

Notice of a public

Decision Session - Executive Member for Environment and Climate Emergency

To: Councillor Kent (Executive Member)

Date: Tuesday, 19 November 2024

Time: 10.00 am

Venue: West Offices - Station Rise, York YO1 6GA

AGENDA

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democratic Services by **4:00 pm** on **26 November 2024**.

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent, which are not subject to the call-in provisions. Any called in items will be considered by the Corporate Services, Climate Change and Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00 pm** on **Friday, 15 November 2024**.

1. **Apologies for Absence**

To receive and note apologies for absence.

2. Declarations of Interest (Pages 1 - 2)

At this point in the meeting, the Executive Member is asked to declare any disclosable pecuniary interest, or other registerable interest, she might have in respect of business on this agenda, if she has not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

[Please see attached sheet for further guidance for Members].

3. Minutes (Pages 3 - 6)

To approve and sign the minutes of the Decision Session held on 15 October 2024.

4. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the Committee.

Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is **5:00pm on Friday, 15 November 2024.**

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

5. Enforcement Policy for Smoke Emissions within Smoke Control Areas (SCAs) (Pages 7 - 30)

The report outlines a proposed City of York Council enforcement policy for a new civil penalty regime for smoke emissions from chimneys within designated Smoke Control Areas (SCAs).

6. Update of Climate Change Action Plan (Pages 31 - 60)

The Climate Change Action Plan supports the York Climate Change Strategy and sets out the actions to be taken to reduce emissions and improve climate resilience in York. This report presents the updated Action Plan for 2024.

7. Annual Carbon Emissions Report 2023/24 (Pages 61 - 80)

This report marks the fourth year of reporting carbon emissions for the council's buildings and operations, and it asks the Executive Member to approve the Annual Carbon Emissions Report for publication.

8. York Emissions Inventory Report 2024 (Pages 81 - 94)

This report presents the latest York Emissions Report Inventory (2024) for the reporting year 2021. The data is used to monitor progress against the council ambition to achieve net zero carbon for the city by 2030.

9. Urgent Business

Any other business which the Executive Member considers urgent under the Local Government Act 1972.

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Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) OR Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) OR Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City of York Council

Committee Minutes

Meeting	Decision Session - Executive Member for Environment and Climate Emergency
Date	15 October 2024
Present	Councillor Kent (Executive Member)
Officers in Attendance	Matthew Pawson, Environmental Health, and Trading Standards Manager Claire Foale, Interim Director of City Development Paul McCabe, York Green Streets Project Manager

5. Declarations of Interest (10:00 am)

At this point in the meeting, the Executive Member was asked to declare any disclosable pecuniary interests, or other registrable interests, she might have in respect of business on the agenda, if she had not already done so in advance on the Register of Interests. None were declared.

6. Minutes (10:00 am)

Resolved: That the minutes of the Decision Session held on 16 July 2024 be approved and signed by the Executive Member as a correct record.

7. Public Participation (10:01 am)

It was reported that there had been one registration to speak at the session under the Council's Public Participation Scheme.

Cllr Waller spoke on agenda item 5, York Green Streets - Progress and Next Steps. He discussed suitable locations within his ward, and the Woodland Trust principles of the "right tree in the right place." He noted that locations and species of trees should be determined following public consultation and he acknowledged that the trees planted should be able to reach mature growth without any intervention.

8. Food Service Plan 2024-2025 (10:05 am)

The Executive Member considered a report that sought approval for the council's Food Service Plan 2024-25 in compliance with the requirements of the Food Law Code of Practice.

The Environmental Health and Trading Standards Manager provided an update noting that the council was required to produce an annual food service plan to satisfy the statutory requirements within the Food Law Code of Practice which was overseen by the Food Standards Agency (FSA). The plan demonstrated how the council would fulfil the duties placed upon it by the Food Law Code of Practice.

In answer to questions raised by the Executive Member, it was confirmed that:

- The backlog of Category D inspections, which had occurred due to the impact of the pandemic and the suspension of routine food inspections, had been cleared.
- Officers had seen an increased turnover of business ownership in the food sector, and it was anticipated that this would continue in the year ahead and could place a strain on the team's resources due to the requirement to undertake inspections of these new premises upon opening.
- The council also offered support and assistance to businesses operating or intending to operate in the City of York area.
- The council's animal feed inspections were contracted to North Yorkshire Council and within that contract the supplier was asked to demonstrate the ways in which they could contribute towards the council's commitment to becoming carbon neutral and help tackle wider concerns around modern slavery and organised crime.

The Executive Member thanked the officer for his update and expressed gratitude to his team for ensuring food safety standards were prominent within the food establishments in York, and it was:

Resolved: That the Food Service Plan 2024-25 be approved.

Reason: To provide assurance that the council had a plan to fulfil its obligations under the Food Law Code of Practice.

9. York Green Streets - Progress and Next Steps (10:10 am)

The Executive Member considered a report that set out progress towards finalising City of York Council's (CYC) tree planting proposals for the 2024/25 tree planting season as part of the York Green Streets (YGS) initiative. The report also asked the Executive Member to consider the risks and opportunities associated with urban tree planting, particularly in relation to sites within a highway setting.

The report sought Executive Member approval to engage the market to help identify likely costs of tree supply, installation, and aftercare and grant delegated authority to the Director of City Development in consultation with the Director of Finance and Director of Governance to award delivery contracts subject to grant funding being secured.

The Interim Director of City Development and the York Green Streets Project Manager highlighted that the Council Plan 2023-2028 set a target to plant 4,000 new trees within York's urban area as part of a wider aim to mitigate and adapt to the impacts of climate change, support nature recovery and improve health and wellbeing outcomes. They also confirmed that the focus was to ensure the right tree species would be planted in the right location and officers had consulted with landscape consultants to assess the sites suggested. Sixty-four feasible planting sites had been identified and the architects also suggested appropriate tree species for each location based on the principle right tree right place.

The Executive Member noted the risks and opportunities and officers confirmed that they had undertaken a detailed consultation process with various teams across the council and with external partners across the region. It was also noted that more localised resident consultation would be undertaken where required.

Officers were thanked for their instrumental work in progressing this forward to deliver within the tight tree planting timetable. The Executive Member also reiterated how tree planting aligned with the city's climate change objectives and how trees had the

potential to provide urban cooling, shading and natural flood resilience whilst also enhancing biodiversity and connectivity to nature.

The Executive Member also recognised how positive engagement from residents would support officers to proceed swiftly, and it was:

Resolved:

- i) That the categorisation of remaining planting opportunities into distinct planting specification types and a process of market engagement to assess implementation costs – accepting the risks and opportunities associated with planting trees within York’s urban area, particularly on sites within a highway setting, be approved.

Reason: To enable effective market engagement to establish accurate pricing of planting proposals, whilst understanding the risks and opportunities if tree planting within York’s urban area, especially highways settings.

- ii) That delegated authority be granted to the Director of City Development in consultation with the Director of Finance and Director of Governance to award delivery contracts subject to grant funding bids being successful.

Reason: So that contract procurement can proceed swiftly following confirmation of grant funding.

Cllr Kent, Executive Member

[The meeting started at 10.00 am and finished at 10.26 am].



Meeting:	Decision Session - Executive Member for Environment and Climate Emergency
Meeting date:	19 November 2024
Report of:	James Gilchrist, Director of Transport, Environment and Planning
Portfolio of:	Councillor Jenny Kent, Executive Member for Environment and Climate Emergency

Decision Report: Enforcement Policy for Smoke Emissions within Smoke Control Areas (SCAs)

Subject of Report

1. The report outlines a proposed CYC enforcement policy for a new civil penalty regime for smoke emissions from chimneys within designated Smoke Control Areas (SCAs). SCAs are areas where people and businesses must not emit substantial amounts of smoke from a chimney. In addition, only authorised fuels can be burned in a SCA unless an 'exempt appliance' is being used.
2. The [Environment Act 2021](#) (EA 2021) introduced new air quality targets and amended Part 3 of the [Clean Air Act 1993](#) (CAA 1993), the UK's main legislative framework for the control of pollution / smoke emissions from domestic solid fuel burning. These amendments replaced a criminal prosecution enforcement regime with a civil penalty procedure, with the aim of making enforcement quicker, simpler and more proportionate. They remove the previously available statutory defences to smoke emissions, including the use of an exempt appliance or an authorised fuel.
3. The burning of solid fuels such as wood, usually in homes, emits particulate matter (PM), nitrogen dioxide (NO₂) and other pollution that damages local air quality. Domestic combustion of wood is one of the largest single primary emission sources of fine particulate matter (PM_{2.5}). All local authorities are required to support the delivery of national PM_{2.5} targets by taking action to

reduce emissions from sources within their control¹. Reductions in particulate matter will improve public health.

4. The proposed policy will sit under the Council's general enforcement policy and will also contribute to the Council's Local Air Quality Management responsibilities under the Environment Act 1995 (as amended by the Environment Act 2021). The policy directly contributes to delivery of measures in CYC's [Fourth Air Quality Action Plan](#) (AQAP4) which states that CYC will prioritise 'regulation and control of domestic emissions' and will investigate complaints of non-compliance with SCA regulations, taking enforcement action where necessary in line with the Clean Air Act 1993. AQAP4 specifically highlights the need for a new CYC policy covering civil penalties for smoke emissions within SCAs.
5. The outlined policy and penalty regime is in line with [statutory guidance](#) from DEFRA that covers the enforcement action local authorities can take in smoke control areas. The policy applies to residents and businesses located in smoke control areas and that burn solid fuels. It does not ban the burning of solid fuels, but ensures that they are smokeless, 'ready to burn' or used in appliances that minimise smoke.

Benefits and Challenges

6. The policy would enable a consistent approach with other local authority areas and would act as a deterrent to burning non-authorized fuels (or using non-exempt appliances) in smoke control areas, which contribute to air pollution and especially fine particulate concentrations which impact human health.
7. CYC would be unable to enforce smoke control contraventions in line with the new penalty regime without an adopted policy and agreed local penalties. DEFRA may consider that CYC would not be using best endeavours to implement local measures to reduce particulate emission in line with revised PM_{2.5} targets introduced through the Environment Act 2021. Although responsibility for meeting national PM_{2.5} targets lies with central government, local authorities are expected to contribute to achieving the targets through local action to tackle sources under their influence.

¹ Air quality strategy: framework for local authority delivery (updated August 2023). Available online at <https://www.gov.uk/government/publications/the-air-quality-strategy-for-england/air-quality-strategy-framework-for-local-authority-delivery>

8. CYC could face challenges to the policy and any penalty issued but these proposals are considered the best approach based on guidance and resources required to deliver the new legislation. CYC's approach to improving air quality is evidence based, proportionate and targeted. Measures in AQAP4 to reduce emissions from domestic combustion were supported by over two thirds (68.3%) of people during a recent public consultation².

Policy Basis for Decision

9. The proposed policy will contribute to the Council's Local Air Quality Management (LAQM) responsibilities under the Environment Act 1995 (as amended by the Environment Act 2021) and will allow officers to take proportionate action to smoke emissions within designed smoke control areas³. The policy is in direct response to revisions to the Clean Air Act 1993 made through the Environment Act 2021; proposals to develop a policy of this nature are outlined in CYC's Fourth Air Quality Action Plan (AQAP4), approved by CYC's [Executive on 18 July 2024](#). AQAP4 is fully aligned to the [Council Plan](#) and reflects ambitions contained within our 10-year strategies covering climate, health and wellbeing and the economy.
10. The proposed policy will complement CYC's other air quality improvement measures and emission reduction policies (including the council's carbon reduction programme) to ensure a robust response to fine particulate (PM_{2.5}) pollution.
11. Good air quality reduces absence from work and education due to air pollution related illnesses. A healthy York population is critical to achieving the economic aspirations of the city. Improving air quality will help to protect the city's many historic buildings and create a cleaner environment for visitors to York.

Financial Strategy Implications

12. Enforcement of smoke emissions within designated SCAs is undertaken by staff in Environmental Protection. The policy will simplify existing procedures; investigation and enforcement can be

² Public consultation on CYC's Fourth Air Quality Action Plan – see report to [CYC Executive, July 2024](#). 86 out of 126 respondents 'supported' or 'strongly supported' this area.

³ Other areas of York, including areas earmarked for development, may be subject to the requirements of the policy, should these areas be included within CYC's Smoke Control Area in the future.

delivered using existing staff resource and budgets, including DEFRA funding provided to all local authorities with SCAs.

Recommendation and Reasons

13. The Executive Member is asked to:

- (i) **Adopt the ‘Civil Penalties for Smoke Emissions within Smoke Control Areas Policy’ in accordance with Option A set out below.**

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.

Background

14. The burning of solid fuels such as wood and coal contribute to particulate matter (PM) and other pollutant emissions that harm local air quality. It is estimated that domestic and commercial combustion are responsible for 44% of PM₁₀ emissions and 68% of PM_{2.5} emissions across York. Domestic combustion is estimated to be responsible for around 37% of PM_{2.5} emissions, with the majority (about 31%) from wood burning. National emissions mapping estimates that domestic combustion of wood accounts for over twice the PM_{2.5} emissions of that produced by road traffic across York⁴.
15. Emissions of very fine particles (PM_{2.5} and smaller) present in smoke are particularly harmful to health as their size means they can get deep into the lungs and enter the bloodstream to be transported around the body. Whilst the most vulnerable people in society are hit hardest – children, older people and those already in poor health, everybody is at risk.

⁴ Source apportionment work undertaken by CYC as part of the development of the draft Air Quality Action Plan (AQAP4). Emissions data obtained from National Atmospheric Emissions Inventory (NAEI).

16. The Environment Act 2021 (EA 2021) introduced a requirement for new national air quality targets, including an annual target for fine particulate PM_{2.5} of 10µg/m³ (to address hotspot areas) and a population exposure reduction target (to ensure ongoing improvement in pollution across the UK). Whilst monitoring of particulate matter in York has shown that concentrations of particulates are within the current UK health-based air quality objectives, DEFRA acknowledge that there is no firm evidence of a threshold of effect below which there is no harm to health. The Committee on the Medical Effects of Air Pollutants (COMEAP) maintain that based on the available evidence, PM_{2.5} pollution can have harmful effects on people's health at lower concentrations than previously thought and that reducing annual mean concentrations beyond objective levels to 5µg/m³ (in line with the World Health Organisation's updated Air Quality Guideline, Sept 2021) would have public health benefits.
17. For York, like most of the UK, particulate concentrations are above (but, in York's case, not much above) aspirational World Health Organisation (WHO) guidelines of 15µg/m³ (PM₁₀) and 5µg/m³ (PM_{2.5}). The WHO guidelines are significantly more stringent than current UK Air Quality Objectives and do not currently apply in UK law. The new guidelines reflect the large body of evidence produced in recent years of the harm caused by much lower levels of pollution than previously thought. WHO recognise these are challenging public health recommendations and achieving the guideline levels would be the ultimate goal.
18. Responsibility for meeting national PM_{2.5} targets lies with central government, but local authorities have a key role in implementing measures locally to meet air quality targets and ensuring ongoing reductions in fine particulate matter, for which there are no safe limits. The proposed policy in this report will complement wider air quality improvement measure being implemented by CYC as outlined in our Fourth Air Quality Action Plan, adopted July 2024.

Amendments to the Clean Air Act 1993

19. In addition to setting new air quality targets, the EA 2021 also amended Part 3 of the Clean Air Act 1993 (CAA 1993), which is the UK's main legislative framework for the control of pollution from domestic solid fuel burning. The CAA gives local authorities the power to make an order designating parts of their area as Smoke Control Areas (SCAs), in which it is an offence to emit substantial smoke from chimneys of buildings, or chimneys that serve the furnace of any fixed boiler or industrial plant. The majority of areas

within the York outer ring road, as well as all of Haxby and Wigginton, are already covered by SCAs. A map showing the SCA boundary in York is available on the [CYC website](#).

20. The amendments in the EA 2021 replace a criminal prosecution enforcement regime with a civil penalty procedure, with the aim of making enforcement quicker, simpler and more proportionate. They remove previously available statutory defences to smoke emissions, particularly the use of an exempt appliance or an authorised fuel. These amendments have been made in conjunction with new regulations controlling the types of fuels that can be legally sold for domestic burning ([Air Quality \(Domestic Solid Fuels Standards\) \(England\) 2020](#))
21. The EA 2021 introduced civil penalties in England of between £175 to £300 to be used instead of former criminal prosecution for an offence under Section 20 of the CAA 1993. This is under requirements introduced by Schedule 12 of the EA 2021 which amends the CAA 1993.
22. To respond to these changes, DEFRA guidance requires a local policy to be developed to outline how much to charge those responsible for smoke emissions within a smoke control area (see Annex A for CYC's proposed local policy). In line with the proposed policy, enforcement action would be taken when it is proportionate and in the public interest to do so, and in accordance with the Council's enforcement policy. A penalty of £175 for the first offence (statutory minimum), increasing to £300 (statutory maximum) for subsequent offences is proposed. Statutory minimum and maximum levels of financial penalty are set within Schedule 1A of the CAA 1993, and any enforcement action taken will be determined on a case-by-case basis.
23. A procedural flowchart for officers dealing with smoke control contraventions (mainly in relation to the use of appropriate standard letter templates) is included at Annex B. It should be noted that burning solid fuels, even in exempt appliances, is unlikely to be completely 'smoke free' from the outset and most appliances will have a period of "start-up" where there may be emissions of smoke for approximately 15 minutes (as an appliance reaches operational temperature). Following complaints of smoke in a designated smoke control area (and following a warning letter to an alleged perpetrator), this timeframe will be used as a guide

for officers in the field witnessing any smoke emission, prior to the issue of a 'Notice of Intent'⁵.

