

Somerset County Council
Environment and Climate Change Scrutiny Committee
– 28 February 2023

Update on Future Governance of the Climate and Ecological Emergency in Somerset Council

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Cabinet Member: Cllr Sarah Dyke

Division and Local Member: All

1. Summary

- 1.1.** As part of the Local Government Reorganisation work, the Climate and Water sub-workstream (Environment sub-workstream 1) were requested to develop a number of options to ensure an appropriate governance overseeing the new Authority's response to the Climate and Ecological emergencies.
- 1.2.** The previous incarnation of the governance arrangements – the cross-authority Climate Implementation Board – will cease to be effective upon vesting due to it being comprised of Members with specific responsibility for Climate Change and/or the Environment, alongside one other Member nominated from each of the County and District authorities.

2. Issues for consideration / Recommendations

- 2.1.** To note the options developed and presented to the Exec/SLT and the Service Alignment and Improvement Board
- 2.2.** To provide feedback on the options considered

3. Background

- 3.1.** In 2019, the five Somerset Local Authorities each recognised or declared a 'Climate Emergency' and agreed to collaborate in producing a joint Climate Emergency Strategy. Whilst each declaration was slightly different, all aspired to achieving carbon neutrality in their own operations and to work towards achieving this across the geography of their administrative area. Given the alignment of the declarations, it was agreed that a cross-authority Strategy be developed to identify ways in which the county of Somerset can become 'Carbon Neutral' by 2030

Upon the adoption of the Strategy by all five Somerset Local Authorities, a governance structure was implemented to oversee the delivery of Strategy.

The actions and progress of the five Somerset Local Authorities' response to the Climate and Ecological Emergency is currently overseen by the cross-authority Climate Implementation Board. This Board is comprised of Members with responsibility for the Environment and/or Climate Change, alongside a Member nominated from each Authority. Upon Vesting, this Board will no longer be effective due to the majority of Members and the organisations that they represent being replaced by the new Authority.

- 3.2.** The Climate and Water sub-workstream (Environment sub-workstream 1) of Local Government Reorganisation were charged with developing options to ensure the effective governance and oversight of Climate and Ecological matters in the new Authority as a Tranche 1 product.
- 3.3.** When developing the options, the group were keen to ensure corporate ownership of the issues and the governance arrangements should be sufficiently high-profile to enable this.
- 3.4.** A number of the issues were identified with the current governance arrangements that needed to be addressed in any new governance arrangements:
 - they have no delegated authority;
 - they are not decision making,
 - not budget raising
 - only limited to internal membership.
- 3.5.** Following discussions with Democratic Services, five options were developed and subsequently presented to the current Climate Implementation Board, the Service Alignment and Improvement Board and at a meeting of the SLT/Exec of Somerset County Council.
- 3.6.** The options developed are:
 1. Retain existing Climate Implementation Board, but with refreshed membership
 2. Accountability and delivery of Climate Emergency Strategy and Climate and Ecological Emergency activity becomes the responsibility of the Environment and Place Scrutiny Committee.
 3. Creation of new Climate and Ecological Emergency Sub-Committee (as a sub-committee of the Executive)
 4. Creation of new Climate and Ecological Emergency Partnership Board
 5. Creation of new Climate and Ecological Emergency Sub-Committee and Partnership Boards.
- 3.7.** The risks and opportunities for each respective option were identified and are presented, below:

3.8. Option 1

Retain existing Climate Implementation Board as is but with refreshed membership from new authority.

Opportunities

- No impact on current constitution
- Can be resourced within existing capacity.

Risk

- No delegated authority to make decisions.
- No budget.
- Board is narrow and limited to internal membership.

3.9. Option 2

Embed Climate and Ecological Emergency work within Environment and Place Scrutiny Committee.

Accountability and delivery of Climate Emergency Strategy and Climate and Ecological Emergency activity becomes the responsibility of the Environment and Place Scrutiny Committee.

Opportunities

- Can be resourced within existing capacity.

Risk

- Danger of Climate and Ecological Emergency activities not receiving highest priority within new authority.
- Existing SCC constitution only allows voting for Members of the Executive.
- Committee would be narrow and limited to internal membership.
- No delegated authority to make decisions.
- No budget.

3.10. Option 3

Creation of new Climate and Ecological Emergency Sub-Committee (as a sub-committee of the Executive)

- To have delegated responsibility for delivery of climate and ecological emergency agendas, working to an action plan of work and budget agreed with Executive.

- Scrutinised by Environment and Place Scrutiny Committee

Opportunities

- Increased accountability, both via Environment and Place Scrutiny and Full Council.
- To have Executive decision-making powers on policy matters.
- Some budget raising authority.
- Creates a higher profile for Climate and Ecological Emergency agendas, both within new Council and externally.

Risks

- Existing SCC constitution only allows voting for Members of the Executive.
- Committee would be narrow and limited to internal membership.
- Would require additional resourcing when compared to current arrangements.

3.11. Option 4

Creation of new Climate and Ecological Emergency Partnership Board

- A non-decision making partnership board, comprised of other relevant public and private sector organisations.
- Designed to provide new Somerset Council with a place to influence and contribute to Climate Emergency Strategy outcomes they have no direct control over.
- Somerset Council attendance would predominantly be relevant senior staff, with input from Lead Member.

Opportunities

- Brings a wider focus to Climate and Ecological Emergency work.
- Raises the profile of Climate and Ecological Emergencies across the county.
- Sharing of best practice and strategy across sectors.
- Enhanced prospect of joint working and funding (including savings from economies of scale).
- Outcomes where the Council is reliant on other bodies are easier to achieve.
- Development of a consistent approach to tackling Climate and Ecological Emergencies within Somerset.

