Change Bill and are grateful for an opportunity to comment on the proposed legislation.

There are some 150,000 members of Baptist churches associated with the Baptist Union of Great Britain. The Methodist Church has about 295,000 members and 800,000 people are connected with the Church. The Religious Society of Friends (Quakers) has a membership of around 15,000 with up to a further 15,000 attending Quaker worship. The United Reformed Church comprises about 150,000 adults and 100,000 children.

Individuals and congregations have sought to model sustainable and responsible lifestyles. However, the challenge of reducing household carbon emissions to levels consistent with a theoretical sustainable per capita carbon budget is considerable. There is increasing recognition that effective government legislation is necessary to complement voluntary action¹. Our organisations will continue to engage the government as active partners on climate change, resourced by those within our organisations responsible for public policy and parliamentary affairs.

In calling on government to implement more stringent targets we recognise the role and responsibility of our own organisations to change institutional behaviour and to encourage change among our membership. This will remain a high priority for our organisations.

The work of our denominations on climate change draws on contributions across a range of sectors including those with public policy, business and technical expertise.

Climate Change and Christian Ethics

A Christian ethic on climate change has its roots in the biblical account of creation. This affirms that creation belongs not to humankind but to God, and that we have a responsibility for caring for the Earth. Our duty of care requires that we live in harmony with the whole of the created order.

We are increasingly aware that the finite nature of the planet's resources and capacity to absorb waste products places limits on economic growth and consumption. For Christians a response will be informed by principles deriving from the perspective of our faith including those of social justice and of restraint.

Justice needs to be secured for those likely to be most affected by climate change today, in particular those in the developing world. We also have a responsibility to act justly towards members of future generations.

The precautionary principle with respect to climate change is difficult to realise, as economic growth is such a strong imperative. We tend to demand overwhelming proof and empirical

¹ "Prosperity with a Purpose", (Churches Together in Britain and Ireland, 2005)

evidence of the impact caused by global warming before we are prepared to make sacrifices. Conversely, the Christian discipline of restraint invites us to look positively on notions of sacrifice and simplicity of lifestyle and causes many of our members to stress the importance of general societal well-being above that of traditional economic indicators.

Targets and Budgets

Setting statutory targets

Question 1.

Is the Government right to set unilaterally a long-term legal target for reducing CO2 emissions through domestic and international action by 60% by 2050 and a further interim legal target for 2020 of 26-32%?

The Government is right to set unilaterally a long-term legally binding target for UK emissions. This will enable the private sector and government to develop the incentives necessary for investment in new technologies and the introduction of existing technologies to effect a transition to a low carbon economy.

However the target of a minimum of 60% appears unsafe. We understand that a reduction of only 60% is likely to contribute to a global warming exceeding two degrees centigrade; a level that the EU and UK Government have resolved to try to prevent. We note the conclusions of several environmental agencies and research centres that a 2050 reduction target in the region of 80% to 90% is necessary if carbon dioxide concentrations are to be stabilised at a level consistent with a two-degree temperature rise. We therefore propose that the minimum 2050 target in the draft bill be reviewed in the light of the most recent scientific assessment.

We suggest that the minimum targets proposed should provide a confidence of more than 50% that they represent a UK contribution to avoiding a greater than two-degree temperature rise. The Tyndall Centre has described an approach for tracking back from the temperature threshold to determine national emission pathways². Notwithstanding the several variables involved to establish this correlation, we ask whether independent scientific scrutiny of proposed targets could be carried out to determine whether a target provides this degree of confidence. One could argue that a greater degree of confidence could be sought but anything less than 50% would appear to conflict with the UK Government's commitment to the precautionary principle.

The 2050 target should include all UK emissions, including those from aviation and shipping. It is in our view feasible to develop a method for accounting for such emissions in order that they can be included within the carbon budgets defined by this legislation. Inclusion of aviation with the draft Bill is necessary to provide a sound basis long-term planning in this sector. Domestic airfares are often cheaper than equivalent fares for rail or coach journeys so the absence of aviation from the Climate Change Bill could disadvantage more efficient forms of transport. The general arguments put forward for establishing international leadership on target setting through this Bill apply equally in the area of aviation emissions. Inclusion of emissions from aviation and shipping in this Bill could help to hasten the development of much needed international agreement in these sectors.

