

**South Ayrshire Council**

**Report by Director of Strategic Change and Communities  
to Cabinet  
of 28 November 2023**

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**Subject: South Ayrshire Council Public Bodies Climate Change  
Duties Annual Report 2022-23**

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**1. Purpose**

1.1 The purpose of this report is to present for approval the Council's statutorily required Public Bodies Climate Change Duties Annual Reporting for 2022-23

**2. Recommendation**

**2.1 It is recommended that the Cabinet:**

**2.1.1 approves the annual report attached in Appendix 1 and agrees this annual report is submitted as required by officers to the Scottish Government by 30 November 2023; and**

**2.1.2 notes both the progress and challenges faced by the Council in fulfilling its duties and the reductions in the emissions targets summarised in the analysis.**

**3. Background**

3.1 In 2009, the Scottish Parliament passed the Climate Change (Scotland) Act. Part 4 of the Act states that a 'public body must, in exercising its functions, act: in the way best calculated to contribute to the delivery of (Scotland's climate change) targets; in the way best calculated to help delivery any (Scottish adaptation programme); and in a way that is considers most sustainable'.

3.2 The Council and many of its Community Planning Partners have had a responsibility to take forward these duties from 1 January 2011 (see government guidance for taking forward these duties available at: [Public bodies climate change duties: putting them into practice, guidance required by part four of the Climate Change \(Scotland\) Act 2009 - gov.scot \(www.gov.scot\)](http://www.gov.scot/publications/public-bodies-climate-change-duties-putting-them-into-practice-guidance-required-by-part-four-of-the-climate-change-scotland-act-2009/pages/1-3.aspx))

3.3 In the intervening period climate change has continued to climb up the national and international agenda. It is the accepted consensus, scientific and political, that we now only have a small window for decisive action to prevent the worst effects of climate change and that we must also now prepare for those already locked into our climate system.

- 3.4 In June 2019 South Ayrshire Council adopted its first Sustainable Development and Climate Change Strategy [Sustainable development and climate change strategy 2019-2024 \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk). The strategy is currently being refreshed to reflect developments both local, national and international which have taken place since its adoption. It should be noted that in October 2020 the Council approved a strengthened policy position agreeing organisational targets which align us with the national targets of a 75% reduction in emissions by 2030 and net zero by 2045 [Climate Change Policy \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk). It is important to note that these targets are based on a baseline of 2014/15 which was when a consistent organisational boundary was set, and they relate to emissions within that boundary.
- 3.5 This is the eighth year the current national reporting template for public bodies climate change duties, which is set out in legislation, has been used. While for some time gaps were expected in the data and information public bodies would present as they evolved their response to new duties, it is now the case that all required components are expected to be addressed by all public bodies, and guidance has been updated a number of times to make the minimum expected standards of performance clear. This includes:
- Explanation of the extent of involvement of the Chief Executive in the governance of climate change activities;
  - Evidence of the effectiveness of governance arrangements;
  - Baseline year and historic emissions from at least 2015/16 onwards;
  - Correct assignment of emissions against scope;
  - Historic emissions data consistent year on year; and
  - Data entered for all renewable installations.
- 3.6 Furthermore the reporting guidance also states that ‘it is untenable for a public body not to have some form of target set and monitored to determine progress. Ideally a corporate target that applies across the organisation should be established, either as a percentage or absolute reduction or a final endpoint by a fixed date. Targets should also be set with reference to national policy and demonstrate alignment where feasible’.
- 3.7 Recent developments at the national level, including work underway on new national statutory guidance, point to increasing requirements for public bodies reporting, particularly for local authorities. There will be an expectation that more areas are covered in the reporting, for example following the requirement to calculate home working emissions we anticipate that this could include commuting, all modes of business travel and scope 3 emissions, and a requirement to set targets in relation to these. Public bodies targets are also increasingly likely to be driven by more stringent legislation, for example the backstop for public sector buildings to have zero heating emissions by 2038 may mean public bodies have to go beyond the targets they have already set in this area, for example net zero by 2045 in the case of South Ayrshire Council.

## 4. Proposals

- 4.1 It is proposed that the report (Appendix 1) is approved by Cabinet and submitted as required by 30 November 2023 to the Sustainable Scotland Network who are collating and analysing the reports on behalf of the Scottish Government.

- 4.2 Members are asked to note the analysis of the report findings set out in Appendix 2, reporting the Council's progress in reducing emissions, and that this information will be considered by the Corporate Leadership Team as it progresses the work towards the Council meeting the commitment to reduce the 75% target set for 2030.