Risk

- Board would not be decision making.
- Board would be on invitation basis, so no guarantee that other organisations would agree to join.
- No guarantee that all members will agree or co-operate effectively.
- No budget allocation.
- Experience from other partnership boards demonstrate differing levels of success.
- Would require additional resourcing when compared to current arrangements.
- Somerset Council will not have overall control of agenda.
- Terms of reference and membership criteria would need to be very tight to ensure focus is maintained.
- There is potential for the Board to become unwieldy given the number of partners that could be included.
- Conversely, there is also potential of alienation if some partners are not invited to join.

3.12. Option 5

Creation of new Climate and Ecological Emergency Sub-Committee and Partnership Boards.

- Combination of option 3 and 4.
- Sub-Committee and Partnership Board would operate in tandem but independent of each other.
- Sub-Committee owns Climate Emergency Strategy outcomes, but shares with Partnership Board to explore opportunities where joint working and funding is required.
- Designed to give Climate and Ecological Emergency agendas high profile and accountability internally via Sub-Committee, whilst using the Partnership Board to provide Somerset Council opportunity to influence and contribute to Climate Emergency Strategy outcomes they have no direct control over.
- Members of Partnership Board retain sovereignty and accountability for delivery of own organisational plans, but Board is the conduit to identifying joint working and funding requirements.
- Based on outcomes in the Climate Emergency Strategy, examples of Partnership Board members could include (but not be limited to) Somerset CCG, distribution network operators (i.e. Western Power), housing associations, Environment Agency, Somerset Wildlife Trust, National Farmers Union, Chambers of Commerce, Exmoor National Park Authority.
- Suggested Somerset Council attendance on Partnership Board would

predominantly be relevant senior staff, with input from Lead Member.

- Members of the Partnership Board would be accountable to the Climate and Ecological Emergency Sub-Committee, providing regular updates on progress against Climate Emergency Strategy Outcomes.

Opportunities

- Increased accountability, both via Environment and Place Scrutiny and Full Council.
- To have Executive decision-making powers on policy matters.
- Some budget raising authority.
- Creates a higher profile for Climate and Ecological Emergency agendas, both within new Council and externally.
- Brings a wider focus to Climate and Ecological Emergency work.
- Raises the profile of Climate and Ecological Emergencies across the county.
- Sharing of best practice and strategy across sectors.
- Enhanced prospect of joint working and funding (including savings from economies of scale).
- Outcomes where Somerset Council is dependent on other bodies are easier to achieve.
- Development of a consistent approach to tackling Climate and Ecological Emergencies within Somerset.
- Positions Somerset Council as the leader in tackling the Climate and Ecological Emergencies within Somerset.

Risk

- Existing Somerset Council constitution only allows voting for Members of the Executive (relevant to sub-committee only).
- Would require additional resourcing when compared to current arrangements.
- Board would be on invitation basis, so no guarantee that other organisations would agree to join.
- Terms of reference and membership criteria for Partnership Board would need to be very tight to ensure focus is maintained.
- There is potential for the Partnership Board to become unwieldy given the number of partners that could be included.
- Conversely, there is also potential of alienation if some partners are not invited to join the Partnership Board.

3.13. The unanimous preferred option of the sub-workstream, Exec/SLT, the Climate Implementation Board and the Service Alignment and Improvement Board was Option 5 - the Creation of a new Climate and Ecological Emergency Sub-

Committee and a Partnership Board.

The establishment of a new Climate and Ecological Emergency sub-committee gives the climate and ecological agendas the accountability and gravitas that is required within the new Council. Delegated powers passed down from Executive also provides the new sub-committee with some teeth to drive the agenda.

The creation of a separate Partnership Board does generate risk for this option. The board could quickly become cumbersome to operate and there is no guarantee that invitees would be prepared to join. There would likely be further challenges around member organisations not co-operating, as well as defining the criteria for membership, which may lead to dissatisfaction from other groups who have not been included.

A terms of reference for the Partnership Board would need to be very tight to keep discussions focussed and the Board effective.

However, at least 50% of outcomes within the Climate Emergency Strategy are either out of Somerset Council's direct control or are reliant on other partners, and a Partnership Board offers a solution that could bring together those partners.

It could also ensure a consistent approach was adopted to tackling climate issues and managing the environment and buildings across the county, as well as offering opportunities to jointly fund schemes and reduce climate impact by better sharing of resources.

This approach would position the new Somerset Council as the leader on the climate and ecological agenda across the County.

4. Consultations undertaken

4.1. The options have been widely consulted upon.

The options were developed in conjunction with the Climate Emergency Senior Responsible Officer, Michele Cusack, Director of Commissioning, Economic and Community Infrastructure, Somerset County Council and Chair of the Climate Implementation Board and Executive Member for Environment and Climate Change at Somerset County Council, Cllr Sarah Dyke.

4.2. The options were presented to the Climate Implementation Board on 10 October 2022, to the LGR Service Alignment and Improvement Board on 8

January 2023 and at a meeting of the Somerset County Council Exec/SLT on 23 January 2023.

- 4.3.** The options have also been developed in conjunction with the Strategic Manager, Democratic Services at Somerset County Council

5. Implications

- 5.1.** The creation of a new Sub-Committee of the Executive of Somerset Council, alongside any delegation of authority will require an update to the constitution. These implications will be discussed with the Strategic Manager, Democratic Services at Somerset County Council who will advise on the next steps.

5.2.

6. Background papers

- 6.1.** N/A

Note For sight of individual background papers please contact the report author