Consultation Analysis

24. Consultation has been undertaken with other local authorities as part of officer working groups and regional forum. The proposed policy is aligned to statutory national DEFRA guidance and reflects similar policies across other local authority areas. Environmental Protection staff have attended DEFRA workshops on smoke control and enforcement.
25. CYC's Fourth Air Quality Action Plan (AQAP4) was subject to a period of widespread public consultation between November 2023 and February 2024, alongside CYC's Local Transport Strategy. Measures in AQAP4 aimed at reducing emissions from domestic and industrial combustion / heating received 68% public support. AQAP4 includes specific measures relating to civil penalties for smoke emissions and a commitment to review CYC's current smoke control area boundary.
26. CYC has previously undertaken a DEFRA funded campaign called 'Fuel for Thought'. The campaign had specific emphasis on PM emissions from domestic solid fuel burning and links to health and generated a range of new resources for dissemination across York. Baseline public awareness was established via online pre-campaign survey work and in-person focus groups held across different areas of York. These activities helped to shape the messaging and creative route for the campaign. Further surveys were undertaken post-campaign as part of the evaluation work. The campaign improved public engagement on the topic of domestic solid fuel burning, was well received, easily understood and sparked interest and conversations.

Options Analysis and Evidential Basis

27. The Executive Member is asked to note the background information provided in the report with respect to current particulate levels in the city, note amendments to the Clean Air Act 1993 made through the Environment Act 2021 and approve the adoption of a policy which would allow CYC to enforce a new civil

⁵ Upon serving a 'Notice of Intent', CYC would be satisfied that there is enough evidence to prove, on the balance of probabilities, that smoke has been emitted from a relevant chimney within the SCA.

penalty regime with respect to emissions of smoke within designated smoke control areas in line with DEFRA guidance.

Option A (recommended)

- **Adopt the ‘Civil Penalties for Smoke Emissions within Smoke Control Areas Policy’ at Annex A with statutory minimum penalty of £175 for first offence and statutory maximum penalty of £300 for any repeat offence.**
- **Delegate authority 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 and the procedural flowchart at Annex B.**
 - The approach is considered proportionate and in line with DEFRA guidance and would demonstrate that CYC is actively taking steps to reduce particulate emission within its area for the protection of public health.
 - Issue of a warning letter (‘improvement notice’) following a complaint enables the alleged perpetrator to respond to the complaint and advice provided by CYC. This is not a legal requirement but will allow the person responsible to take appropriate action to prevent further smoke emissions and avoid a penalty charge. This is in line with CYC’s ‘proportionate approach’ in our recently updated enforcement policy.
 - CYC can retain any income received from any penalty charges, although it is anticipated that cost of officer time for investigating complaints and serving FPNs would exceed any such penalties (even if the penalty is set in all cases at the maximum level).

Option B – Adopt policy with alternative penalty structure within the range of £175 (statutory minimum) - £300 (statutory maximum).

- Consideration could be given to a more significant penalty (in excess of statutory minimum level fine of £175) for first offence, which may drive compliance. In addition, consideration could be given to a less significant penalty for second and further offences (lower than statutory maximum fine of £300).

- The Executive Member may wish to consider an alternative penalty between £175 and £300 for second offences (within 12 months of first offence), rising to the statutory maximum of £300 for third and further offences.

Should the Executive Member be minded not to adopt policy covering civil penalties for smoke control area contraventions, the following issues are highlighted:

- With no adopted policy, CYC would not be able to enforce smoke control contraventions in line with new civil penalty regime as outlined in the Environment Act 2021 and as per statutory DEFRA guidance.
- CYC would not be using best endeavours to implement local measures to reduce particulate emission in line with revised PM_{2.5} targets as introduced through the Environment Act 2021.
- CYC would be reliant upon statutory nuisance legislation for serious and/or repeat offenders which can involve costly legal proceedings. DEFRA advise⁶ that where persistent smoke causes a nuisance, local authorities should issue an abatement notice under section 80 of the Environmental Protection Act 1990 to prevent further nuisance. Breaching an abatement notice is a criminal offence punishable with fines. Following changes made under the Environment Act 2021, these provisions now also apply to nuisance smoke from chimneys inside smoke control areas, in addition to smoke from chimneys outside smoke control areas and smoke from other sources such as bonfires, which were already covered.

Organisational Impact and Implications

28. The various implications of this report are summarised below.

Financial

29. Any penalty charges would be retained by the Council, although it is not anticipated that these would be significant based on

⁶ <https://www.gov.uk/government/publications/the-air-quality-strategy-for-england/air-quality-strategy-framework-for-local-authority-delivery>

historical complaints⁷. It is anticipated that staff costs to investigate and administer the process for all cases resulting in the issue of a fixed penalty notice will exceed any penalty charges applied (even if penalty is set in all cases at the maximum level).

30. Officer time and resources will be required to respond to any complaints, witness emissions, issue warning letters, serve notices, issue fines and deal with appeals. Statutory nuisance enforcement action may also be necessary that could involve legal proceedings being taken against an individual or business. Enforcement action would be taken when it is proportionate and in the public interest to do so, in accordance with CYC's enforcement policy.
31. No additional resources are required as a result of this report. CYC was allocated £11.7k funding from DEFRA in 2023 and 2024 for the new burdens associated with the enforcement and management of smoke control areas, as introduced by the Environment Act 2021. This funding was provided to every local authority with one or more confirmed smoke control areas.

Human Resources (HR)

32. There are no HR implications contained within this report. However, any impact on the Council's resources that arise from implementing the proposed changes will need to be identified and resourced in line with Council Policy

Legal

33. The Clean Air Act 1993 provides a local authority the power to make a smoke control order declaring a smoke control area.
34. Part 4 of the Environment Act 2021 amended the Clean Air Act 1993 by introducing new powers for local authorities to impose civil penalties for the emission of smoke in smoke control areas. The civil penalty regime is set out in Schedule 1A of the Clean Air Act.
35. Schedule 1A sets out the minimum and maximum penalty amounts and provides that the local authority may delegate any of the authorities functions under the schedule to a person. Government guidance provides that a local authority should develop and

⁷ CYC investigates approximately 30 complaints of smoke from residential dwellings per year. Over the last 5 years none of these investigations have resulted in a prosecution (i.e. the majority have been resolved via provision of a warning/advice letter).

document a policy on how to charge those responsible for smoke emissions.

36. There is a right to object to a notice of intent to the local authority within 28 days. There is a right to appeal a final notice to the First-tier Tribunal within 28 days.
37. Recovery of unpaid civil penalty charge may result in legal proceedings being taken against an individual. This would follow CYC's debt recovery process.
38. The decision to adopt the policy may be challenged by way of judicial review.

Procurement

39. There are no procurement implications.

Health and Wellbeing

40. Measures to reduce emissions and improve air quality support CYC's health and wellbeing priorities which aim to tackle health inequalities, promote healthy lifestyles and place specific emphasis on good health and wellbeing during the key formative early years of life. The proposed policy complements other CYC measures to reduce pollution / smoke from domestic solid fuel burning to improve public health outcomes.

Environment and Climate action

41. The proposed enforcement policy will complement CYC's other air quality actions and emission reduction policies to ensure a robust response to fine particulate (PM_{2.5}) pollution. Enforcement is considered a last resort, with emphasis on awareness raising around health impacts, correct stove maintenance procedures and appropriate fuel use in the first instance. Our "Fuel for Thought" DEFRA funded campaign to raise awareness of these issues was promoted in Autumn/Winter 2023. Such activities are aligned to the national Air Quality Strategy which aims to improve awareness of the environmental and public health impacts of burning. As transport emissions decrease over time, the relative proportions and importance of emissions from domestic combustion increases, especially PM_{2.5}, but also NO_x.
42. The council has a key role in creating an environment where people are able to make informed decisions about a sustainable approach to the way they live and work. The enforcement policy

and other actions to address solid fuel burning support CYC's carbon reduction programme.

Affordability

43. There is the potential that low-income households in smoke control areas may burn non-compliant solid fuels due to rising energy costs. However, in line with DEFRA guidance, CYC's proposed policy advocates a staged approach to serving fixed penalties and use of warning letters and provision of advice in the first instance. Higher penalties will only apply if repeat offending occurs within set timescales.
44. Environmental Protection will take a proportionate approach, on a case-by-case basis, to those who are burning non-compliant solid fuel for financial reasons and who are unable to afford an alternative means of heating.
45. Residents who are struggling with the cost of heating will be signposted to advice on accessing financial and practical help on heating their homes. Environmental Protection will continue to provide advice to residents on fuels suitable for use in SCAs.

Equalities and Human Rights

46. Vulnerable people, including older people, children, pregnant women and those with respiratory and other illnesses, are more likely to be adversely affected by poor air quality. However, enforcement of smoke control area regulations will improve general air quality across York and will therefore benefit everyone.
47. CYC's Executive approved an overarching 'Enforcement Policy' for the council on [12th September 2024](#). This policy sets out the general principles officers will apply when using formal enforcement action to achieve compliance with legislation and help to ensure a consistency of approach. The [Equalities Impact Assessment](#) carried out for this overarching policy is relevant to the current policy concerning smoke control legislation.

Data Protection and Privacy

48. The data protection impact assessment (DPIAs) screening questions were completed for the recommendations and options in this report and as there is no personal, special categories or criminal offence data being processed to set these out, there is no requirement to complete a DPIA at this time. However, this will be

reviewed following the approved recommendations and options from this report and a DPIA completed if required.

Communications

49. Environmental Protection will work with CYC Marketing and Communications to address any press or public interest in the new policy. As previously mentioned in this report, a DEFRA funded local campaign to raise awareness of the links between burning of solid fuels, air quality and health impacts has previously been carried out (Autumn/Winter 2023/24). Resources developed as part of this project will be used for ongoing seasonal campaign work to encourage continued behavioural change to reduce pollution. Information on CYC's website will inform residents and answer enquires about domestic smoke control / solid fuel burning.

Economy

50. Reducing emissions and improving air quality will reduce exposure to harmful air pollutants which can increase the symptoms of chronic and acute illnesses increase the risk of hospital admissions and in some case result in premature death. Good air quality reduces absence from work and education due to air pollution related illnesses. A healthy York population is critical to achieving the economic aspirations of the city.
51. Air pollution damages buildings as well as human health. Improving air quality will help to protect the city's many historic buildings and create a cleaner environment for visitors to York. York's built and natural environment underpins people's quality of life and attracts millions of visitors to the city each year. Protecting and enhancing these environments for existing and future generations is a key priority for the council and our residents.

Risks and Mitigations

52. CYC's approach to improving air quality is evidence based, proportionate and targeted. CYC may be faced with challenges to the policy and any penalty issued, but proposals are considered to be the best approach considering guidance and resources involved in administering the new legislation.

Wards Impacted

53. The majority of areas within York outer ring road as well as all of Haxby and Wigginton are covered by Smoke Control Areas. A map showing the Smoke Control Area in relation to CYC ward boundaries can be viewed on [YorkView](#).
54. AQAP4 also includes a commitment to review the boundary of CYC's existing smoke control area. Any expansion of the smoke control area would be subject to a further Executive Member report and decision.

Contact details

For further information please contact the author of this Decision Report.

Author

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Report approved:	Yes
Date:	17/10/2024

Background papers / legislation

- **Statutory DEFRA guidance - Smoke control area enforcement by local authorities in England.** Available online at <https://www.gov.uk/government/publications/smoke-control-area-enforcement-local-authorities-in-england/smoke-control-area-enforcement-by-local-authorities-in-england>
- **Environment Act 2021** – available online at: <https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted>
- **Environment Act 2021 (Explanatory Notes)** – available online at: https://www.legislation.gov.uk/ukpga/2021/30/pdfs/ukpgaen_20210030_en.pdf
- **Clean Air Act 1993** – available online at: <https://www.legislation.gov.uk/ukpga/1993/11/contents>

Annexes

- **Annex A** - Proposed Policy Document

- **Annex B** – Proposed Procedural Flowchart

List of abbreviations used in this report:

DEFRA	Department of Environment Food and Rural Affairs
CYC	City of York Council
$\mu\text{g}/\text{m}^3$	Micrograms per cubic metre
NO_2	Nitrogen dioxide
NO_x	Nitrogen oxides
$\text{PM}_{10}/\text{PM}_{2.5}$	Particulate Matter up to 10 microns / 2.5 microns in size

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Civil Penalties for Smoke Emissions within Smoke Control Areas (under the Clean Air Act 1993, as amended by the Environment Act 2021)



Last updated: 15 Oct 2024

1. Introduction

The burning of solid fuels such as wood and coal, usually at home, contributes to particulate matter (PM) and other pollutant emissions (such as nitrogen dioxide) that have a negative impact on local air quality and carbon emissions. It is estimated to be the largest single primary emission source of fine particulate matter.

Emissions of very fine particles (PM_{2.5} and smaller) present in smoke are particularly harmful to health, as their size means they can get deep into the lungs and enter the bloodstream to be transported around the body.

Everybody is at risk. Air pollution harms our health at every stage of life. The most vulnerable people in society are hit hardest – children, older people and those already in poor health. More information on health impacts of air pollution can be found on [City of York Council's website](#).

In York, it is estimated that 31% of PM_{2.5} emissions are due to wood burning, compared to only 0.2% from smokeless solid fuels and 4.5% from other boiler technologies¹. National emissions mapping estimates that domestic combustion of wood accounts for over double the PM_{2.5} emissions of that produced by road traffic across CYC's wider area.

The [Environment Act 2021](#) (EA 2021) amended Part 3 of the [Clean Air Act 1993](#) (CAA), which is the UK's main legislative framework for the control of pollution from domestic solid fuel burning. The CAA gives local authorities the power to make an order designating parts of their area as Smoke Control Areas (SCAs), in which it is an offence to emit smoke from chimneys of buildings, or chimneys that serve the furnace of any fixed boiler or industrial plant.

The amendments in the EA 2021 replace a criminal prosecution enforcement regime with a civil penalty procedure, with the aim of making enforcement quicker, simpler and more proportionate. It removes previously available statutory defences to smoke emissions, particularly the use of an exempt appliance or an authorised fuel.

People who emit smoke from their chimney could also be committing a 'statutory nuisance' under Part 3 of the Environmental Protection Act 1990 if the smoke emissions are prejudicial to health or a nuisance. This previously applied to everywhere in England except within a SCA. The amendment of the 1990 Act by the EA 2021 removes this exemption in England so that a local authority can pursue somebody who emits smoke from private dwellings within an SCA. Where a local authority is satisfied that a statutory nuisance exists, or is likely to occur or recur, they must serve an abatement notice. Anyone who breaches this notice would be committing a criminal offence. This legislation

¹ Source apportionment study undertaken for CYC's Fourth Air Quality Action Plan (AQAP4)

will therefore be used additionally where appropriate, for example in the case of repeat offenders where the penalty process does not address continued breaches of the CAA.

The EA 2021 introduced in England civil penalties of between £175 to £300 from 1st May 2022 to be used instead of former criminal prosecution for an offence under Section 20 of the CAA 1993. This is under requirements introduced by Schedule 12 of the EA 2021 which amends the Clean Air Act 1993.

[Statutory guidance](#) issued with the legislation outlines the process that local authorities must follow in enforcing smoke control area contraventions. Officer professional judgement is required and will consider factors such as the nature of the smoke and the duration over which it is emitted.

The power to impose a civil penalty for this offence was introduced by section 73 of the EA 2021 by the addition of section 19A of the CAA 1993. In determining the civil penalty amount, the Council will have regard to the Statutory Guidance issued under Section 28A of the CAA 1993 (as amended).

Although it is possible for the Council to proactively respond to issues of smoke emissions, the Council's policy at this time will be to consider Fixed Penalty Notice powers under the amended Clean Air Act 1993 **only in response to complaints** received from members of the public regarding smoke emissions from chimneys within City of York Council's [Smoke Control Areas](#). This could be expanded in the future to include proactive patrols of specific areas, subject to demand and staff resource.

2. Burden of proof

Where the Council is satisfied, on the balance of probabilities, that on a particular occasion smoke has been emitted from a relevant chimney² within an SCA declared by the Council, a civil penalty can be issued by the Council.

A civil penalty should be issued to the person liable, who can be the occupier of the building in which the chimney is located.

3. Factors in determining the level of civil penalty

The Council will only take enforcement action when it is proportionate and in the public interest to do so, in accordance with the Council's [enforcement policy](#).

Schedule [1A of the CAA 1993](#) states the range of financial penalties that may be imposed is a minimum of £175 and a maximum of £300.

In assessing the offence in order to determine the level of penalty, in accordance with the statutory guidance, there is a need to consider the following factors:

² The [Clean Air Act 1993](#) provides the following definition: "chimney" includes structures and openings of any kind from or through which smoke, grit, dust or fumes may be emitted, and, in particular, includes flues, and references to a chimney of a building include references to a chimney which serves the whole or a part of a building but is structurally separate from the building;

- Seriousness (such as, but not limited to, duration and darkness of smoke emissions, any demonstrable response to advice and warnings issued by the Council)
- Whether the offence is a one-off or a repeat incident

For a first offence the statutory minimum financial penalty will be issued. For any repeat case a maximum penalty will be issued. The table below sets out the approach to civil penalties.

Table 1: Civil Penalty Bandings

Offence	Penalty Amount
1 st offence	£175 (statutory minimum amount)
2 nd offence ^a	£300 (statutory maximum amount)
3 rd and further offences ^{b,c}	£300 (statutory maximum amount)

^aWithin 12 months of 1st offence.

^bWithin 12 months of 2nd or last offence

^cWhere appropriate (for example for repeated offences), the use of statutory nuisance under section 79 of the Environmental Protection Act 1990 may follow the serving of a civil penalty.

