

National Assembly for Wales
Environment and Sustainability Committee
WFG 48

Well-being of Future Generations (Wales) Bill
Response from Stop Climate Chaos Cymru



Stop Climate Chaos Cymru

Response to the Environment and Sustainability Committee inquiry on the Well-being of Future Generations (Wales) Bill
September 2014

Introduction

Stop Climate Chaos Cymru is a coalition of groups from across civil society committed to taking combined action in Wales to combat climate change, and limiting its impact on the environment and the world's poorest communities. Together with our sister organisations in England and Scotland our combined supporter base embraces more than 11 million people spanning over 100 organisations across the UK - from environmental and development charities to unions, community and faith groups and women's organisations.

We believe that climate change is one of the biggest challenges facing the world in the 21st century and we must take immediate action to tackle this, otherwise we face environmental, economic, cultural and social impacts which will affect future generations, and disproportionate impact on people in poverty within Wales and across the globe. The recent IPCC reports confirm not only unequivocally the science of climate change "*warming of the climate system is unequivocal*", and "*most of the observed increase in global average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic greenhouse gas concentrations*"; it tells us what we need to do to keep us within a safe temperature rise of 2 degrees Celsius to mitigate against some of the worst impacts of climate change.

The Well-being of Future Generations Bill offers Wales with an opportunity to shift from a high carbon society, which is causing the damage to our climate and the wider environmental degradation to a low carbon nation, which Stop Climate Chaos Cymru believes is essential to offer security and resilience for future generations. Although sustainable development is wider than climate change, climate change is one of the most immediate and biggest challenges to the world and for present and future generations. Any development we achieve will not be sustainable unless we tackle climate change. A key test of the efficacy of the Well-being of Future Generations Bill will be how it will drive the reduction of our emissions in Wales - both our territorial and consumption emissions.

This Bill is a one-off opportunity to set us on a path towards achieving sustainable development, with clear legal duties and a powerful body to respond when things go wrong. We owe it to present and future generations, in Wales and throughout the world, to get this Bill right and create a sustainable Wales.

The Welsh Government's commitment to the Rio+20 process and UN Sustainable Development Goals going forward is a clear indication of the political will to set ourselves at the forefront of this international context and we fully support the Minister's aim of achieving "*ground breaking legislation on Sustainable Development*" and to "*make our legislation as strong and effective as possible*"¹. We share those aspirations and welcome the opportunity for civil society to play its part in shaping this legislation.

Putting sustainability at the heart of government

We welcome the intention to legislate for sustainable development to become the genuine 'central organising principle' of devolved government and public services in Wales. However, in terms of meeting the

¹ Written Statement by the Welsh Government, 'Visit to Rio+20', Minister for Environment and Sustainable Development, 29 June 2012

government's purpose of being an exemplar piece of legislation for sustainable development there remain some significant gaps and serious weaknesses.

We are members of the Sustainable Development Alliance who have proposed several key elements in a draft Bill². These are:

- A strong duty on all devolved public bodies so that they "must exercise their functions in order to achieve sustainable development".
- A definition of sustainable development that gives clarity to its meaning, including the principles and objectives it sought to achieve.
- An independent Commissioner for Future Generations to promote and facilitate the achievement of sustainable development and hold failing public bodies to account.

The duty – its scope and definition

Definition

The Bill does not contain a definition as such. The approach taken in the Bill has separated various elements into an Aim, a Sustainable Development Principle, Well-being Goals and some requirements they must take into account in their decision making.

We believe the Bill needs a robust definition which provides clarity as to the meaning of sustainable development. We would like to see a definition of sustainable development for Wales which puts an ambition for achieving social justice within environmental limits in the Welsh cultural context.

Scope

The scope of the duty is unclear. We are concerned it will not cover all public sector functions and decisions. It is particularly important that financial decisions and procurement are captured by the scope of the duty. What is spent and how it is spent contributes greatly to sustainable development.

The strength of the duty is weakened in many places by including limiting words such as "seek to" carry out the duty or "promote" sustainable development.

Significant omissions

We are astonished that neither climate change nor any of our global impacts are taken into account in this Bill, despite both being central to the concept of sustainable development and widespread support from the public and civil society for action in these areas in every consultation and study carried out in Wales.

We call on the committee to rectify this situation and bring the Bill back to its original intentions.

Global Impacts

The purpose of the Bill in Section 1 and "common aim" proposed in Section 2 only allows for consideration of the "well-being of Wales" [emphasis added]. This should be amended to meet the commitment in the Welsh Government's December 2012 White Paper;

*"The Welsh Government recognises the need to take into account the impacts outside of Wales given that Wales' wellbeing cannot be seen in isolation. This is an important part of a sustainable development approach. The Welsh Government will look to ensure that this element is encompassed within the framework for sustainable development in Wales, in a reasonable and proportionate manner and within the scope of the legislative competence of the Assembly."*³

The Bill should explicitly recognise, and seek to address, the positive and negative impacts that Wales has on the wider world through consumption of resources, waste disposal, emissions of greenhouse gases and supporting communities overseas through joint projects and trade.

² <http://www.shapingfuturewales.org/en/our-proposal/>

³ Sustainable Development Bill White Paper, December 2012

<http://wales.gov.uk/docs/desh/consultation/121203asusdevwhitepaperen.pdf>

The Bill must contain a clear commitment that procurement of goods and services by the public sector in Wales should seek to support sustainable development, including international development and respect for human rights, through ethical purchasing and careful monitoring of supply chains.