## **5. Legal and Procurement Implications**

- 5.1 The requirement for the Council to complete, approve and submit a version of the appended report template is, a legal requirement.
- 5.2 In 2009, the Scottish Parliament passed the Climate Change (Scotland) Act. Part 4 of the Act states that a 'public body must, in exercising its functions, act: in the way best calculated to contribute to the delivery of (Scotland's climate change) targets; in the way best calculated to help deliver any (Scottish adaptation programme); and in a way that it considers most sustainable
- 5.3 The Council and many of its Community Planning Partners have had a responsibility to take forward these duties from 1 January 2011 (see government guidance on taking forward these duties available at:

[https://www.gov.scot/publications/public\[1\]bodies-climate-change-duties-puttingpractice-guidance-required-part/pages/0/](https://www.gov.scot/publications/public[1]bodies-climate-change-duties-puttingpractice-guidance-required-part/pages/0/)

- 5.4 New statutory guidance is under preparation with publication expected next year. It is anticipated that this statutory guidance will significantly increase the level of expectation placed on local authorities in comparison to earlier guidance issued when targets, urgency and our understanding of required action were all less
- 5.5 The Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015 required the council along with all other public bodies considered to be 'major players' to annually report against the specified questions which are contained within the appended completed template. The deadline for submission of the annual reports is 30 November each year.
- 5.6 There are no procurement implications arising from this report.

## **6. Financial Implications**

- 6.1 There are no financial implications arising directly from this report. However, compliance with national legislative requirements and delivery of our targets will have resource requirements, both in terms of how resources are deployed to deliver services, as well as in relation to the balance of the upfront costs in relation to whole life costs where more stringent standards are implemented. Financial implications arising from this will be considered as part of future capital and revenue budgets as well as within future Cabinet reports.

## **7. Human Resources Implications**

- 7.1 There are no human resource implications arising directly from this report. Our commitments will be delivered within existing resources.

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## **8. Risk**

### **8.1 *Risk Implications of Adopting the Recommendations***

8.1.1 There are no risks associated with adopting the recommendations.

### **8.2 *Risk Implications of Rejecting the Recommendations***

8.2.1 The risks associated with rejecting the recommendations are that the Council will fail to submit a report that is legislatively required to be made public by the Climate Change (Scotland) Act 2009 and the Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015.

## **9. Equalities**

9.1 The proposals in this report allow scrutiny of performance. The report does not involve proposals for policies, strategies, procedures, processes, financial decisions, and activities (including service delivery), both new and at review, that affect the Council's communities and employees, therefore an equality impact assessment is not required.

## **10. Sustainable Development Implications**

10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy, or strategy.

10.2 A key environmental benefit of this proposal will be to increase awareness of climate change and the need for cross cutting action. This can be enhanced/ supported by pursuing the progress points for the year ahead noted in the report. The main environmental cost / challenge of this proposal will be behaviour change and identification of resources for specific action areas going forward. This can be minimised by good communications and forward planning.

## **11. Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report, however many of the areas which contribute to the Council's efforts to tackle climate change have been the subject of option consideration and appraisal.

## **12. Link to Council Plan**

12.1 The matters referred to in this report contribute to all priorities and outcomes of the Council Plan.

## **13. Results of Consultation**

13.1 There has been no public consultation on the contents of this report.

13.2 Consultation has taken place with Councillor Martin Kilbride, Portfolio Holder for Buildings, Housing and Environment, and the contents of this report reflect any feedback provided.

## 14. Next Steps for Decision Tracking Purposes

- 14.1 If the recommendations above are approved by Members, the Director of Strategic Change and Communities will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<b><i>Implementation</i></b>	<b><i>Due date</i></b>	<b><i>Managed by</i></b>
Completed reporting template nationally to be made publicly available alongside reports of all other public bodies	30 November 2023	Service Lead – Policy, Performance and Community Planning
Prepare annual report for 2023/24	31 October 2024	Service Lead – Policy, Performance and Community Planning

**Background Papers**    **Report to South Ayrshire Council of 1 October 2020 - [Climate Change Policy](#)**

**Report to South Ayrshire Community Planning Board of 26 August 2021 – Net Zero and a Green Recovery for Ayrshire**

**Report to Cabinet of 29 November 2022 - [Annual Climate Change Duty Report 2021-22](#)**

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