4. Process for imposing penalty charges

Where it has been determined that a financial penalty may be appropriate to impose, the Council will follow the following process:

4.1. Issue a written warning

The written warning will include:

- the SCA restrictions
- specific details about when the smoke was seen
- an explanation of how the person has broken SCA rules
- information about the negative impact on local air quality and health
- information about how the person can burn solid fuels without emitting smoke, including appropriate fuel to burn and which appliances to use
- details of next steps if they do not follow the rules (proposal to impose a financial penalty including the proposed amount)

Additional information in the form of leaflets (either CYC produced or DEFRA produced) may accompany the written warning, where these offer practical advice to a householder about minimising smoke emissions.

If smoke emissions are witnessed following the written warning, a notice of intent may be issued.

4.2. Issue a notice of intent

The notice of intent will include:

- confirmation that there is enough evidence to prove that smoke was emitted from their chimney in an SCA
- when smoke was emitted from a chimney in an SCA

- that the Council intend to issue the person liable with a financial penalty under Schedule 1A of the CAA (as amended by the EA 2021)
- the proposed amount of the penalty, between £175 and £300
- that they have the right to object in writing, on specified grounds, to the proposed financial penalty within 28 days from the day after the notice was given – they should write to the Council and include supporting evidence

If further smoke emissions are witnessed from a chimney after the notice of intent is issued, additional financial penalty notices may be issued for each separate incident.

4.3. Issue a final notice

The Council may issue a final notice with a financial penalty if the person liable:

- does not object to the notice of intent within 28 days from the day after it was issued; or
- objects within 28 days from the day after it was issued, but the Council dismiss the reasons for objection.

If they do not object, the financial penalty must be issued within 56 days from the end of the 28-day objection period.

If they object unsuccessfully, the financial penalty must be issued within 56 days from the date they objected.

The final notice must include:

- the name of the person responsible
- the amount of the financial penalty
- the reasons for imposing the penalty
- information about how to pay the penalty
- the amount of time they have to pay the penalty (within 28 days)
- information about their right to appeal to a first-tier tribunal if they feel that the financial penalty was based on a factual or legal error, or unreasonable (the tribunal may decide to cancel/confirm/reduce the financial penalty or remit it back to the Council to withdraw/confirm/reduce the amount of the financial penalty).

4.4. Grounds for appeal / objection to notice of intent

The Council can consider appeals submitted on the following specified grounds:

- there was no smoke emitted from the chimney at the time given in the notice of intent
- a smoke control order did not apply to the chimney at the time given in the notice of intent
- the person on whom the notice was served was not responsible for the chimney at the time given in the notice of intent – in this case, they must provide the name and address of the person who was liable at the time (if they know)
- there are other compelling reasons why the financial penalty should not be imposed (for example, hardship if proven) – these will be considered on a case-by-case basis

Upon consideration of the appeal grounds and supporting evidence, City of York Council can decide to impose a financial penalty, withdraw the notice of intent or reduce the financial penalty to be paid (subject to the minimum amount of £175).

Decision making and the authorisation process within the Council to consider appeals to still to be determined.

4.5. Decision regarding a final notice

If the Council decides not to impose a financial penalty, or does not decide to impose a financial penalty within 56 days of the date of the notice of intent or date of the appeal, then the Council must inform the person that a financial penalty will not be imposed.

4.6. Withdrawing or amending notices

A notice of intent or a final notice may be withdrawn at any time. The amount of the financial penalty may also be reduced at any time.

4.7. Final notice appeals process

Following the serving of the final notice, the person on whom the notice was served must appeal (*within the period of 28 days beginning with the day after that on which the notice was given*) to the First-tier Tribunal if they feel that the decision to impose the financial penalty was:

- based on a factual error
- based on a legal error
- unreasonable

If a person appeals against the penalty, the final notice must be suspended until the result of the appeal is received or the appeal is withdrawn.

4.8. Consequences of non-payment of penalty charge

If, after the time limit to appeal has expired and no appeal has been lodged, or if after any appeal has been finally determined, a person receiving a financial penalty does not pay all or part of the penalty charge within 28 days, where appropriate, the Council will seek to recover the penalty charge through its debt recovery process.

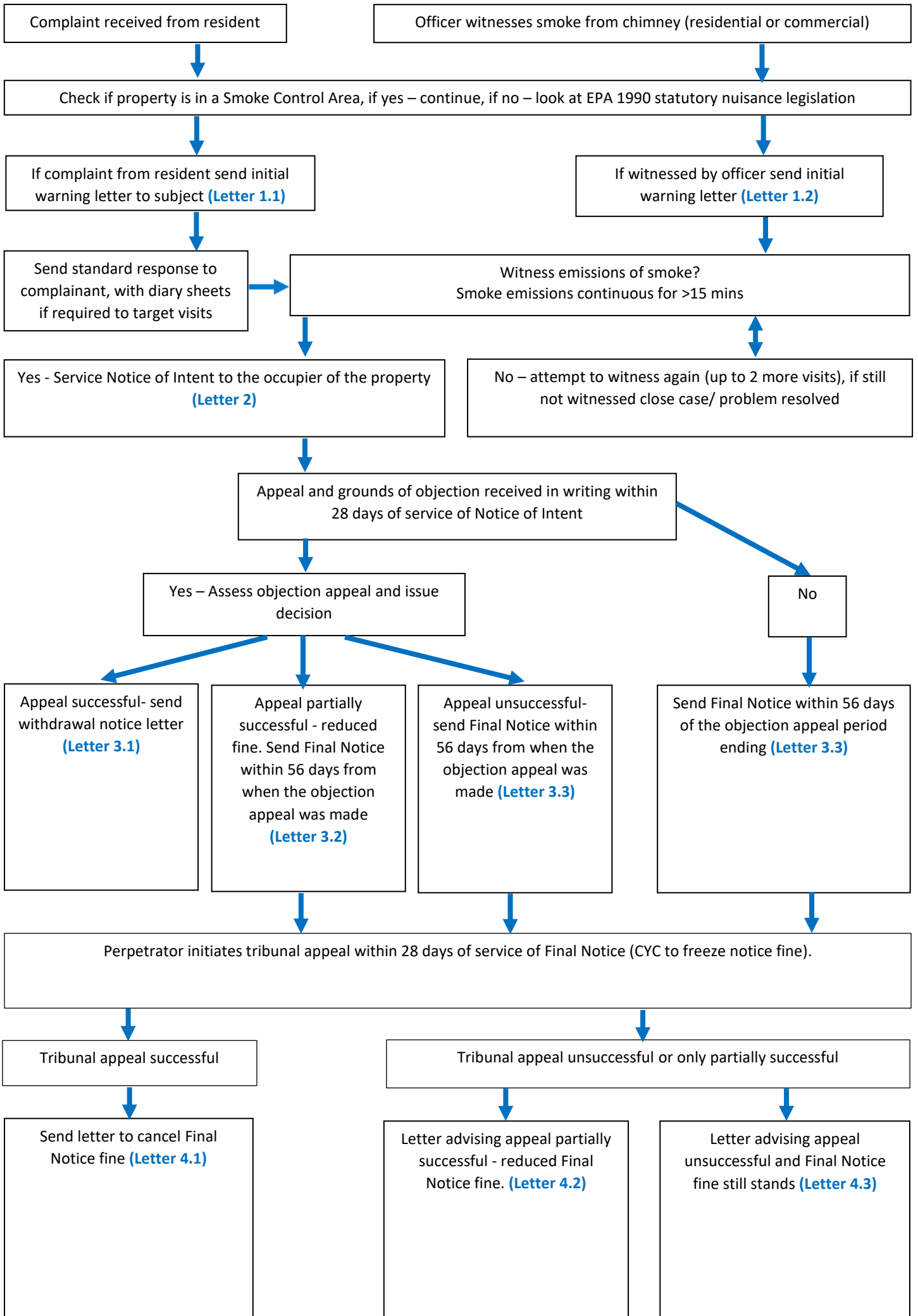
4.9. Keeping and recording financial penalties

The Council can keep any income received from the financial penalties and will keep a record of the following information:

- number of financial penalties issued
- number of financial penalties collected
- amount collected

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Procedural Flowchart: Enforcement of the Clean Air Act 1993 (as amended by the Environment Act 2021)



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Meeting:	Decision Session - Executive Member for Environment and Climate Emergency
Meeting date:	19/11/2024
Report of:	Claire Foale, Interim Director of City Development
Portfolio of:	Cllr Jenny Kent, Executive Member for Environment and Climate Emergency

Decision Report: Update of Climate Change Action Plan

Subject of Report

1. The Climate Change Action Plan supports the York Climate Change Strategy and sets out the actions to be taken to reduce emissions and improve climate resilience in York. This Report presents the updated Action Plan for 2024.
2. This version has consolidated actions and focussed on making actions specific, measurable, achievable, relevant and time-bound (SMART). Completed actions have been documented, with some actions being added or removed, with an accompanying explanation.
3. Approving the Action Plan sets a clear direction for the Council and city partners to progress activity towards our climate change ambition and opportunities for partnership working.

Benefits and Challenges

4. The updated Action Plan is a clearer and more concise plan of actions that the Council, and partners, can work to achieve. Many of the actions are already underway, either as one-off projects, trials or as 'business as usual' within the Council. It also identifies several actions that are being delivered by partner organisations across the city.

5. Individual actions contribute towards the net zero and climate ready ambition of the council, with indirect benefits identified within the plan, covering health, economy, skills and environment.
6. Actions have been categorised as focussing on either 'Adaptation' and/or 'Mitigation'. This reflects a wider understanding of the challenges faced by Climate Change and the growing need for adaptation actions and consideration of resilience measures to alleviate the worst impacts of climate change across the city.
7. The Action Plan contains actions that are not currently funded and/or do not have dedicated teams or staff members appointed to complete them. Funding and capacity are, therefore, identified as challenges to realising our climate change ambitions. While this is the case, the Action Plan still provides direction, shows the ambitions of the Council and allows other organisations in the city to work towards these actions.

Policy Basis for Decision

8. The Climate Change Action Plan was published in 2022, alongside the Climate Change Strategy, to demonstrate how the Council is working towards Net Zero by 2030. The Action Plan is itself part of the governance arrangements to track action, monitor progress, report annually and assign responsibility towards our climate change ambition.
9. The Action Plan draws strong links with Council's 10 Year Strategies for Health & Wellbeing and Economic Growth, and other Council strategies and policies covering transport, retrofit, tourism, skills and planning.
10. The Local Area Energy Plan has provided an evidence base of significant changes that need to go ahead across the city

Financial Strategy Implications

11. Many of the 82 actions within the action plan are already funded through ongoing work within council teams or through separate funding streams that teams have applied for. Some actions are yet to find funding or will be taken up by external organisations.

12. Implementation of some actions can also reduce costs for the council, organisations and city residents such as encouraging transport modal shift or improving energy efficiency of buildings.

Recommendation and Reasons

13. The Executive Member is asked to:
 - i. Approve the refreshed Climate Change Action Plan and revert to biennial updates (Option 3).

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.

Background

14. In 2019 City of York Council declared a climate emergency and created an ambition to reach Net Zero carbon by 2030. In December 2022, 'The York Climate Change Strategy: A City Fit for the Future' was published, alongside the Climate Change Action plan, to set out the framework for achieving our ambition.
15. The Action Plan committed to an annual review, with work beginning in February 2024, 14 months after the original Action Plan was published.
16. The original Action Plan included 160 potential actions, based on the previous work done by Leeds University (Net Zero Roadmap for York), pathway modelling by Anthesis, best practice guidance from the Local Government Association, recommended actions for Local Authorities by Friends of the Earth, stakeholder workshops and officer engagement.
17. As part of the annual review, updates against each action were gathered from internal and external stakeholders, with additional feedback requested on the structure of the Action Plan.

18. A summary of updates to the Action Plan following the review process is provided below:
 - 28 individual actions have been completed. These are recorded in a separate section of the plan with evidence to this work.
 - 85 actions have been consolidated. Explanations for consolidation include: significant overlap or duplication with other actions, multiple actions being replaced with a single over-arching action, actions from other Council or city action plans being removed to simplify reporting, no current Council of city resources being available to support action delivery.
 - 35 actions have been added.
 - An update for 2024 against all live actions.
 - A new categorisation of actions as either mitigation and/or adaptation
 - Assigned action owner for all actions.
 - Identified input/support requirements for all actions, where appropriate.
 - Constraints were removed as they were deemed to be adding limited value.

19. As with the previous Action Plan, a high-level estimate of the potential impact from each action is provided, along with an estimate for timescales, cost and co-benefits.

20. During the review process, further improvements have been identified but were not possible to include in this iteration. As the Action Plan is a live document, additional features for consideration in future versions include:
 - An indication of progress, as a percentage, for projects that are underway but not yet completed.
 - A mechanism for prioritising projects, such as a Marginal Abatement Cost Curve

21. The time and resource requests associated with updating the Climate Action Plan have been greater than expected. The level of internal and external engagement has provided valuable insight and provided significant benefit to the process; however, this approach is unsustainable for an annual review. Consideration has therefore been given to reducing the level of engagement for future annual reviews or extending the time-period between reviews of the Action Plan to every two years.

Consultation Analysis

22. Consultation on the Climate Action Plan refresh has been carried out with internal Council service areas. This has been facilitated by the Carbon Reduction team through Heads of Service. Feedback received has been incorporated into the presented Action Plan refresh.
23. The York Climate Commission (YCC) Working Groups have been consulted on the Action Plan refresh. This consultation was facilitated by the Carbon Reduction team and YCC Steering Group. The Action Plan refresh was an agenda item at the YCC Steering Group meeting in May 2024 and September 2024.
24. The Sustainability Leaders Group, representing partner organisations across the city, have been consulted on the content of the Action Plan refresh. The Action Plan was presented to the group at the meeting in July 2024.
25. An analysis has been carried out to compare the York Climate Change Action Plan with the Yorkshire & Humber Climate Commission (YHCC) Action Plan. This analysis has identified significant synergies between the action plans and some areas that can be strengthened in the next refresh.

Options Analysis and Evidential Basis

26. Options for this decision include:

Option 1 – Do Not Approve the Climate Change Action Plan

Do not approve the updated Climate Change Action Plan and continue with the one adopted in 2022. The 2022 Action Plan does not show the progress made since adoption and many of the actions have now been completed, superseded or consolidated, making it difficult to navigate. It also fails to provide an accurate representation of the latest requirements and activity in the city and omits the emphasis on making York climate ready, following the Executive Member Decision in November 2023.

Option 2 – Approve the Climate Change Action Plan and continue with and annual update

Approve the updated Climate Change Action Plan. The updated action plan is more in-line with current Council actions and those that can be achieved in the next few years. Updates to the Action Plan make it easier to navigate and more informed. The updated Action Plan covers both mitigation and adaptation actions, providing a more comprehensive reflection of activity to support our climate change objectives.

The resource and capacity requirements to refresh the Action Plan are not sustainable for future annual updates. The refresh process began has taken 6 months owing the detailed input and consultation with internal and external stakeholders. This impacts the team's ability to deliver against the action plan and is not seen as a sustainable or cost-effective use of these resources. If annual updates were to continue, the level of consultation and detail would need to be reduced, and new information and developments into the plan would be scaled-back.

Option 3 – Approve the Climate Change Action Plan and revert to a biennial update

Approval of the refreshed Action Plan is as above but revert to provide future updates every 2 years. This 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. Progress against individual actions within the plan can still be provided on an annual basis.

Organisational Impact and Implications

- **Financial:** The action plan itself can be reviewed and updated within current resources. The action plan identifies a large number of projects that are agreed through their own financial approvals.
- **Human Resources (HR):** There are no HR implications contained within this report. However, should additional resources be required by the Council to deliver the actions these would be established and resourced in accordance with normal council policy.
- **Legal:** There are no legal implications linked to the recommendations specifically referred to within this report.

- **Procurement:** Whilst there are no direct procurement implications relating to the report itself, should any funding require external delivery, this must be procured via a compliant, process in accordance with the council's Contract Procedure Rules and where applicable, the Public Contract Regulations 2015 (soon to be Procurement Act 2023).
- **Health and Wellbeing:** Public Health support the recommendations in this report, by refreshing the actions in the plan that address climate impacts before they escalate, can save significant healthcare costs by reducing the prevalence of climate-related diseases.

Fewer people experiencing preventable illnesses due to pollution, extreme heat, or climate disasters can alleviate the financial burden on healthcare systems and communities, freeing resources for other essential health services.

Through comprehensive climate action, societies can simultaneously improve public health and build more sustainable and resilient communities.

- **Environment and Climate action:** The refreshed Climate Change Action Plan supports the delivery of the York Climate Change Strategy. The Carbon Reduction Team will monitor progress of the action plan and undertake updates. A change to biennial updates will free-up capacity within the team to focus on delivery.
- **Affordability:** A number of the actions in this report improve the efficiency of homes and also skills development, both of which support financial security in the future.
- **Equalities and Human Rights:** The actions listed in the action plan are delivered through different programmes. These programmes/projects will develop their own Equalities Impact Assessments to assess and minimise any potential negative impacts.
- **Data Protection and Privacy:** As there is no personal data, special categories of personal data or criminal offence data being processed, there is no requirement to complete a data protection impact assessment (DPIA). This is evidenced by completion of DPIA screening questions AD-10350.

- **Communications:** The actions listed in the action plan are delivered through different programmes. These programmes/projects will develop their own communications where necessary.
- **Economy:** There are no economic implications contained within this report.