The lack of an international or global dimension undermines the credibility of the legislation. The Bill must commit to Wales being a good global citizen.

Climate change

Tackling climate change is a vital aspect to ensuring the wellbeing of future generations. It is imperative that the structure of the Bill, in particular the goals, principles, wellbeing objectives and measures of progress set the framework for tackling climate change across the public sector.

The Interim Report from the pilot National Conversation 'The Wales We Want' (July 2014) identifies, when people were asked to list potentially critical issues for the future of Wales, five themes stood out with climate change and the natural environment receiving the most votes (69.5%).

The Bill must address both the need to reduce emissions of greenhouse gases and strategies for us to adapt to a changing climate. Targets for reduction in emissions of greenhouse gases should be incorporated into the Bill.

Some of the areas where climate change could be incorporated in the Bill are;

- **Goals**

Within the current Well-being Goals there is no specific reference to climate change. Whilst a 'low carbon economy' in Goal 1 could be said to allude to the need to reduce our emissions, it does not provide a clear or comprehensive reference to the aspects required to tackle climate change, both mitigation or adaptation.

There is no recognition of the 'global systems' perspective, our international impacts or responsibilities, or the 'environmental limits' under which climate change would be a major aspect. This is clearly a huge omission and without this aspect it is hard to see how climate change, in particular non territorial emissions are to be taken account of within the Bill.

Further it is not clear what the scale of change is needed and how these goals will achieve that change. There is a need for targets and indicators to expand on the nature of the goals which are aspirational and lack specifics. There is a need for much smarter goals with clearer targets and relevance indicators or measurement of progress to these goals.

- **Targets**

Currently Wales is the only UK devolved nation not to have or be seriously considering statutory climate change targets. Using legislation to push environmental action has already proven successful in Wales and we feel that a stronger approach should be called for to deliver climate change action. This Bill offers a clear opportunity for this.

Targets on emission reduction could be placed on a statutory footing within the Bill. We would be happy to discuss how these could be integrated into the Bill.

- **Measures of progress / National Indicators**

The suggested measures of progress which are effectively indicators will offer a measure of where public bodies are against the Goals. But without the targets – the sense of where we need to get to and by when, they remain merely indicators. This is no different different to the current Sustainable Development Indicators which have not driven the scale of change required.

In 2010 The Welsh Audit office report stated that "*The Assembly Government has not established key tests to measure its progress in mainstreaming sustainable development. Nor do the Assembly Government's performance management systems enable it to track its progress.... there is limited evidence that these have been actively used in policy appraisal or as an aid to communicating sustainable development issues*".⁴

⁴http://www.wao.gov.uk/system/files/publications/Sustainable_development_and_business_decision_making_in_the_Welsh_Assembly_Government_English_2010.pdf p.11-12

Indicators therefor need to be part of a wider measurement framework which included targets. And climate change indicators would need to cover territorial emissions and our carbon footprint⁵. For the measure of Wales' carbon footprint regular ecological footprint research needs to be undertaken. Welsh Government is yet to publish the most recent research undertaken on this.

- Sustainable Development Principles (Section 8.2)

Within the sustainable development principles outlined in Section 8 there is a lack of environmental limits and reference to our global impacts hence no scope for climate considerations. For example "long term" has no reference to environmental dimensions. It is vital that these aspects are considered within this section as effectively these principles are the issues that need to be taken account of by public bodies.

The Well-being goals

We welcome the intention to lay out clear outcomes within legislation. These must be unambiguous as to what the legislation intends public bodies to achieve, the scale of the challenge and the necessity for all bodies to work together towards achieving all the goals.

We believe that some changes are necessary to the goals. For example, Goal 1, "A prosperous Wales" needs changes to more clearly aim for sustainable resource use, reflect the concept of living within global environmental limits and Wales using only its fair share of resources.

Comparative goals such as "A more equal Wales" are too weak. The goals should be specific and measurable so we can judge the success or otherwise of government action.

The Bill allows the goals to be revised by Ministers without recourse to a vote in the National Assembly. The goals should be set in the legislation and only changed by the Assembly.

Independent Commissioner

We support having a Commissioner for Sustainable Development who should become a powerful champion for future generations, people in developing countries and those living in poverty in Wales – who are all impacted on by unsustainable development.

A stronger Commissioner is needed than that envisaged. The Commissioner must be in a position not just to advise public bodies but to hold them to account. For this to happen, the Commissioner should be accountable to the Assembly rather than Welsh Ministers as proposed.

The duties of the Commissioner are unnecessarily restricted and the powers need to be strengthened so that the Commissioner can investigate complaints from the public, require evidence be provided and issue critical reports. The Commissioner's office must be adequately resourced to achieve its aim and support the programme of work.

Stop Climate Chaos Cymru member organisations are: National Federation of Women's Institutes Wales, National Union of Students, Unison, Christian Aid Wales, CAFOD, Oxfam Cymru, Tearfund, Coed Cadw – The Woodland Trust, Friends of the Earth Cymru, RSPB Cymru, Sustrans Cymru, WWF Cymru, Wildlife Trusts Wales, The Centre for Alternative Technology.

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⁵ The carbon footprint refers to emissions that are associated with the consumption spending of Welsh residents on goods and services, wherever in the world these emissions arise along the supply chain, and those which are directly generated by Welsh households through private motoring etc. These emissions are often referred to as "consumption emissions" to distinguish them from estimates relating to the emissions "produced" within a country's territory or economic sphere. To find out what effect Welsh consumption has on GHG emissions we need to take into account where the goods we buy come from and their associated supply chains.