

Meeting	Decision Session - Executive Member for Environment and Climate Emergency
Date	19 November 2024
Present	Councillor Kent (Executive Member)
Officers in Attendance	Mike Southcombe – Environmental Protection Manager Shaun Gibbons – Head of Carbon Reduction

10. Apologies for Absence (10:00am)

No apologies for absence were received.

11. Declarations of Interest (10:01am)

At this point in the meeting, the Executive Member was asked to declare if he had any personal interests not included on the Register of Interests or any prejudicial or disclosable pecuniary interests that he might have had in relation to the business on the agenda. None were declared.

12. Minutes (10:01am)

Resolved: That the minutes of the decision session held on 15 October 2024 be approved and signed by the Executive Member as a correct record.

13. Public Participation (10:01am)

It was reported that there had been no registrations to speak at the session under the Council's Public Participation Scheme.

14. Enforcement Policy for Smoke Emissions within Smoke Control Areas (SCAs) (10:01am)

The Environmental Protection Manager presented the report and noted that the recommendations as set out in the report would support the delivery of the fourth Air Quality Action Plan (AQAP4) which had been approved by Executive on 18 July 2024.

The Environmental Protection Manager reported that local authorities had always had powers over smoke control areas and complaints, but that key changes had been made which had made the process quicker through revisions made in the Clean Air, and Environment Acts 2021.

In response to questions from the Executive Member the Environmental Protection Manager confirmed that the proposal within the report was not to ban heating with solid fuels, but to ensure fuels and appliances which were used complied with new legislation.

Resolved: That the Executive Member adopted the 'Civil Penalties for Smoke Emissions within Smoke Control Areas Policy' in accordance with the following:

- The inclusion of 'Civil Penalties for Smoke Emissions within Smoke Control Areas Policy' at Annex A of the report with statutory minimum penalty of £175 for first offence and statutory maximum penalty of £300 for any repeat offence.
- That authority be delegated to the Director of Transport, Environment & Planning to issue warning letters, notices of intent, final notices and to consider objections received under Schedule 1A of the Clean Air Act in accordance with the Policy at Annex A of the report and the procedural flowchart at Annex B of the report.

Reason: The outlined policy and penalty regime is in line with DEFRA guidance and the revised Clean Air Act, introduced in response to new national air quality targets introduced through the Environment Act 2021.

The policy would enable consistency in approach with other UK authority areas and would act as a deterrent to burning non-authorised fuels (or using non-exempt appliances) in smoke control areas which contribute to air pollution and especially fine particulate concentrations across the city which impact human health.

15. Update of Climate Change Action Plan (10:06am)

The Head of Carbon Reduction presented the report and noted that the Climate Change Action Plan was due to be refreshed this year, and that 28 actions from the previous plan had been recorded as completed.

The Executive Member noted that within the plan the highlighting of the importance of carbon reduction in being moved under a sole directorate was a positive step, and the Head of Carbon Reduction noted that collaboration between council services and partners was a positive step in ensuring carbon reduction was a shared issue.

Resolved: That the Executive Member approved the refreshed Climate Change Action Plan and revert to biennial updates of the plan.

Reason: The updated action plan is more in-line with current Council actions and those that can be achieved in the next few years. The updated Action Plan covers both mitigation and adaptation actions, providing a more comprehensive reflection of activity to support our climate change objectives.

A biennial update reduces the resource requirements on the team and will allow for a more detailed revision, with full consultation and continuous improvement of the Action Plan.

16. Annual Carbon Emissions Report 2023/24 (10:13am)

The Head of Carbon Reduction presented the report and noted that recorded corporate emissions had increased, and that this could partly be explained by the increasing efficiency of carbon data recording tools.

In response to questions from the Executive Member, the Head of Carbon Reduction confirmed that:

- The council was still on track to meet targets to be net zero by 2030, but that there were challenges surrounding this, for example in relation to HGV fleets, which would need to be tackled.

- One barrier to reducing carbon emissions was regarding the financing of decarbonising heating systems, in that many older buildings in York had restrictions on renovating the systems which were currently in place.

Resolved: That the Executive Member approved the Annual Emissions Report for publication.

Reason: To monitor progress against the Council's ambition to be net zero by 2030.

17. York Emissions Inventory Report 2024 (10:18am)

The Head of Carbon Reduction presented the report and noted that the data evidenced within the report related to previous years due to the time constraints of receiving the data. Consequently, efforts taken this year to reduce emissions would not be demonstrated within the data seen in this report.

In 2021/22 a 5% increase in emissions was seen on the previous year which could be linked to the increase of residents going back to work following pandemic restrictions. However, emissions levels had not reverted to pre-2020 levels following the lifting of these pandemic restrictions.

It was reported that similar data had been seen in other areas of the country, and that further action was required to meet net zero targets.

Resolved: That the Executive Member approved the York Emissions Inventory Report for publication.

Reason: To provide transparency of progress against the ambition for York to be net zero by 2030 in line with the Council Plan's Key Performance Indicator.

Cllr Kent, Executive Member

[The meeting started at 10.00 am and finished at 10.22 am].