Risks and Mitigations

27. Capacity constraints
The Carbon Reduction team has limited resources to undertake a full refresh of the Action Plan every year. It also puts a capacity requirement on other service areas to input and consult on the refresh.
28. Finance
Some actions within the plan are currently unfunded. The Council will seek to secure external funding wherever possible.
29. Pace and scale
The actions represent the extent of activity currently happening across the city. The ambition for York to be net zero and climate ready by 2030 will require a significant acceleration of the pace and expansion of the scale of essential actions to support decarbonisation and adaptation.

Wards Impacted

30. All

Contact details

For further information please contact the authors of this Decision Report.

Author

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Report approved:	Yes
Date:	25/10/2024

Background papers

York Climate Change Strategy
York Climate Change Action Plan 2022

Annexes

- Annex A – York Climate Change Action Plan 2024

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York Climate Change Action Plan

A city fit for the future



Introduction

The York Climate Change Strategy: A City Fit for the Future sets out City of York Council's commitment to tackling climate change and the ambition for York to be a net zero and climate resilient city by 2030.

This refreshed Action Plan provides a 2024 update to the original, has been produced by City of York Council in consultation with city partners to support delivery of our ambition. It contains an indicative list of over 80 potential actions covering the eight priority themes and 31 strategic objectives identified in the Climate Change Strategy.

The actions identified are based on the previous work done by Leeds University (Net Zero Roadmap for York), pathway modelling by Anthesis, best practice guidance from the Local Government Association, recommended actions for Local Authorities by Friends of the Earth, stakeholder workshops and officer engagement.

The Action Plan provides high level estimates covering carbon impacts, cost implications, timescales, co-benefits, constraints, level of council influence and current stage of implementation.

The Action Plan is itself part of the governance arrangements to track action, monitor progress, report annually and assign responsibility.

Impact

A high-level estimate of the potential impact from each action is provided. Further analysis will quantify the carbon reduction contribution; however, for simplicity and speed of action this is presented in terms of low, medium & high.



Low



Medium



High

Timescale

ImmEDIATE

Short

Medium

Long

Cost

A high-level estimate of the potential impact from each action is provided; for simplicity and speed of action this is presented in terms of low, medium & high.

£ Low

££ Medium

£££ High

Co-benefits

Although there are many challenges to delivering our ambition, there are also enormous opportunities of transitioning to a zero carbon, climate resilient city.

From cheaper energy bills and well-paid green jobs; to warmer homes and cleaner air; to thriving green spaces and increased biodiversity.

Social

Economic







**Health &
Wellbeing**











Skills















Culture









Environmental











Action Plan





























Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input	
Buildings	New builds	Deliver 600 new homes across the city on council-owned land to Passivhaus standards in accordance with the council Design Manual	Delivered - 140 completed above building regs In progress - 112 to Passivhaus standard Planned - 101 in for planning approval	A/M		L	£££		Housing Delivery	Planning
	Retrofit	Explore new commercial mechanisms and delivery programmes for achieving domestic retrofit at scale, including Retrofit One Stop Shop, GIB, regional loans and “comfort as a service”. Ensure embodied carbon is considered in retrofits.	Creation of a Retrofit One-Stop-Shop for York is underway through the Innovate UK funded Net Zero Living project	A/M		M	£££		Healthy and Sustainable Homes	Innovate UK Project Consortium Building Services Carbon Reduction
	Retrofit	Delivery of funding programmes: Home Upgrade Grant programme, identify new funding opportunities (e.g. Social Housing Decarbonisation Fund (SHDF) Wave 2) to	HUG1 - 13 installations HUG2 target - 60 Local Authority Delivery (LAD) 1/2/3 - 227 installations Local Energy Advice	A/M		M	££		Healthy and Sustainable Homes	








Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input
	expand the work of Home Upgrade Grant (HUG) and Housing Revenue Account (HRA)	Demonstrator (LEAD) target - 475 residents given advice SHDF - 31 retrofit							
	Complete a Council property stock condition survey and produce archetype specific plans for council homes and identify the range of works needed for the pathway from current level to EPC C and on to net zero carbon	Stock condition surveys ongoing	A/M		S	££		Housing Policy	Building Services
	Identification of “business as usual” retrofit opportunities in planned capital works, voids, and vulnerable tenant support	Ongoing	A/M		S	££		Building Services	
	Proactive engagement with landlords around current and future regulatory obligations	York Residential Landlord association Retrofit One-Stop-Shop	A/M		O	£		Healthy and Sustainable Homes	York Residential Landlords Association
	Support and enforce minimum energy efficiency standards for the private rented sector	Ongoing - 20 homes in 2 years	A/M		O	££		Healthy and Sustainable Homes	York Residential Landlords Association
	Deliver local pilots and demonstrators that highlight low and zero carbon technology	York and North Yorkshire Net Zero Fund projects Retrofit One-Stop-Shop Passivhaus	A/M		M	£££		Healthy and Sustainable Homes Carbon Reduction	York Community Energy York Climate Commission






















Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input
Nondomestic	Develop a decarbonisation plan for all council owned buildings (including Schools) to identify the most viable solutions to achieving net zero by 2030	York and North Yorkshire Net Zero Fund projects 40 Heat Decarbonisation Plans complete	A/M		M	££		Carbon Reduction	Schools Planning and Development Asset Management
	Consider Green Leases for council buildings	In progress	M		S	£		Carbon Reduction	Asset Management
	Deliver actions in the health care sustainability programmes	In progress	A		M	££		Public Health	Integrated Care Board
	Consider creating a register of at-risk buildings of weather events and flooding		A		M	£		Carbon Reduction	Asset Management
Planning	Provide climate change advice and sign-off of planning conditions. Issuing guidance to developers on sustainability measures in a conservation context	55 responses in 2023	M		O	£		Carbon Reduction	Planning
	Produce a Supplementary Planning Document to raise overall sustainability standards of all developments across the city to align to Net Zero targets	In progress	M		S	£		Local Plan	Carbon Reduction
	Update Local Plan to require all new commercial	In progress	M		S	£		Local Plan	Carbon Reduction











Sector		Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input
		developments to achieve highest environmental standards (BREEAM Excellent or equivalent)								
		Provide planning guidance and supporting documents for retrofit of existing buildings (including listed and historic retrofit)	In progress	A/M		O	£		Housing Policy	Planning
	Skills	Develop construction skills and promote jobs in this industry for all levels of education from school age to experienced professionals	Retrofit One-Stop-Shop Construction Skills Initiative/Green Skills Village Passivhaus project KPIs	A/M		O	££		Skills	Healthy and Sustainable Homes Carbon Reduction Innovate UK project Consortium
Transport	Policy	Develop a Local Cycling and Walking Infrastructure Plan	In progress	M		M	££		Active Travel	Transport teams Carbon Reduction
		Develop a Movement and Place Plan; reallocating road space to make sustainable modes of travel the preferred choice for most journeys, whilst facilitating essential vehicle trips. Use reallocation of road space as an opportunity to create high quality public spaces that support nature recovery,	In progress	M		M	££		Transport Policy	Transport teams Carbon Reduction











Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input	
	climate resilience and adaptation and carbon reduction									
	Use procurement policy to encourage use of sustainable transport		M		O	£		Transport / Procurement	Carbon Reduction	
	Mandate low/zero emissions requirements into taxi licensing	European Standards will be accepted for new private hire vehicle applications, and any subsequent replacement of these vehicles, and all replacement vehicles for both taxi and private hire	M		O	£		Taxi Licensing		
	Planning	Significant new investment in cycling, walking and public transport integrating green areas and SUDs	In progress	A/M		M	£££		Active Travel / Highways	Planning
		Consider creating a register of at-risk transport infrastructure of weather events and flooding		A		M	£		Carbon Reduction / Highways	Flooding Risk
	Behaviour Change	Continuous delivery of a behaviour change programme on cycling and walking to encourage non-car modes as the best choice for short	Ongoing	M		O	££		Active Travel	Carbon Reduction



Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input
	journeys								
	Work with schools and academies in the city to provide cycle workshops	Ongoing	M		O	£	 	Active Travel	Schools' teams Carbon Reduction York Climate Commission
	Enforce restrictions on idling whilst running an anti-idling campaign	Kick the Habit Campaign	M		S	££	 	Public Protection	Businesses
	Expand use of car club/share and micro-mobility options	Council Travel Plan	M	 	S	£££		itravel	Carbon Reduction
	Create a Council travel plan	In Progress Staff travel, and home working survey complete 2023	M		S	£		itravel	Carbon Reduction
Public transport	Deliver Bus Service Improvement Plan (BSIP) Deliver Zero Emission Bus Regional Areas (ZEBRA) programme	Ongoing	M	  	M	£££	 	Transport Programme	
	Ensure the delivery of an efficient bus rail interchange at York Station Front	Ongoing	M	 	M	£££		Transport Capital Projects	Planning Regeneration Team
	Co-ordinate public transport services with the local tourism sector	Tourism Strategy	M	 	O	£	 	Transport Programme Tourism Advisory Board	Businesses
Future transport	Enable a rapid shift to electric vehicles by installing significant new charging infrastructure/Increase access to EV charging	Ongoing	M	  	M	£££	 	Travel Planning	







Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input
	infrastructure. Create new EV hyperhubs at Park & Ride locations across the city								
	Assess the feasibility of local distribution hubs for home deliveries in York which use low-carbon "Last Mile" deliveries following the pilot. Initiate a pilot scheme for local deliveries using e-cargo bike trial.	In progress	M		M	££		Travel Planning	Businesses
	Review policies around Resident's Parking, EV charging, access to car share/clubs and access to micro-mobility, with the aim of reducing levels of vehicle ownership		M		M	£		Travel Planning	
	Decarbonise council fleet - Four-year fleet electrification programme for all our vehicles under 3.5t and replacement of HGVs to Euro 6 standard engines	Electric 86 Hybrid Plug-In I	M		M	£££		Fleet	
Governance	Reporting Report annually on citywide carbon emissions. Report annually on the council's corporate emissions and recommended actions for decarbonisation;	Annual reports: Internal emissions City wide emissions CDP Adaptation	A/M		O	£		Carbon Reduction	















Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input
	publish on the York Open Data Platform								
	Consider improved mapping of climate risk data to support enhanced targeting		A/M		M	£		Carbon Reduction	
	Capture cost and impact of extreme weather events and flooding		A		M	££	 	Public Health	
Finances	Bid for funding opportunities to progress projects aligned to Net Zero targets	Ongoing	A/M	  	O	£		Carbon Reduction	
	Divest all investments from fossil fuels, including any pension funds		M	  	L	£££		Carbon Reduction	Finance
Integrate climate action	Implement extreme heat/cold UKHSA plan	Ongoing	A/M		M	£	  	Public Health	Carbon Reduction Integrated Care Board
	Embed adaptation into council policies, strategies and action plans, risk registers, service plans	Ongoing	A	 	O	£		Carbon Reduction	
Engagement	Increase climate change communication and provision of climate change information for residents and city partners through the council website, press	Newsletter delivery March 2024 - 731	A/M		S	£		Carbon Reduction	Communications team Website team













Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input	
	releases, social media and monthly e-newsletter, events									
	Support ongoing operation of the York Climate Commission	Working Groups: Biodiversity/Nature Buildings and Retrofit Connecting with Green Spaces Education and Youth Engagement Energy Food Future Green Economy Health and Climate Change Transport Waste and Circular Economy	A/M		O	£		Carbon Reduction	University of York	
	Engage with networks across the city to encourage sustainability actions from a wide range of city stakeholders	Ongoing	A/M		O	£		Carbon Reduction	York Climate Commission	
Waste	Policy	Produce a Waste Strategy which aligns with net zero and climate ready goals	Baseline data needed	M		M	££		Waste	Carbon Reduction
		Reduce single use plastics within the Council's buildings and events and develop a Plastic Free Strategy across the organisation		M		M	££		Waste Procurement	Carbon Reduction
		No single use plastic at the Christmas	In progress	M		S	££		Make It York	Tourism Advisory Board


























Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input	
	market								York BID	
	Reduce avoidable food waste and collect food waste for separate processing		M		M	£££		Waste		
	Engagement	Work with other local authorities to share case studies from businesses on circular economy practices to maximise environmental and economic opportunities	In progress	A/M		M	£		Carbon Reduction	
		Engage with suppliers to adopt circular economy principles through procurement policies	Added to tender questions	M		M	£		Procurement	
	Circular Economy	Champion zero waste cafes and low waste business to residents to encourage behaviour change to low waste services	In progress	A/M		O	£		Carbon Reduction Tourism Advisory Board	Waste team York Climate Commission
		Support growth in the circular economy including the development of a circular economy roadmap for the city, which maps material flows to identify opportunities for circularity and co-location. Bring stakeholders together and create the conditions for a	Ongoing	A/M		O	££		Carbon Reduction	Waste team York Climate Commission













Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input
	circular economy to flourish by supporting community groups to develop the local sharing/circular economy e.g. repair café, library of things, community fridge, food redistribution centres								
	Waste reduction, reuse & recycle initiatives - Reuse of household goods; Removal of organic waste from household waste collection; Trial collection of bikes from HWRCs in New Earswick for refurbishment and reuse; Recycle old bin stock.	Communications – new educational leaflets to advise residents on how to recycle - Summer 2024. Increasing our recycling provision in 2026 to include carton at kerbside, and in 2027 to include wraps and films. Reuse - The Recycle Project to take household items for reuse and upcycling within their York hub. Medequip take medical equipment e.g. commodes, for reuse in their York store. Agreement with local gardening charity to take gardening tools e.g. rakes, Collection of bikes from HWRCs by	M		O	££		Waste	

Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input
		two charities for refurbishment, reuse, and training of young people in bicycle mechanics; Recycle old bin stock – for various purposes e.g. rubber wheels as playground flooring, plastic body and lids as new bins. Work with UoY ESAY Sustainability Clinic on Bulky Waste research.							
Business and skills	Support SME decarbonisation and access to green finance offering energy audits and potential grant funding	UKSPF Deliver 100 Decarbonisation plans to SMEs	A/M		S	££		Economic Growth	Carbon Reduction
	Engage with businesses to minimise emissions across a range of business areas	Green Business Forum - quarterly meetings	A/M		O	£		Carbon Reduction/Economic Growth	Tourism Advisory Board York BID Federation of Small Businesses Chamber of Commerce
	Develop green skills and promote green jobs for all levels of education from school age to experienced	Ongoing	A/M		O	££		Skills	Healthy and Sustainable Homes Education providers

Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input	
	professionals									
	Support business to adapt to climate change		A		O	£		Economic Growth / Carbon Reduction	York Climate Commission	
	Encourage regenerative and local food growing and agriculture		A		O	£		York Climate Commission		
	Encourage short, local, and consolidated supply chains				M	£		Economic Growth		
	Provide forums for business collaboration and highlighting of best practice	Retrofit One-Stop-Shop supply chain network Green Business Forum	A/M		O	££		Carbon Reduction/Economic Growth	Tourism Advisory Board York BID Federation of Small Businesses Chamber of Commerce	
	Support the delivery of the Tourism Strategy and Implementation Plan	Ongoing	A/M		O	£		Tourism Advisory Board	Make It York Carbon Reduction	
Natural Environment	Policy	Ensure Air quality strategy and action plan aligns with Net Zero targets	In progress	M		S	£		Air Quality	Health
		Deliver the Pollinator strategy - Conserving the UK's pollinators by ensuring the council considers the needs of pollinators in the delivery of its' duties and work in a changing climate	Ongoing	M		O	£		Public Realm	

Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input
	Fully support implementation of Biodiversity Net Gain on all developments	In progress	A/M		O	££		Planning	Carbon Reduction Ecologist
	Consider Green & Blue infrastructure strategy - Assess the carbon sequestration potential of current council land and identify opportunities to increase sequestration, looking into different natural carbon capture options		A/M		M	££		Planning	
	Develop a strategy to protect and manage maintenance of existing trees in the city as well as any new trees planted		A/M		M	££		Environmental Services	Green Streets
	Grow York tree canopy cover to 13% by 2050 - include biodiverse and developing green corridors and improving access to nature	York Community Woodland York Green Streets	A/M		L	£££		Green Streets	Forestry England
	Conduct a mapping exercise to assess which areas of the city could be designated, natural capital enhancement through innovative investment	Local Investment in Natural Capital (LINC) project	A/M		S	£		Carbon Reduction	York and North Yorkshire Combined Authority North Yorkshire Council
	Governance Create a Local Nature Recovery Strategy (York and North	Ongoing	A/M		M	££		Carbon Reduction	York and North Yorkshire Combined

Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input
	Yorkshire)								Authority North Yorkshire Council
	Consider a mapping exercise to create a database of ecosystem health		A/M		S	£	 	Ecologist	
	Develop an offsetting/insetting strategy to address residual emissions not tackled by direct actions in the city with a validated offsetting method	Ongoing	A/M	  	M	££	 	Carbon Reduction	
	Upgrade and renew the city's flood defences to better protect homes and businesses against surface water flooding	Ongoing	A/M	  	O	£££	  	Flood Resilience/Flood Risk	Yorkshire Water
	Incentivise the uptake of natural flood risk management measures across the River Swale, Ure and Nidd, Ouse catchments	Flood and Coastal Resilience Innovation Programme	A/M	  	M	£££		Flood Resilience/Flood Risk	Yorkshire Water Environment Agency
	Monitor water quality in rivers and consider creating a register of risks from sewage and surface water pollution		A/M	 	M	££	 	Flood Resilience/Flood Risk	Yorkshire Water Environment Agency Canal and Rivers Trust
Energy	Identify opportunities for decarbonised district heating solutions across the city	Complete for York Central Ongoing city wide	A/M		O	£	 	Carbon Reduction	Department for Energy Security and Net Zero

Sector	Action	Update 2024	Adaptation / Mitigation	Impact	Completion Timeframe	Cost	Co-benefits	Owner	Input
	Deliver City LEAP Accelerator project	In progress	A/M		M	£££		Carbon Reduction	North Yorkshire Council York and North Yorkshire Combined Authority
	Work with stakeholders to ensure understanding and best use of the city's electric grid capacity	Ongoing	A/M		O	£		Carbon Reduction	Northern PowerGrid
	Explore opportunities for renewable generation	York and North Yorkshire Net Zero Fund projects Harewood Whin Local Plan	A/M		O	££		Carbon Reduction	York Community Energy
	Support increase of solar capacity across York including homes, schools, and community energy schemes	Solar on eight schools/academies across York two more planned for 2024	A/M		O	£		Carbon Reduction Housing	York Community Energy Solar for Schools York Climate Commission
	Assess opportunities for a Green Energy Park in York	Outline Business Plan in progress	A/M		M	£££		Carbon Reduction	Yorwaste
	Develop renewable energy skills and promote jobs in this sector for all levels of education from school age to experienced professionals	Ongoing	A/M		O	££		Skills	Universities York College





Meeting:	Decision Session - Executive Member for Environment and Climate Emergency
Meeting date:	19/11/2024
Report of:	Claire Foale, Interim Director of City Development
Portfolio of:	Cllr Kent, Executive Member for Environment and Climate Emergency

Decision Report: Annual Carbon Emissions Report 2023/24

Subject of Report

1. City of York Council (the Council) has set a target to reduce carbon emissions from corporate activity to net zero by 2030. An Annual Carbon Emissions Report is produced to monitor progress against this target and identify areas of improvement.
2. The Council's emissions have been reported using the Local Government Association's Greenhouse Gas Accounting Tool. The data collected covers the Council's Scope 1 and 2 emissions as well as some of the Council's Scope 3 emissions.
3. This report marks the fourth year of reporting carbon emissions for the Council's buildings and operations. In some areas, there is data available dating back to 2015/16, which has been used for historical comparisons.
4. Where possible, comparative data is shown. However, it should be noted that the final corporate carbon emissions figure includes additional data not presented in previous years reporting.