Question 2.

Is the Government right to keep under review the question of moving to a broader system of greenhouse gas targets and budgets, and to maintain the focus at this stage on CO2?

Reducing carbon dioxide emissions will require long-term economic planning so the Government is right to make this the focus of legislation. Further reductions in other greenhouse gas emissions (many of which are more potent than carbon dioxide) should be agreed in conjunction with our EU and other international partners.

² “A response to the Draft Climate Change Bill's carbon reduction targets”, Anderson and Bows, (Tyndall Briefing Note 17, March 2007)

Carbon budgeting

Question 3.

Should the UK move to a system of carbon management based upon statutory five-year carbon budgets set in secondary legislation?

We support the proposed implementation of five-year targets set in secondary legislation.

However in addition we feel that it is important that, within the duty to report on proposals and policies for meeting carbon budgets, the Secretary for State be required to propose annual milestones for achieving the five-year carbon budget. These would complement the requirement within the current draft Bill for the Secretary for State to provide an annual report on actual carbon reductions.

Question 4.

Do you agree there should be at least three budget periods in statute at any one time?

We support the proposal to set targets for three five-year periods at any one time providing the private sector with a sound basis for making long-term investment decisions.

Reviewing targets and budgets

Question 5.

Do you agree there should be a power to review targets through secondary legislation, to ensure there is sufficient flexibility in the system?

Given that competing priorities are represented here the draft Bill should state more explicitly that scientific knowledge about climate change must be the over-riding consideration in setting targets. This is essential if the UK is to continue to demonstrate leadership.

We see no difficulty in meeting our international obligations if the UK were to adopt this approach as there are unlikely to be circumstances in which they would be more onerous than the obligation implied by the consensus on climate science.

Question 6.

Are there any factors in addition to, or instead of, those already set out that should enable a review of targets and budgets?

With respect to target Section 5 of the draft Bill states that developments in scientific knowledge about climate change or in international law or policy could inform a reassessment of 2020 and 2050 targets. The Bill should be more specific and state that these long-term targets must be consistent with the conclusions of climate science with regard to the action required to avert a rise in temperature beyond a two-degree threshold level even if international policy requires a lesser commitment on the part of industrialised nations.

Counting overseas credits towards the budgets and targets

Question 7.

Do you agree that, in line with the analysis in the Stern Review and with the operation of the Kyoto Protocol and EU ETS, effort purchased by the UK from other countries should be eligible in contributing towards UK emissions reductions, within the limits set under international law?

While appreciating the arguments in favour of a system of carbon credits our basic position is that the obligation on the UK to reduce carbon emissions should not be exported overseas. The cumulative wealth developed by the UK and other industrialised countries in part through our exploitation of cheap but damaging fossil fuels should not be allowed to perpetuate an unsustainable level of carbon output.

Global agreements on carbon reduction would be made more difficult if a significant proportion of the 2050 abatement effort of countries such as the UK were to be met with

carbon credits³. We would therefore like to see a limit placed on the overall contribution of carbon credits to achieving carbon reduction targets. This limit, if not zero, should be small and should be stated in the Bill.

Banking

Question 8.

Do you agree it should be permissible to carry over any surplus in the budget? Are there any specific circumstances where you consider this provision should be withdrawn?

In general we do not believe that a surplus should be carried over. If a surplus arose as a result of one or two unusually mild winters there would, in our view, be no sound basis for carrying this forward. On the other hand if a surplus has arisen because reductions in a particular sector have been achieved earlier than was planned then there could be some justification.

We suggest therefore that some criteria for permitting carry forward ought to be developed with the intention of ensuring that any carry forward is properly justified.

Borrowing

Question 9.

Do you agree that limited borrowing between budget periods should be allowed?

We appreciate that some flexibility in the timing of emissions reduction is helpful. If, as is proposed, the facility to borrow emission rights from a later period is restricted to 1% of that period it should not undermine the discipline of carbon budgets.

Compliance with carbon budgets and targets

Question 10.

Is it right that the Government should have a legal duty to stay within the limits of its carbon budgets?