Benefits and Challenges

5. Annual publication of the Council's operational emissions allows us to monitor progress towards our net zero by 2030 ambition, while also identifying opportunities for further carbon reduction activities.

Regular reporting will track the impact of our work to enable corrective activity if required.

6. The Council continually strives to increase the scope of its reporting to accurately reflect the carbon impact of its operations and activities. This can be particularly challenging where our Scope 3 emissions are concerned. In recent years we have sought to expand the remit of our Scope 3 reporting to include items such as material usage, employee commuting and homeworking and staff business travel.
7. Sharing progress to reduce our corporate carbon emissions in an accessible and transparent way is crucial for public, city-wide support in the key areas for the council to address. Public and transparent annual reporting through public meetings and the York Open Data platform¹ provides a monitoring framework for this to occur.

Policy Basis for Decision

8. Climate is one of the four core commitments in the Council Plan (2023-27), requiring the Council to understand and take consideration of climate impacts and all our actions have on the environment when making Council decisions.
9. One of the Key Performance Indicators for Council delivery against this core commitment is the level of carbon emissions from council buildings and operations. Consequently, this annual report is key to monitoring the delivery of the Council Plan.
10. The Council Plans has also set a priority for '*Cutting carbon, enhancing the environment for our future*', which describes a number of actions, including exploring and accelerating our activities to become a net zero carbon Council. This report demonstrates the carbon impact associated with Council operations to inform future plans and policies.
11. In 2019, the Council declared a Climate Emergency and set the ambition for York to reach net zero by 2030. The subsequent York Climate Change Strategy (2022-32) and Climate Change Action Plan guide progress towards this ambition. The Climate Change

¹ York Open Data

<https://www.york.gov.uk/YorkOpenData#:~:text=York%20Open%20Data%20was%20launched,transparent%2C%20energy%20and%20community%20engagement.>

Strategy and Action Plan state that the council will report annually through publicly available forums (Council, Executive and Scrutiny) and the York Open Data Platform.

Financial Strategy Implications

12. The report identifies a number of actions that the carbon reduction team propose to undertake over the coming year. The majority are contained within agreed budgets. The Council has also been successful in attracting external funding and will continue to maximise such funding to match fund Council contributions.
13. The Council has set capital funds aside to upgrade the fleet with electric vehicles where practical. There are also budgets set aside for replacing lights in Council buildings with LED through the York and North Yorkshire Combined Authority's Net Zero Fund.
14. Other carbon reduction measures will explore implementation via grant funding. Grant funding schemes relevant to the Council's operational emissions include the Low Carbon Skills Fund, Public Sector Decarbonisation Fund, Carbon Negative Challenge Fund and other regional and national funding sources.

Recommendation and Reasons

15. The Executive Member is asked to:
 - i) Approve the Annual Emissions Report for publication.

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

Background

Accounting Methodology

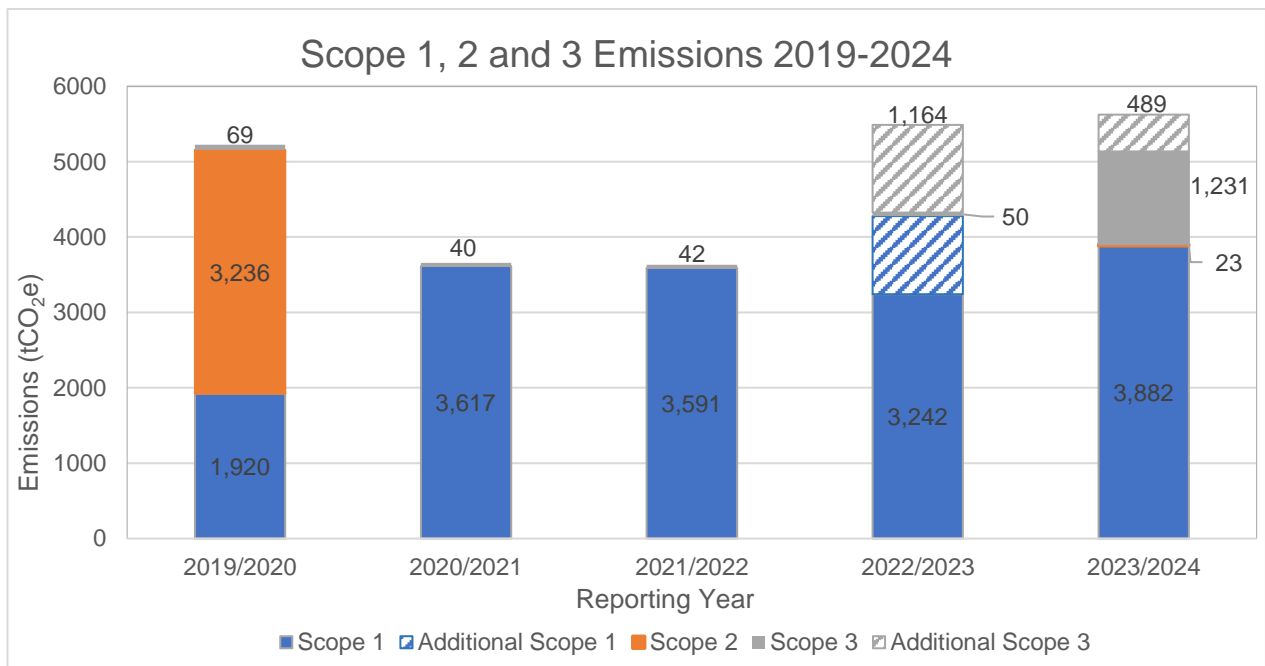
16. The Council's 2023/24 emissions are reported using the Local Government Association's (LGA) Greenhouse Gas Accounting Tool.
17. An operational boundary was adopted to account for sites the Council has ownership of, or maintenance responsibility over. This

includes the Council’s own corporate buildings, maintained schools and libraries.

18. 2022/23 was the first year in which the reporting scope was expanded to include buildings beyond the Council’s corporate buildings. Accounting for the emissions of our wider estate portfolio is important to understand how we can holistically reduce emissions to achieve the Council’s ambition for net zero by 2030.
19. In 2023/24, there has been a further expansion of the scope, and some recategorisation of data. Details of this are provided below.

Annual Emissions 2023/24

20. The Council’s operational emissions totalled 5,625 tCO₂e in 2023/24. Direct (Scope 1) emissions from Council-owned buildings and vehicles are the largest contributor to operational emissions. Scope 2 emissions (from purchased and metered electricity) are deemed to be zero due to our green tariff², aside from the electricity used by our electric fleet vehicles outside of our own electric charge points. Indirect (Scope 3) emissions result from the wider supply chain, rather than from activities under direct control.



² 2 Since April 2020, we purchase 100% renewable electricity, reducing our emissions by 2,225 tCO₂e this year. 23tCO₂e have been produced by electricity for cars and vans in our fleet using the public charging network.

Table 1: Corporate emissions in 2023/24 across Scope 1, 2, 3 and Outsourced Scope 3.

Scope	Scope Definition	Emissions Type	Emissions (tCO₂e)
Scope 1	<i>Direct GHG emissions from buildings, plant and vehicles owned or controlled by City of York Council</i>	Heating	2,230
		Authority's Fleet	1,652
Scope 2	<i>Indirect emissions associated with purchased energy consumed by City of York Council</i>	Electricity	23
Scope 3	<i>All other indirect emissions that occur in the Council's supply chain.</i>	Staff Business Travel	41
		Staff Commuting	10
		Working From Home	708
		Transmission and Distribution Losses	194
		Material Use	229
		Waste	12
		Water	37
Outsourced Scope 3	<i>Indirect emissions that occur from outsourced operations.</i>	GLL (Leisure Centres)	489
Total Emissions 5,625			

21. In April 2022, the scope of reported data has been expanded to include maintained schools and museums managed by York Museums Trust (YMT). Data on YMT has not been incorporated this year, as following the operational boundary YMT falls outside of the Council's operational control due to the lease agreement in place.
22. In 2023/24, the LGA's Accounting Tool was updated to incorporate Outsourced Scope 3. The Outsourced Scope 3 category is for emissions that come from activities provided to the local authority by other parties and/or outsourced operations.
23. To reflect this change, our previously unreported contract with Greenwich Leisure Limited (GLL), who operate our leisure centres, has been included as an outsourced service.

24. This is the second reporting year to include a wider range of the Council’s Scope 3 activities, including material usage, transmission and distribution (T&D) losses³, staff commuting and home working. Increasing the scope of data collection allows us to identify key areas for emission reduction; we will continue to expand the scope of reporting where feasible.
25. An additional 2,250 tCO₂e has been accounted from these additional data sources in 2023/24. Taking into account the addition of leisure centre data, the like-for-like comparison between 2022/23 and 2023/24 is minimal, with <0.3% increase in emissions. This increase is largely due to the increased data coverage for material usage, water and gas consumption.

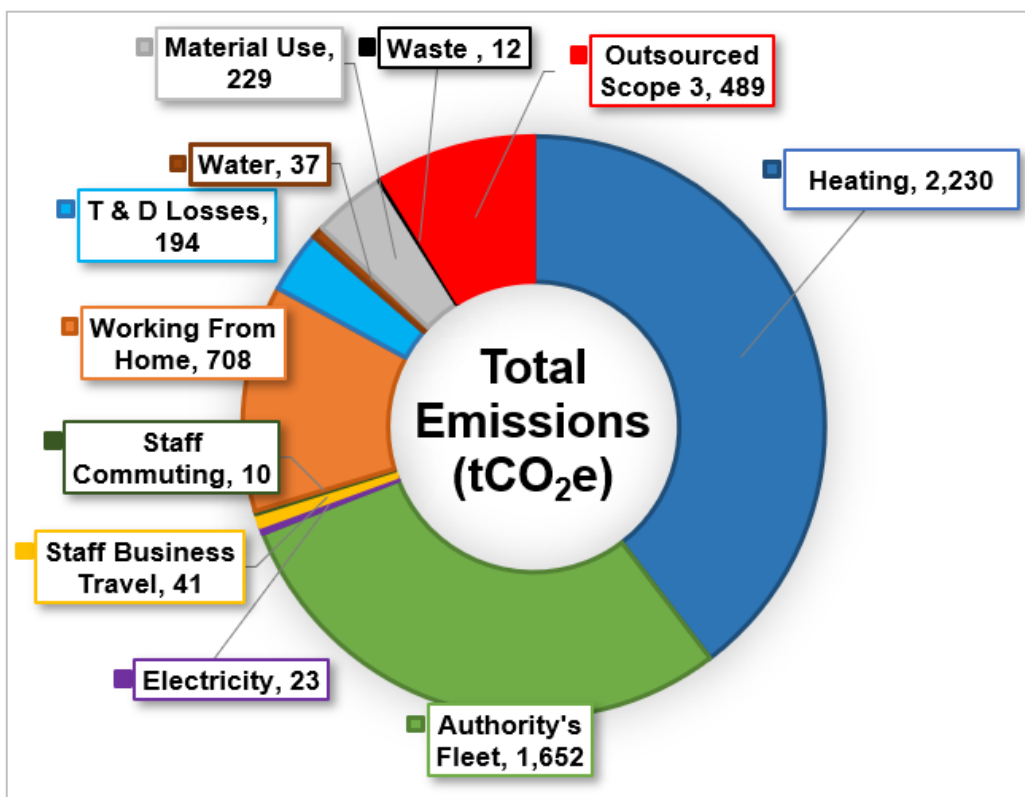


Figure 1 The Council's operational emissions in reporting year 2023/24 by category.

Gas Usage

26. Gas usage from buildings is the Council’s most carbon intensive activity. Figure 3 illustrates the emissions associated with different building types within the Council’s portfolio, including: corporate buildings, libraries, leisure centres and maintained schools.

³ Transmission and distribution losses occur during the generation of electricity, steam, heating, and cooling.

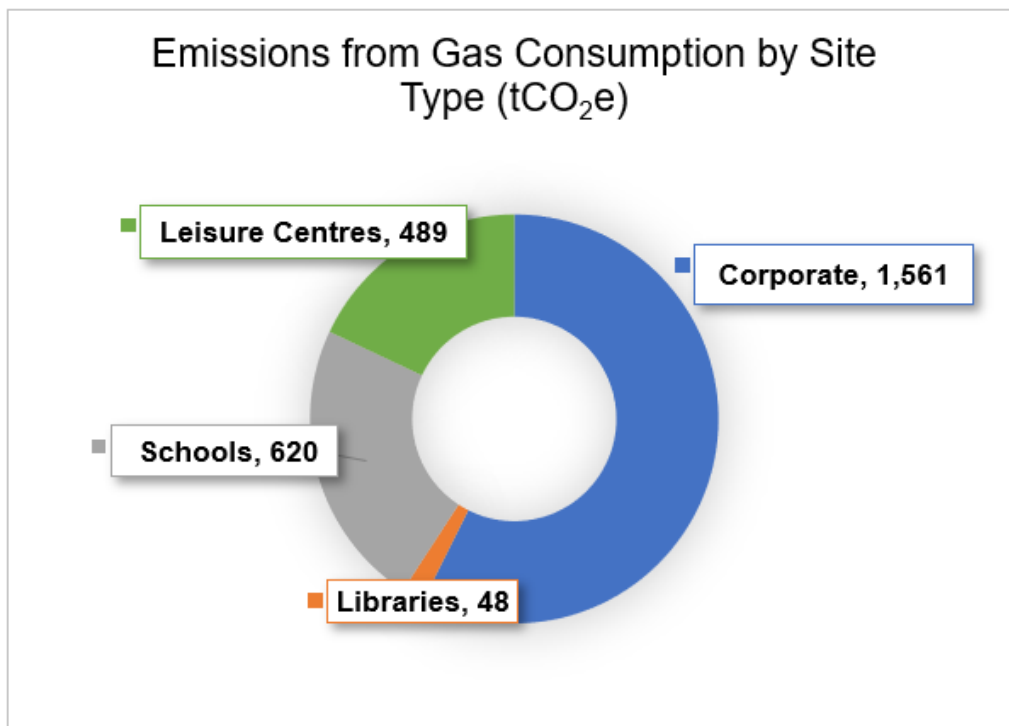


Figure 3 Emissions from gas usage at leisure centres, corporate buildings, schools, and libraries in reporting year 2023/24.

27. The Council's gas use from all Council buildings was responsible for over half (52%) of total CO₂e emissions and cost £2,347,487 in this reporting year. Gas use from corporate buildings alone is responsible for 26% of emissions and accounted for an annual expenditure of £1,266,722.
28. The additional costs shown in Figure 4 reflect the rising costs of energy supply chains that have impacted the UK as a whole, and not as a result of any local change.

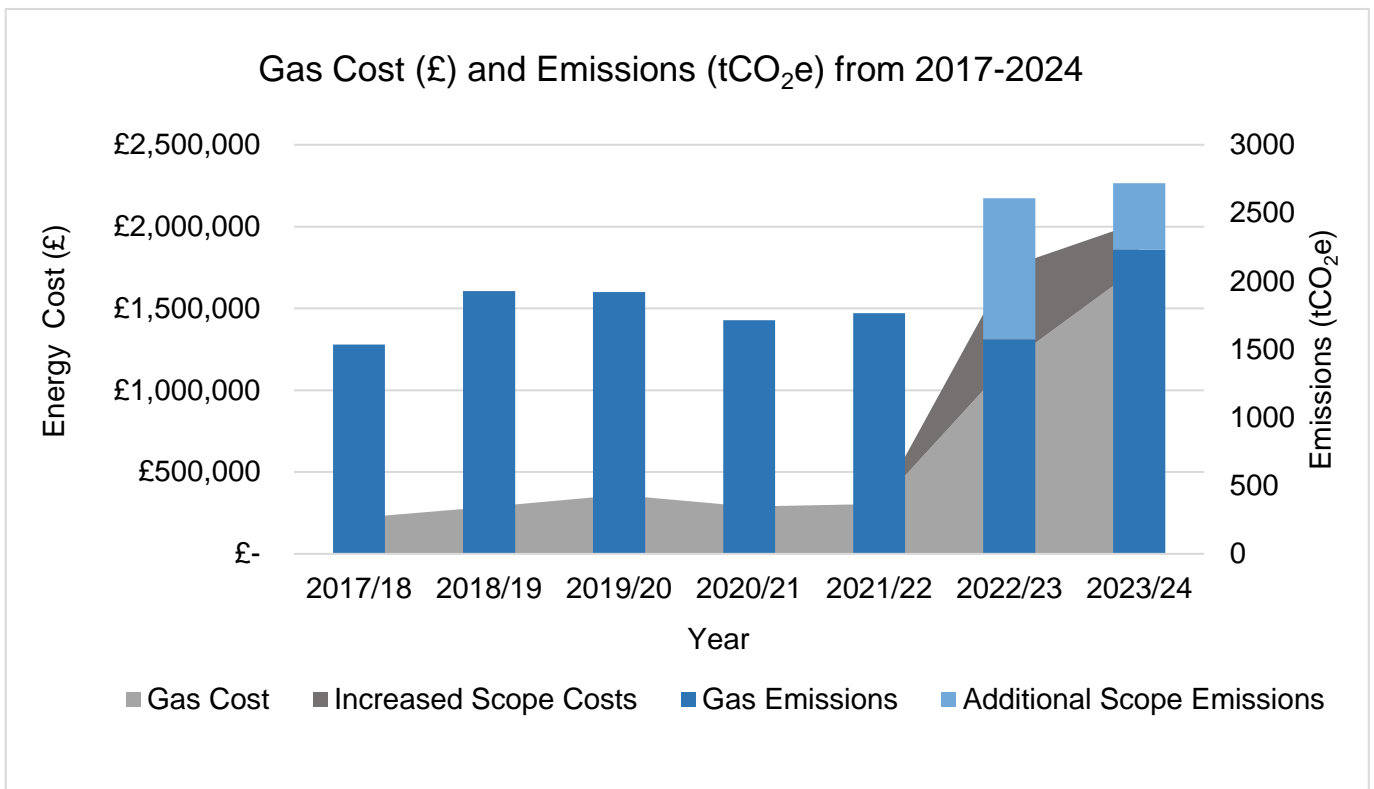


Figure 2: Emissions and cost from gas usage in 2023/24. Additional Scope categories include Leisure Centres, which have not previously been reported.

29. The Council adopts the energy hierarchy ‘Be Lean’, ‘Be Clean’, ‘Be Green’ and ‘Be Seen’ approach to use less energy, maximise the efficiency of the existing infrastructure, and encourage low and zero carbon technologies to deliver the best outcomes in emissions reduction from our buildings⁴.
30. To implement this hierarchical approach, decarbonisation plans for one library site and one corporate site have been completed, using funding from the Northeast and Yorkshire Public Sector Estate Decarbonisation Scheme, alongside plans for 21 schools and five leisure centres that were the previous year through the Low Carbon Skills Fund.
31. The Council has also produced plans for our seven highest-emitting corporate sites. These plans identify key building fabric upgrades and opportunities for low and zero carbon technologies. These plans will be progressed via grant funding when feasible.

⁴ City of York Local Plan Consolidated Main Modifications January 2023:
<https://www.york.gov.uk/downloads/file/8756/proposed-main-modifications-schedule>

Electricity Usage

32. The Council has adopted a green tariff for all electricity consumption and as such no emissions are attributed to electricity usage from buildings and streetlighting. The reduction in emissions achieved by implementing this tariff is illustrated in Figure 5.

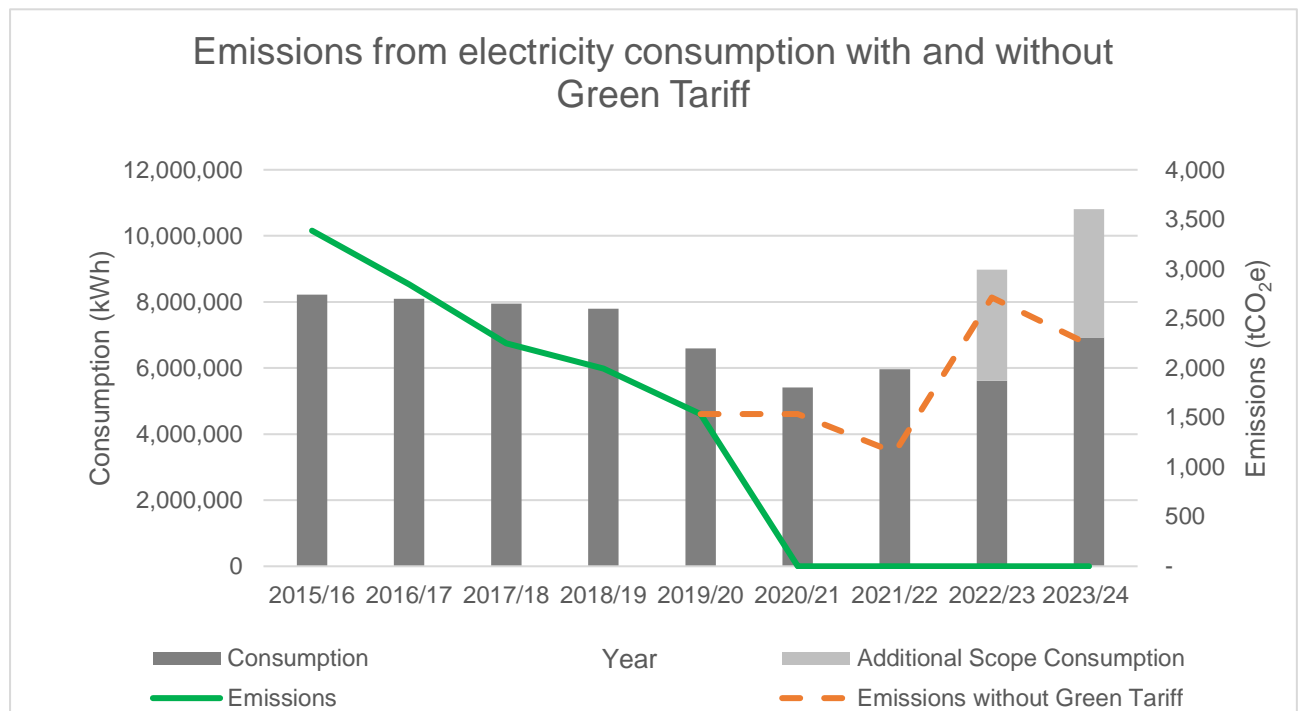


Figure 3: Electricity consumption by council buildings, streetlighting and EV charging. From April 2020, the Council has purchased a green tariff for buildings and streetlighting. In 2023/24, the 'Additional Scope' categories include Leisure Centres.

33. Electricity usage from the Council's buildings represents 78% of consumption, streetlighting represent 22% and EV Charging from fleet vehicles represents 1%.
34. The only emissions attributed to electricity usage from the Council are from the electric vehicles in the fleet. These account for a minimal proportion of total emissions (0.4%). From April 2024, these vehicles will no longer use the public charging network, and will instead be powered by chargers at Hazel Court Eco Depot. As such, there will be no emissions associated with charging these vehicles going forward.
35. The Council's partnership with Solar for Schools has seen solar panels installed on four CYC schools: Clifton Green Primary School, Lord Deramore's Primary School, Dringhouses Primary School, and Danesgate School.

36. Since 2015/16 estimated electricity consumption for street lighting has decreased by more than half, due to LED upgrades and disconnected sites. York has approximately 21,500 lighting columns; nearly 70% of the lamps in these columns have been upgraded to LED.
37. The Council has received funding for a streetlight LED conversion project for 1,200 of these columns through the York and North Yorkshire Net Zero Fund. Replacement of these lamps with LED will reduce annual emissions by over 50%, resulting in a carbon saving of 74tCO₂e/yr. Nearly 300 columns have already been upgraded, with the remaining 900 set to be completed by March 2025.

Water

38. Emissions from Water consumption and treatment comprise just 0.7% of our emissions in 2023/24 (37tCO₂e).
39. Several Council buildings, including key sites West Offices and Hazel Court, use sustainable water design features such as rainwater harvesting.

Fleet

40. Emissions associated with our fleet are slightly reduced from 2022/23 (-1%) and have maintained a 10% decrease from 2020/21. This long-term reduction reflects the impact of the 4-year fleet replacement programme in which many vehicles have been transferred to Electric Vehicles.

Business Travel

41. Staff business travel using flights, hotels, trains, and our rent-a-car service has overall decreased by nearly half (47%) since 2022/23. While there have been some decreases in hotel and plane use, the largest decrease is from the rent-a-car service.
42. Train use on the other hand saw an increase of 8% in emissions from the previous reporting year, due to more journeys being made by train in 2023/24.

43. One short haul return flight was taken in 2023/24 for business travel purposes. There were also two return Eurostar train journeys. International travel is avoided where feasible, and more sustainable transportation methods are encouraged.

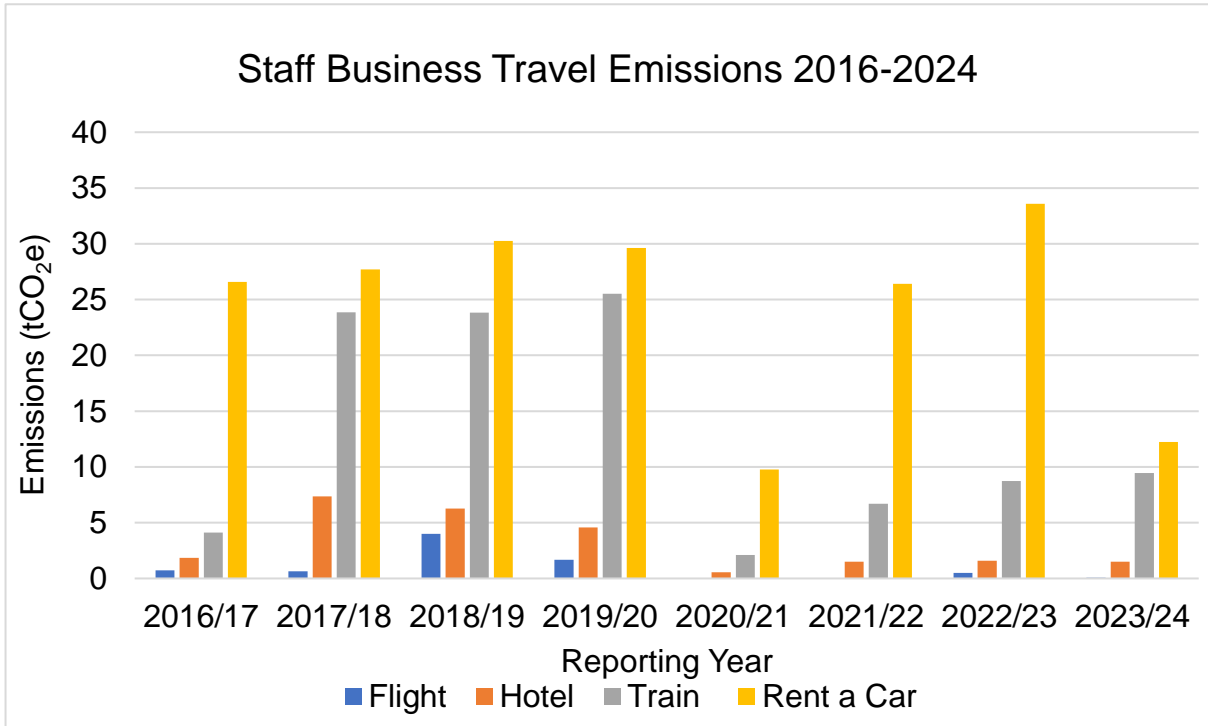
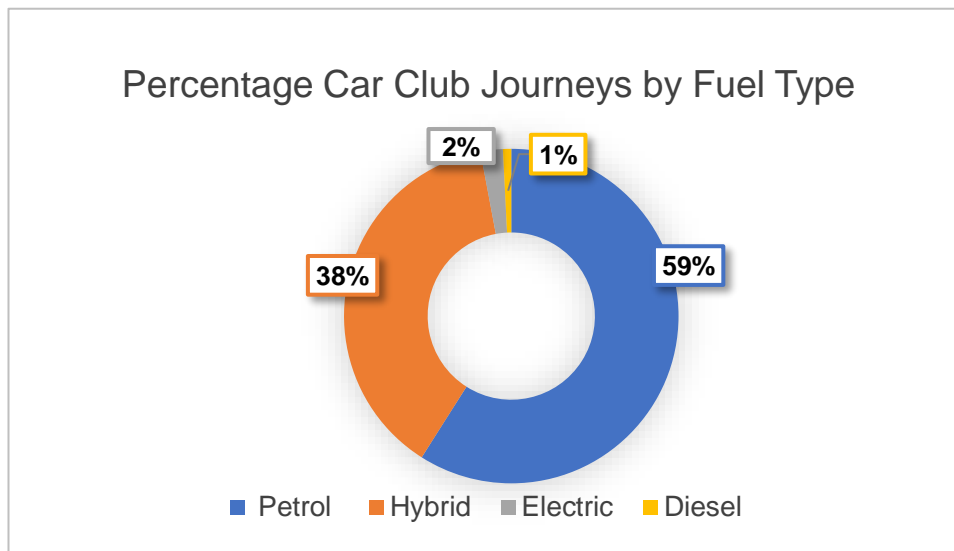


Figure 4: Emissions from staff business travel 2016-2024.

Car Club

44. From 2017, the Council began using Enterprise Car Club pool vehicles. The fleet consists of vehicles that run on unleaded petrol, diesel, hybrid electric and full electric. The breakdown of these journeys can be seen in Figure 7.



45. To reduce emissions from the Car Club, the proportion of hybrid and electric vehicles is increasing, and staff are encouraged to use electric and hybrid vehicles rather than petrol or diesel. Hybrid car journeys have increased 8% compared to 2023/24, and diesel usage has decreased. Enterprise use a preventative maintenance scheme which helps to keep vehicles running more efficiently.

Waste and Recycling

46. Waste from our corporate buildings and schools accounted for 12.4tCO₂e this reporting year, an 8% decrease from 2022/23. Emissions from waste and recycling in both schools and corporate sites have reduced since 2022/23, with the overall amount of waste also declining.

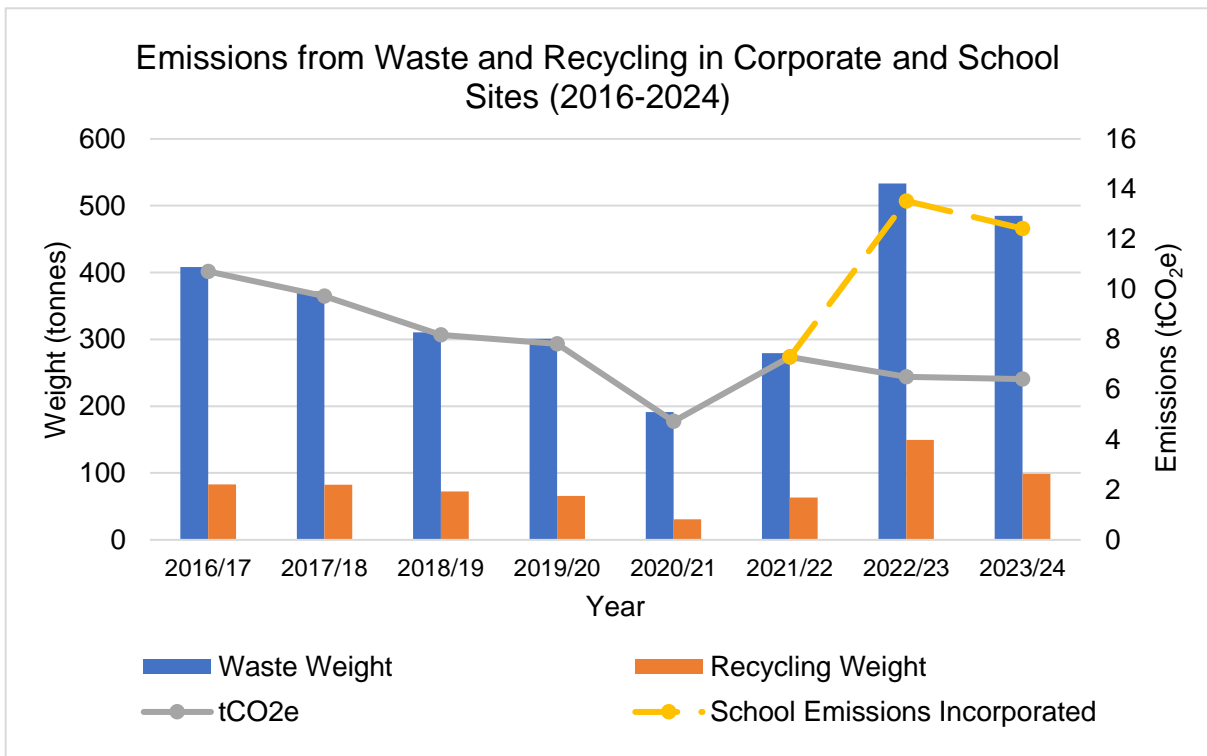


Figure 8: Emissions from waste from council operations across corporate and school sites.

47. The recycling rate at our corporate sites is 20%, largely level with 2022/23. Additional recyclable materials and food waste may be removed from the general waste during processing at Allerton Waste Recovery Park. Electricity is created from the general waste through incineration as an alternative to landfill, also known as energy-from-waste.