We appreciate that it may be difficult in practice to ensure that the Government can be held legally accountable to targets established in this legislation. We recognise that this is an area that the judiciary might be unwilling to intervene. In the event that Ministers chose to willingly disregard the advice of the Committee on Climate Change, it is unclear whether a Judicial Review could be used to determine whether they were negligent in so doing. We hope that the government will explore this matter further with legal experts with sound experience in this field.

Nevertheless, we do feel that the ultimate sanction of a Judicial Review will help to concentrate the minds of government Ministers as they develop proposals to address carbon emissions.

The Committee on Climate Change

The need for an independent analytical organisation

Question 11.

Do you agree that establishing an independent body will improve the institutional framework for managing carbon in the economy?

In our view the role of the proposed Committee on Climate Change is crucial. An independent assessment of Government policy and performance will assist Parliament in holding government to account.

³ A scenario outlined in the Climate Change Bill – Explanatory Notes para 5.1.37

Functions of the Committee on Climate Change

Question 12.

Do you agree that the Committee on Climate Change should have an advisory function regarding the pathway to 2050?

The Committee on Climate Change should have an advisory function regarding the pathway to 2050.

The committee might also have a role in the re-evaluation of 2020 and 2050 targets. As we have stated in response to Question 6, in our view these long-term targets must be consistent with the conclusions of climate science with regard to the action required to avert a rise in temperature beyond a two-degree threshold level.

Question 13.

Do you agree with the proposal that the Committee on Climate Change should have a strongly analytical role?

We believe that the committee should be analytical in nature. As far as possible it should be independent of vested interests in order to command respect across a broad spectrum of opinion.

Factors for the Committee on Climate Change to consider

Question 14.

Are these the right factors for the Committee on Climate Change to take into account in assessing the emissions reduction pathway? Do you consider there are further factors that the Committee should take into account?

We believe that all these factors are relevant to an optimal emissions pathway toward 2020 and 2050 targets. However, we are concerned about the weighting afforded to each. The list of expertise required by the committee gives the impression that economic and fiscal circumstances might dominate the Committee's consideration. Consideration of these factors should not override the early and urgent need for reduction of carbon emissions implied by the fourth report of the International Panel on Climate change.

Membership and composition

Question 15.

Do you agree the Committee on Climate Change should be comprised of technical experts rather than representatives of stakeholder groups?

We agree that the Committee should be comprised of technical experts rather than representative groups. We would hope that the Committee would establish transparent procedures that enable representative groups (including churches with the distinctive contribution that they offer) to feed into the process.

We would hope that careful consideration would be given to the recruitment of the Chair and to whether the appointment of a member of the judiciary or senior civil servant might help to reinforce the perception of independence.

Question 16.

Are these the appropriate areas of expertise which should be considered? Do you consider there are further areas that should be considered or any areas that are less important?

The areas listed seem adequate but we would wish to reinforce the concern expressed in response to Question 14 regarding weighting. We would hope that the predominance of economic and fiscal factors in this list would not imply that experts with this background would dominate the Committee. The composition of the Committee needs to achieve a balanced make-up. Persons with a background in climate science should be equally represented alongside economists.

Enabling Powers

Extending the suite of domestic trading schemes

Question 17.

Do you agree with the principle of taking enabling powers to introduce new trading schemes?

We agree that the Bill should make provision for the Secretary of State to introduce trading schemes without recourse to primary legislation.

Reporting

The need for regular, independent monitoring of the UK's progress

Question 19.

Do you agree that the Committee on Climate Change should be responsible for an independent annual report on the UK's progress towards its targets which would incorporate reporting on a completed budget period every five years?

We agree that the Committee on Climate Change should have a responsibility to report annually to Parliament incorporated within this legislation. In our view it is important that the Committee is able to report progress against annual 'milestones' proposed by the Government (see Question 3). Achievement of annual milestones (which could be revised as necessary) would give greater confidence that the measures put in place by Government place the UK on track for achieving the five-year budget.

Adaptation

Question 20.

Is statutory reporting the best way to drive forward progress on adaptation while at the same time ensuring Government is able to develop flexible and appropriate measures reflecting developments in key policy areas?

We agree with the requirement for statutory reporting every five years setting out proposals for adaptation to Climate Change.

A similar requirement might be considered in relation to the UK's shared responsibilities towards adaptation in the international context. This would inform UK funded international development assistance and our contribution towards the work of the UN and international finance institutions.