Procurement

48. Emissions associated with procured goods and services are not included in this report.
49. In an effort to reduce emissions from our procurement practices, a sustainable procurement policy has been produced and adopted by the Council. Suppliers are routinely asked about their sustainability criteria across a range of categories including: Carbon Reduction, Circular Economy, Biodiversity and Sustainability.
50. The Council's existing Social Value Policy is currently being updated to include several outcomes focused on climate action. Social Value polices offer significant opportunity for the public sector to engage with its supply chain by rewarding organisations that go beyond the provision of just the core contract requirements to deliver more value for the community. Climate action Social Value measures are specifically dedicated to mitigating the risks of climate change and increasing the resilience of our communities.

Material Use

51. Expanding the extent of our reporting to cover a wider range Scope 3 emissions sources allow the Council to build a greater picture of corporate emissions in our wider supply chain. Consequently, we have incorporated the emissions associated with our Building Services since April 2022.
52. Material usage from our corporate activities accounted for 229tCO₂e in 2023/24. Metals, sanitaryware, plastics and cement are the most carbon intensive building materials used.
53. The Council have a carbon neutral working group with our supplier Jewsons, which aims to reduce material use and to find more sustainable alternatives to carbon intensive materials.
54. The products included in this analysis have been increased by 23% in 2023/24, now covering 57% of materials bought by the Council. We will continually aim to improve the collation of this data.
55. The Council will reduce Scope 3 emissions from material usage by following its sustainable procurement policy, working with local

suppliers and choosing less carbon intensive materials where feasible.

Employee Commuting and Work from Home

56. A survey to assess emissions from staff commuting and home-working was distributed in October 2023.
57. This survey will be updated every two years to collect up-to-date information about employee habits. The staff survey relies on self-reporting and estimation methods which must be taken into consideration.
58. The data from last year's survey has been used to calculate employee commuting and homeworking in 2023/24 using the updated conversion factors. Employee homeworking accounted for 708tCO₂e and commuting 9.65tCO₂e.
59. Car usage accounts for the largest proportion of commuter emissions (77%). These emissions are predominantly from petrol and diesel cars. Public transport (buses and trains) account for 18% of emissions from commuting (1.8tCO₂e).
60. The Council encourage sustainable employee commuting through a car sharing scheme, pool bikes, a cycle scheme, secure cycle parking and BetterPoints.
61. An updated Council Travel Plan is under development to encourage behaviour change towards active travel and increase uptake of public transport, in line with the recently approved Local Transport Strategy.
62. Homeworking emissions incorporates the use of office equipment, lighting and heating during the workday. While energy consumption practices when working from home is beyond the Council's direct sphere of influence, we encourage energy saving behaviours amongst staff, and advertise our energy efficiency advice resources⁵.

⁵ Energy Efficiency <https://www.york.gov.uk/EnergyEfficiency>

Actions

63. The City of York Council: Annual Carbon Emissions Report 2023/24 provided several actions for reducing our corporate emissions. Since then, the Council has:
- Published the Local Transport Strategy with its commitment to reduce emissions from transport by 71%
 - Produced a further two heat decarbonisation plans for one corporate and one library site in addition to the 33 plans produced last reporting year.
 - Worked with Solar for Schools to install solar panels on four schools, with further schools due to have solar panels installed in 2024/25.
 - Relaunched York Climate Commission, with 10 working groups focused on reducing carbon emissions and enhancing sustainability across York.
 - Expanded the Travel Plan Working Group and produce a draft travel plan aiming to increase sustainable travel at the Council's workplaces across the fleet, staff business travel and staff commuting.
 - Updated the Climate Change Action Plan with new actions, both targeting operational and city-wide emissions reduction and adaptation.
 - Implemented streetlighting and commercial building LED lighting renewal projects and two renewable heating upgrades at independent living locations through the Combined Authority's Net Zero Fund. These four capital projects are expected to result in more than 1,600 tonnes of carbon emissions saved in the next 15 years.
 - Implemented renewable heating upgrades at Honeysuckle House and Alex Lyon House through the Combined Authority's Net Zero Fund. Installing heat pumps and upgrading the building fabric at these sites is estimated to save more than 760tCO₂e over the next 15 years and achieve a 50% reduction in energy bills.
64. Other actions identified to reduce the Council's operational emissions include:
- Incorporate sustainable procurement and circular economy principles into our purchasing decisions.

- Develop a methodology to calculate Scope 3 emissions associated with Council activity.
- Review the corporate waste contract and undertake a waste audit.

Consultation Analysis

65. The Council's internal Climate Change and Natural Capital Programme Board was consulted to overview the corporate emissions data in its capacity to provide oversight, monitor progress, identify opportunities and manage risk relating to the Climate Change action.
66. The Climate Change and Natural Capital Programme Board agreed priorities are to ensure increased visibility of the impact the Council is making on reducing carbon emissions and increased officer awareness of the understanding individual projects make to contribute to reduction in emissions.
67. To better understand our Scope 3 emissions, council officers were consulted on their commuting and homeworking habits in 2023. This survey will be repeated every two years in order to record changes to employee habits.

Options Analysis and Evidential Basis

68. This report seeks to approve the Council's annual carbon emissions report for publication. The options presented are as follows:
 - a) Do nothing – do not approve the annual carbon emissions report .
 - b) Approve the annual carbon emissions report
69. The publication of this report supports the Council's goal to provide transparency of the progress made against the ambition for York to be net zero by 2030.
70. This report also fulfils the Council Plan's Key Performance Indicator to monitor the level of carbon emissions from council buildings and operations.

Organisational Impact and Implications

- **Financial:** The report highlights investment that the council is making in reducing its overall emissions. Further reductions in emissions will require additional investment and this continues to be sought from external bodies as well as within current budgets.
- **Human Resources (HR):** No implications.
- **Legal:** There are no legal implications linked to the recommendations specifically referred to within this report.
- **Procurement:** No implications.
- **Health and Wellbeing:** There is a growing body of research which shows that actions to reduce greenhouse gas emissions are beneficial to health, mainly due to the reduction in outdoor and household air pollution, better insulated homes and increase in healthy behaviours – including increased physical activity, by walking and cycling. Reduction in respiratory disease linked to reduced air pollution together with substantial reductions in heart disease, cancer, obesity, diabetes, road deaths and injuries are also possible to improve public health.
- **Environment and Climate action:** Reducing corporate carbon emissions to net zero represents a key commitment within the council plan. This report represents progress against that ambition.
- **Affordability:** No implications.
- **Equalities and Human Rights:** No equalities impact for this report as the Executive Member is being asked to accept a retrospective report.
- **Data Protection and Privacy:** As there is no personal data, special categories of personal data or criminal offence data being processed, there is no requirement to complete a data protection impact assessment (DPIA). This is evidenced by completion of DPIA screening questions AD-10400.
- **Communications:** No implications received.
- **Economy:** No implications received.

Risks and Mitigations

71. There are no known risks associated with the above.

Wards Impacted

72. All Wards.

Contact details

For further information please contact the authors of this Decision Report.

Author

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Report approved:	Yes
Date:	08/11/2024

Background papers

Local Transport Strategy

<https://democracy.york.gov.uk/documents/s177488/Annex%20A%20Local%20Transport%20Strategy.pdf>

Council approve The Climate Change Strategy 2022-2032 [Agenda for Council on Thursday, 15 December 2022, 6.30 pm \(york.gov.uk\) item 36](#)

Council approve the Council Plan 2023-2027 [Agenda for Council on Thursday, 21 September 2023, 6.30 pm \(york.gov.uk\) item 6](#)

Corporate Emissions Report 2021/22

https://modgov.york.gov.uk/documents/s164307/EMDS_Corporate%20Emissions_Dec%202022_.pdf

Corporate Emissions Report 2020/21

<https://modgov.york.gov.uk/documents/>

Corporate Emissions Report 2022/23

[https://democracy.york.gov.uk/\(S\(aw2b23jofoyuejfc1asnl055\)\)/documents/s171185/Decision%20Report%20Annual%20Carbon%20Emissions%20Report%20202223.pdf](https://democracy.york.gov.uk/(S(aw2b23jofoyuejfc1asnl055))/documents/s171185/Decision%20Report%20Annual%20Carbon%20Emissions%20Report%20202223.pdf)

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Meeting:	Decision Session - Executive Member for Environment and Climate Emergency
Meeting date:	19/11/2024
Report of:	Claire Foale, Interim Director of City Development
Portfolio of:	Cllr Kent, Executive Member for Environment and Climate Emergency

Decision Report: York Emissions Inventory Report 2024

Subject of Report

1. This report presents the latest York Emissions Report Inventory (2024) for the reporting year 2021. The data is used to monitor progress against the council ambition to achieve net zero carbon for the city by 2030.
2. The emissions inventory was compiled using the Department for Energy, Security and Net Zero (DESNZ) most recent UK local authority and regional greenhouse gas emissions dataset¹. The methodology used to create this dataset is revised annually, and therefore data may differ from previous reports. The latest dataset includes an additional category for emissions associated with 'Peatland', which was not present in the previous year.
3. City-wide emissions accounted for 906ktCO₂e in 2021, a 5% increase from 2020 (861ktCO₂e). This is likely due to the return-to-work period following the COVID-19 pandemic.
4. The focus of our inventory reporting is Scope 1 and 2 emissions, as these fall directly under the control of actors within the city; however, we are exploring and improv carbon accounting and

¹ 2005 to 2022 Local Authority and Regional Greenhouse Gas Data
<https://assets.publishing.service.gov.uk/media/667ad5b45b0d63b556a4b305/2005-22-uk-local-authority-ghg-emissions.xlsx>

management options to include Scope 3 (indirect) emissions in the future.

5. The built environment and transport sector account for nearly 90% of our direct local emissions, with the Council responsible for less than 1% of city-wide emissions.

Benefits and Challenges

6. Annual publication of York's city-wide emissions allows the Council and its partners to monitor progress towards our net-zero ambition. Regular reporting will track the impact of our work and enable reflection and correction if required.
7. It is notable that emissions data is not provided at the action level, meaning monitoring the impacts of a specific project in this way is challenging, particularly if several projects contribute to emissions reductions in the same area.
8. York's Climate Change Strategy represents a collaborative effort. However, partners will use their own methodology to measure their carbon impact and there may be occasions when data is not aligned. This can create challenges in measuring progress towards our shared ambition. City partners will work together to present a shared narrative about data as it is published.
9. Further challenges relating to this city-wide emissions inventory can be found in the "Risks and Mitigations Section" of this report.

Policy Basis for Decision

10. In 2019, City of York Council declared a Climate Emergency and set the ambition for York to reach net zero by 2030. The York Climate Change Strategy (2022) sets the framework required to meet this ambition. This report demonstrates the city's progress towards net zero.
11. Climate is one of the four core commitments in the Council Plan (2023-2027), requiring the Council to understand the impact our actions have on the environment. The Council Plan includes carbon emissions across the city as a Key Performance Indicator of City Outcomes for this reason.

Financial Strategy Implications

12. This report identifies the value of emissions across the city and the associated annual trends. There are no identifiable financial implications arising from the recommendations in the report that will impact the Council's Financial Strategy.

Recommendation and Reasons

13. The Executive Member is asked to:
 - i) Approve 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.

Background

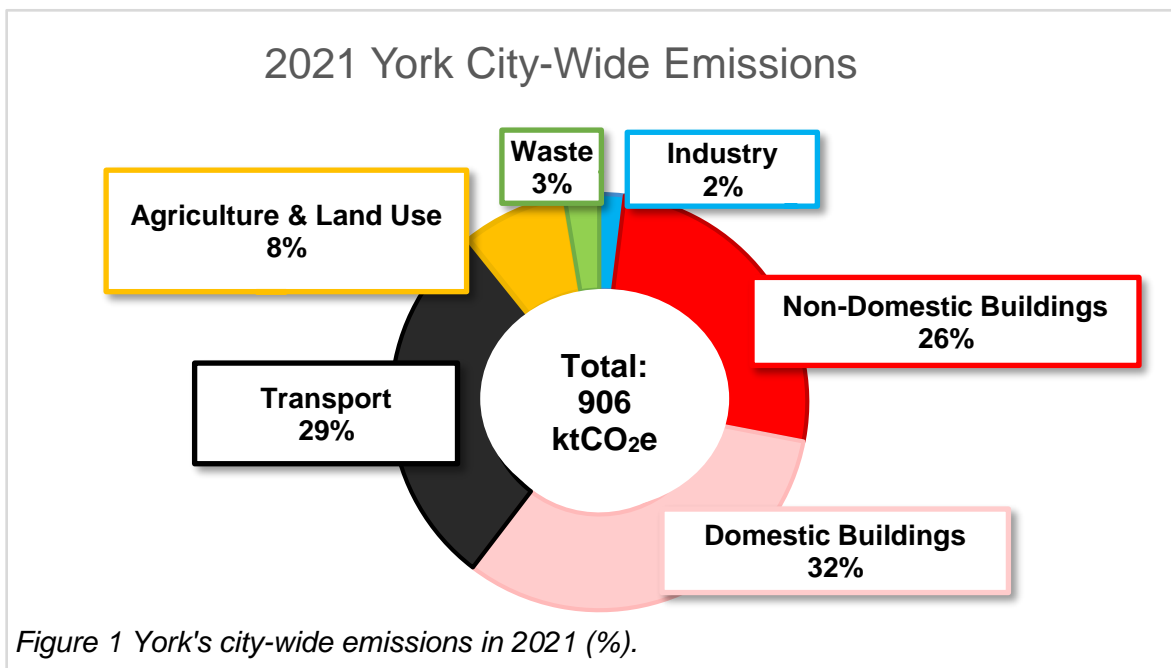
Methodological Background

14. In 2019, City of York Council declared a Climate Emergency and set an ambition for York to be a net zero city by 2030. This ambition is reflected in the York Climate Change Strategy (2022) and the Council Plan (2023-2027). To monitor progress against this ambition, an annual report is produced for city-wide emissions.
15. This report presents the latest York Emissions Report Inventory (2024) for the reporting year 2021. It uses source data from the UK local authority and regional emissions dataset, which provides a spatial disaggregation of greenhouse gas emissions from the UK Greenhouse Gas Inventory (GHGI). This methodology was also adopted in the previous York Emissions Report Inventory (2023) for the reporting year 2020.

16. Reports from 2021² and 2022³, were compiled using the SCATTER tool⁴. The SCATTER tool was temporarily discontinued in 2023, and the publication of data for reporting year 2021 has not yet been confirmed. As such this emissions report has been compiled using the GHGI. This does not significantly alter the outcome of the report, as GHGI is also used as the source data for SCATTER.
17. GHGI is updated annually on behalf of the Department for Energy Security and Net Zero (DESNZ) as part of the National Atmospheric Emissions Inventory (NAEI) programme. The most recent estimates published by DESNZ relate to two years earlier; as such, the data does not reflect the current level of emissions.
18. The data provided by DESNZ represents local emissions but also disaggregation of national data metrics for area size, GDP and population. As such, this data does not include any unique emissions reduction as a result of York climate action.

York’s City-Wide Emissions

19. York’s Scope 1 and 2 (Direct) emissions were in 906ktCO₂e in 2021, 5% increase from 2020 (861ktCO₂e).



² York Emissions Inventory Report 2021 https://modgov.york.gov.uk/documents/s153498/EMDS_York%20Emissions%20Inventory%20Report_2021.pdf

³ York Emissions Inventory Report 2022 <https://modgov.york.gov.uk/documents/s164308/EMDS%20City%20Emissions%20Dec%202022.pdf>

⁴ SCATTER Tool <https://scattercities.com/>

20. As in previous years, the largest proportion of emissions can be attributed to the built environment (58%) and transport (29%). Agriculture and Land-Use, Industry and Waste each make up 10% or less of city-wide emissions. The full distribution of York's emissions can be seen in Figures 1, 2 and 3.

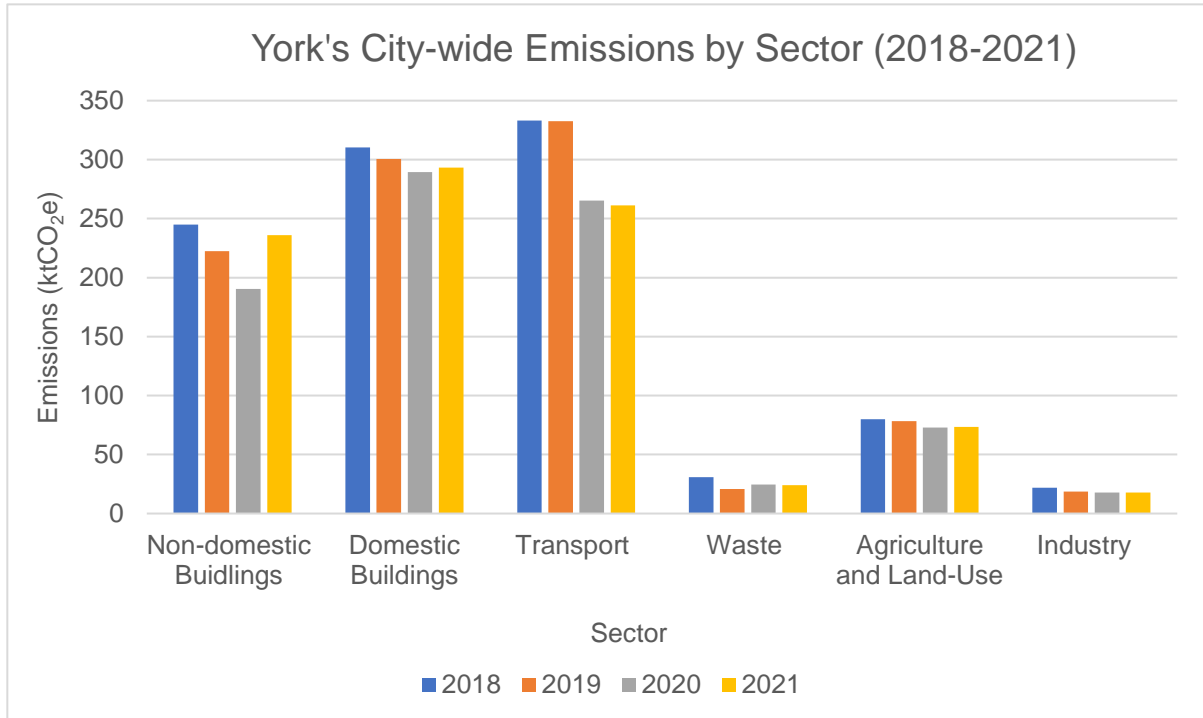


Figure 2: York's city-wide emissions profile from 2018-2021, using DESNZ Local Authority Data

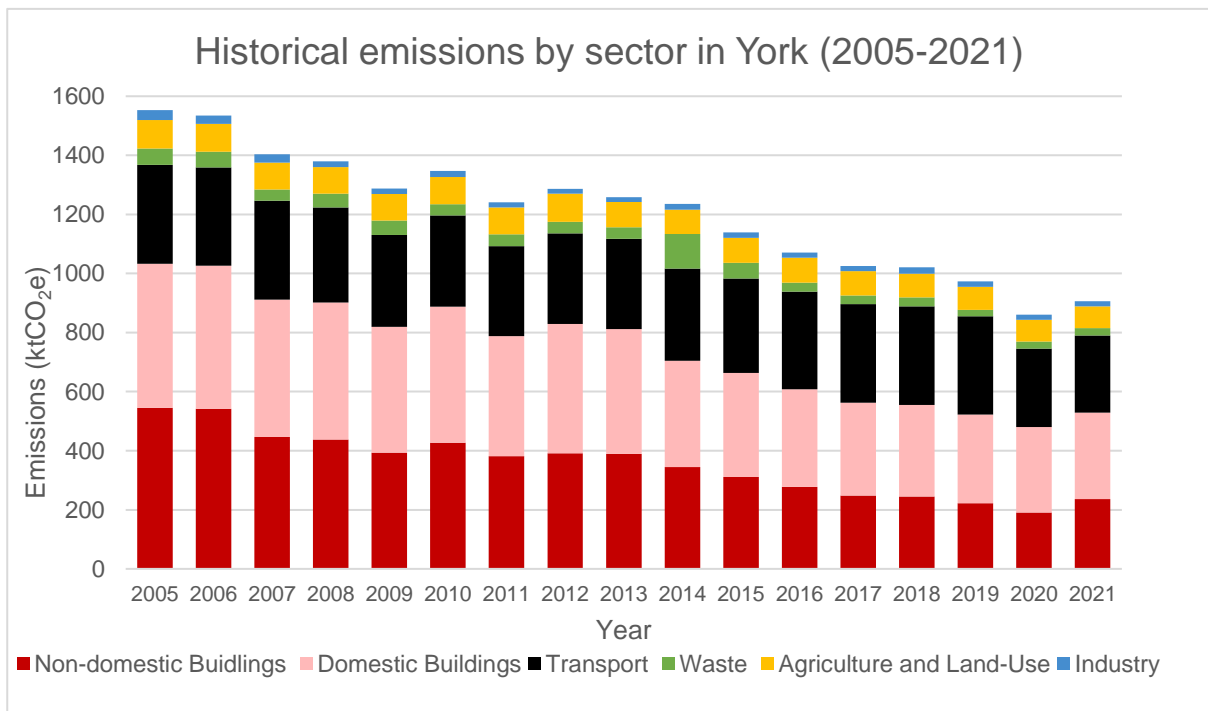


Figure 3: York's total city-wide emissions from 2005-2022, using DESNZ Local Authority Data

Built Environment

21. The built environment has seen an increase in emissions from 2020 to 2021 (+45ktCO₂e), with over 90% of this increase attributed to non-domestic emissions.
22. This follows an unusually low year in non-domestic emissions in 2020 during the COVID-19 pandemic. Consequently, this increase likely reflects the return-to-work period after the lockdowns seen throughout 2020. For instance, emissions in common workplace sectors, such as public sector and commercial spaces, have increased.

Transport

23. Transport is the second largest contributor to York's city-wide emissions, comprising 29% of total locally derived emissions in 2021.
24. Emissions from transport have decreased from the previous year (-4ktCO₂e from 2020) and have not returned to-pre-pandemic levels (-71ktCO₂e from 2019).

Agriculture and Land-Use, Waste, and Industry

25. Emissions for these categories are largely unchanged between 2020 and 2021 (<+/-2ktCO₂e).
26. Emissions from industry and agriculture and land-use have seen slight increases while emissions from waste have decreased since 2020.

Consultation Analysis

27. The Council's internal Climate Change and Natural Capital Programme Board was consulted to overview the city-wide emissions data in its capacity to provide oversight, monitor progress, identify opportunities and manage risk relating to the Climate Change Programme.
28. The data informing this report is sourced from the Department for Energy Security and Net Zero's UK local authority and regional

greenhouse gas emissions statistics. Consultation of the Technical Report⁵ has taken place to inform and support this report.

29. Our city-wide climate action is also independently reviewed. The Council also report city-wide emissions through CDP, a global disclosure system and benchmarking platform. We have received an A rating in 2022 and 2023 for our climate action disclosure.

Options Analysis and Evidential Basis

30. This report seeks to approve the York Emissions Inventory Report for publication. Options and their implications consist of:
- a) Do nothing – do not approve the York Emissions Inventory Report.
 - b) Approve the York Emissions Inventory Report.
31. The publication of a city-wide emissions inventory supports the Council's goal of providing transparency of the progress made against the ambition for York to be net zero by 2030, in line with the Council Plan's Key Performance Indicator.

Organisational Impact and Implications

- **Financial:** The report highlights investment that the council is making in reducing its overall emissions. Further reductions in emissions will require additional investment and this continues to be sought from external bodies as well as within current budgets.
- **Human Resources (HR):** No implications
- **Legal:** There are no legal implications linked to the recommendations specifically referred to within this report.
- **Procurement:** No implications.
- **Health and Wellbeing:** There is a growing body of research which shows that actions to reduce greenhouse gas emissions are beneficial to health, mainly due to the

⁵ UK local and regional greenhouse gas emissions estimates for 2005-2022 Technical Report <https://assets.publishing.service.gov.uk/media/667ad7a7c7f64e234208ffc2/local-authority-ghg-technical-report-2022.pdf>

reduction in outdoor and household air pollution, better insulated homes and increase in healthy behaviours – including increased physical activity, by walking and cycling. Reduction in respiratory disease linked to reduced air pollution together with substantial reductions in heart disease, cancer, obesity, diabetes, road deaths and injuries are also possible to improve public health.

- **Environment and Climate action:** City-wide emissions reporting allows us to track progress against the Council ambition for York to be net zero by 2030.
- **Affordability:** No implications.
- **Equalities and Human Rights:** No equalities impact for this report as the Executive Member is being asked to accept a retrospective report.
- **Data Protection and Privacy:** As there is no personal data, special categories of personal data or criminal offence data being processed, there is no requirement to complete a data protection impact assessment (DPIA). This is evidenced by completion of DPIA screening questions AD-10400.
- **Communications:** No implications received
- **Economy:** No implications received

Risks and Mitigations

32. *Transparency:* Wider emissions reporting refers, in the main, to city partner and resident activity. Partners will use their own methodology to measure their carbon impact and there may be occasions when data is not aligned. City partners will work together to present a shared narrative about data as it is published.
33. *Methodology:* DESNZ implements a programme of continuous improvements and revisions to the point source data included in the local authority GHG emissions dataset. As such these data are revised across the entire timeseries each year. In some instances where additional data have become available, or where improvements to the UK GHGI methodology or DUKES commodity balances have been made, the point source data will be impacted. While most data will be unchanged from previous local authority

estimates, the Council will use the most up-to-date information available for the reported year at time of writing to reflect these methodological improvements.

34. *Time:* With a 2.5-year time lag for the data, it will be some time before the impact of policies is really understood. This brings a risk that inadvertent and negative impacts are not acted on quickly enough. To mitigate this risk the council will work with city partners, and draw on available evidence, to better understand impact until the accurate data is available.
35. *Aggregation:* The Local Authority and Regional Greenhouse Gas Dataset relies on disaggregation of national data and apportionment to York's geography. While this is the best available indicator for sub-national area-wide emissions, it does not accurately reflect the emissions local to York. Work is ongoing to identify a bottom-up approach to emissions reporting that will more accurately represent York's area-wide emissions inventory.

Wards Impacted

36. All wards.

Contact details

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Author

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Report approved:	Yes
Date:	07/11/2024

Background papers

Background paper: Council approve The Climate Change Strategy 2022-2032 [Agenda for Council on Thursday, 15 December 2022, 6.30 pm \(york.gov.uk\) item 36](#)

Background paper: Council approve the Council Plan 2023-2027
[Agenda for Council on Thursday, 21 September 2023, 6.30 pm \(york.gov.uk\) item 6](#)

Background paper: York Emissions Inventory Report 2023
<https://modgov.york.gov.uk/documents/s171184/York%20Emissions%20Inventory%20Report%202023.pdf>

Background paper: York Emissions Inventory Report 2022
<https://modgov.york.gov.uk/documents/s164308/EMDS%20City%20Emissions%20Dec%202022.pdf>

Background paper: York Emissions Inventory Report 2021
https://modgov.york.gov.uk/documents/s153498/EMDS_York%20Emissions%20Inventory%20Report_2021.pdf

Annexes

Annex A: UK local authority and regional greenhouse gas emissions national statistics

Abbreviations

CDP – Formerly Carbon Disclosure Project
DESNZ - Department for Energy, Security and Net Zero
DPIA - Data Protection Impact Assessment
DUKES – Digest of United Kingdom Energy Statistics
GDP – Gross Domestic Product
GHG – Greenhouse Gas
GHGI - Greenhouse Gas Inventory
NAEI - National Atmospheric Emissions Inventory
UK GHGI – United Kingdom Green House Gas Inventory

Second Tier Authority	Local Authority	Calendar Year	LA GHG Sector	LA GHG Sub-sector	Greenhouse gas	Territorial emissions (kt CO2e)	CO2 emissions within the scope of influence of LAs (kt CO2)	Mid-year Population (thousands)
York	York	2021	Agriculture	Agriculture Electricity	CO2	1.223751266	1.223751266	201.672
York	York	2021	Agriculture	Agriculture Electricity	CH4	3.38E-02	0	201.672
York	York	2021	Agriculture	Agriculture Electricity	N2O	8.17E-03	0	201.672
York	York	2021	Agriculture	Agriculture Gas	CO2	0.668908766	0.668908766	201.672
York	York	2021	Agriculture	Agriculture Gas	CH4	1.64E-02	0	201.672
York	York	2021	Agriculture	Agriculture Gas	N2O	4.41E-04	0	201.672
York	York	2021	Agriculture	Agriculture Livestock	CH4	21.95374195	0	201.672
York	York	2021	Agriculture	Agriculture Livestock	N2O	3.160180242	0	201.672
York	York	2021	Agriculture	Agriculture 'Other'	CO2	7.495214707	7.495214707	201.672
York	York	2021	Agriculture	Agriculture 'Other'	CH4	6.35E-02	0	201.672
York	York	2021	Agriculture	Agriculture 'Other'	N2O	7.86E-02	0	201.672
York	York	2021	Agriculture	Agriculture Soils	CO2	1.92873639	0	201.672
York	York	2021	Agriculture	Agriculture Soils	N2O	15.31755766	0	201.672
York	York	2021	Commercial	Commercial Electricity	CO2	56.50079895	56.50079895	201.672
York	York	2021	Commercial	Commercial Electricity	CH4	1.560694501	0	201.672
York	York	2021	Commercial	Commercial Electricity	N2O	0.377349761	0	201.672
York	York	2021	Commercial	Commercial Gas	CO2	43.61632928	43.61632928	201.672
York	York	2021	Commercial	Commercial Gas	CH4	1.067670548	0	201.672
York	York	2021	Commercial	Commercial Gas	N2O	2.88E-02	0	201.672
York	York	2021	Commercial	Commercial 'Other'	CO2	7.150288674	7.150288674	201.672
York	York	2021	Commercial	Commercial 'Other'	CH4	4.18E-02	0	201.672
York	York	2021	Commercial	Commercial 'Other'	N2O	3.79E-02	0	201.672
York	York	2021	Domestic	Domestic Electricity	CO2	64.42656961	64.42656961	201.672
York	York	2021	Domestic	Domestic Electricity	CH4	1.779624266	0	201.672
York	York	2021	Domestic	Domestic Electricity	N2O	0.430283307	0	201.672
York	York	2021	Domestic	Domestic Gas	CO2	203.5555501	203.5555501	201.672
York	York	2021	Domestic	Domestic Gas	CH4	4.982772948	0	201.672
York	York	2021	Domestic	Domestic Gas	N2O	0.134257154	0	201.672
York	York	2021	Domestic	Domestic 'Other'	CO2	15.61180017	15.61180017	201.672
York	York	2021	Domestic	Domestic 'Other'	CH4	1.559423248	0	201.672
York	York	2021	Domestic	Domestic 'Other'	N2O	0.702924254	0	201.672
York	York	2021	Industry	Industry Electricity	CO2	11.75660273	11.75660273	201.672
York	York	2021	Industry	Industry Electricity	CH4	0.324747005	0	201.672
York	York	2021	Industry	Industry Electricity	N2O	7.85E-02	0	201.672
York	York	2021	Industry	Industry Gas	CO2	64.82204248	64.82204248	201.672

York	York	2021	Industry	Industry Gas	CH4	1.5867586	0	201.672
York	York	2021	Industry	Industry Gas	N2O	4.28E-02	0	201.672
York	York	2021	Industry	Industry 'Other'	CO2	14.58172015	14.58172015	201.672
York	York	2021	Industry	Industry 'Other'	CH4	0.169810406	0	201.672
York	York	2021	Industry	Industry 'Other'	N2O	2.953048478	0	201.672
York	York	2021	Industry	Large Industrial Installations	CO2	0.111210973	0	201.672
York	York	2021	Industry	Large Industrial Installations	CH4	1.23E-02	0	201.672
York	York	2021	Industry	Large Industrial Installations	N2O	1.29E-02	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Bioenergy crops	CO2	-2.52E-02	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Cropland mineral soils under LUC	CO2	9.306585462	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Cropland mineral soils under LUC	N2O	0.501911616	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Forestry	CO2	-7.957376182	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Forestry	CH4	0.00684834	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Forestry	N2O	0.061290585	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Grassland mineral soils under LUC	CO2	-7.211283508	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Grassland mineral soils under LUC	N2O	0.000582398	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Other LULUCF	CO2	0.339472288	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Peatland	CO2	13.44613967	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Peatland	CH4	16.69519349	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Peatland	N2O	0.494233124	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Settlements	CO2	5.040851719	0	201.672
York	York	2021	LULUCF	LULUCF Net Emissions: Settlements	N2O	0.46028504	0	201.672
York	York	2021	Public Sector	Public Sector Electricity	CO2	13.3941531	13.3941531	201.672
York	York	2021	Public Sector	Public Sector Electricity	CH4	0.369980274	0	201.672
York	York	2021	Public Sector	Public Sector Electricity	N2O	8.95E-02	0	201.672
York	York	2021	Public Sector	Public Sector Gas	CO2	18.99942752	18.99942752	201.672
York	York	2021	Public Sector	Public Sector Gas	CH4	0.465081072	0	201.672
York	York	2021	Public Sector	Public Sector Gas	N2O	1.25E-02	0	201.672
York	York	2021	Public Sector	Public Sector 'Other'	CO2	4.151032991	4.151032991	201.672
York	York	2021	Public Sector	Public Sector 'Other'	CH4	3.30E-02	0	201.672
York	York	2021	Public Sector	Public Sector 'Other'	N2O	1.27E-02	0	201.672
York	York	2021	Transport	Diesel Railways	CO2	7.442107585	0	201.672
York	York	2021	Transport	Diesel Railways	CH4	2.63E-02	0	201.672
York	York	2021	Transport	Diesel Railways	N2O	1.97E-02	0	201.672
York	York	2021	Transport	Road Transport (A roads)	CO2	139.2795987	139.2795987	201.672
York	York	2021	Transport	Road Transport (A roads)	CH4	0.541989063	0	201.672
York	York	2021	Transport	Road Transport (A roads)	N2O	1.147826122	0	201.672
York	York	2021	Transport	Road Transport (Minor roads)	CO2	105.8729559	105.8729559	201.672
York	York	2021	Transport	Road Transport (Minor roads)	CH4	0.463636223	0	201.672
York	York	2021	Transport	Road Transport (Minor roads)	N2O	0.790537976	0	201.672
York	York	2021	Transport	Transport 'Other'	CO2	5.539816949	5.539816949	201.672

York	York	2021	Transport	Transport 'Other'	CH4	5.94E-02	0	201.672
York	York	2021	Transport	Transport 'Other'	N2O	4.37E-02	0	201.672
York	York	2021	Waste	Landfill	CH4	13.59563121	0	201.672
York	York	2021	Waste	Waste 'Other'	CO2	0.185598273	0.185598273	201.672
York	York	2021	Waste	Waste 'Other'	CH4	6.701403732	0	201.672
York	York	2021	Waste	Waste 'Other'	N2O	3.67688888	0	201.672

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