

To

Members of the General Purposes Committee

Legal & Democratic Services

Governance Services
1st Floor West
Civic Hall
Leeds LS1 1UR

Contact: Kevin Tomkinson
Tel: [0113 3788659](tel:01133788659)

Email: kevin.tomkinson@leeds.gov.uk
Our Ref:
Your Ref:

14 May 2019

Dear Councillor

GENERAL PURPOSES COMMITTEE – 15 MAY 2019

Please find attached for your attention a late item for consideration at General Purposes Committee on Wednesday 15th May 2019.

LATE ITEM - Climate Change Advisory Committee

Please attach these papers to your agenda for the meeting.

Many thanks.

Yours sincerely



Kevin Tomkinson
Principal Governance Officer

Report of City Solicitor**Report to General Purposes Committee****Date: 15th May 2019****Subject: Climate Change Advisory Committee**

Are specific electoral wards affected?	☐ Yes	☒ No
If yes, name(s) of ward(s):		
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for call-in?	☐ Yes	☒ No
Does the report contain confidential or exempt information?	☐ Yes	☒ No
If relevant, access to information procedure rule number:		
Appendix number:		

Summary of main issues

1. This report follows consideration of the Climate Emergency White Paper at council in March and following receipt by Executive Board of a report titled 'Cutting Carbon Annual Report and Leeds Climate Commission.'
2. The Leader of council has requested that a cross cutting, cross party committee be established to enable the authority to respond quickly and positively to the climate change emergency as set out in the resolution of full council following the consideration of the white paper in March.
3. The committee will be established as an advisory committee under S102(4) Local Government Act 1972 and will provide leadership and oversight in relation to both council and executive functions.
4. It is considered that the establishment of an Advisory Committee on Climate Change will enable member-led oversight of the council's response to the climate change emergency through the provision of advice across council and executive functions. It will also enable full council to monitor and maintain momentum in relation to the issues raised through the compilation of an annual report.

Recommendations

5. General Purposes Committee are requested to make a recommendation to the annual meeting of Council on 22nd May that the Advisory Committee on Climate Change be established with membership and substitution arrangements as detailed

in the body of this report and Terms of Reference as set out at Appendix A attached.

1. Purpose of this report

- 1.1 This report recommends the establishment of an Advisory Committee on Climate Change.

2. Background information

- 2.1 On 27th March 2019 full council received a White Paper submitted by Councillor Judith Blake and resolved to declare a 'Climate Emergency'.
- 2.2 On 17th April 2019 Executive board received a report from the Director of Resources and Housing titled "Cutting Carbon Annual Report and Leeds Climate Commission." Executive Board resolved to:-
- 2.2.1 Agree the recommendation of the Leeds Climate Commission for science-based emission reduction targets for the city and accompanying roadmap;
- 2.2.2 Support the facilitation of a city conversation on how to achieve the target and agree to receive a further report by the end of 2019;
- 2.2.3 Support the inclusion of a new section in all Executive Board reports that will highlight the impact of the decision to be taken on the achievement of the climate emergency aims; and
- 2.2.4 Note the progress and continue to support the delivery of the portfolio of the Council's cutting carbon projects.

3. Main issues

- 3.1 The Leader of council has requested that an Advisory Committee on Climate Change be established to advise both council and the executive in relation to the achievement of climate emergency aims.
- 3.2 The terms of reference attached at Appendix A will enable the advisory committee to consider and advise in relation to both council and executive functions with a view to ensuring that all functions are discharged with a view to meeting the climate emergency aims. In addition the terms of reference enable full council to monitor progress against the aims through receipt of an annual report, and to maintain momentum in addressing the climate change emergency.
- 3.3 In order to enable cross party membership of the advisory committee it is recommended that membership be fixed at 15 members of the authority to be appointed by full council according the rules of proportionality. Allocation of seats to the political groups should be as set out in the table below:-

Labour	Conservative	Liberal Democrat	Morley Borough Independent	Green	Garforth and Swillington Independent
8	3	1	1	1	1

- 3.4 It is further recommended that arrangements provide for each group whip to nominate a pool of substitute members, of equivalent number to that political group's membership of the advisory committee, who may attend in place of a member of their own political group.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 This report flows from consideration of the climate emergency by both full council and executive board.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 There are no implications for this report.

4.3 Council policies and best council plan

- 4.3.1 The establishment of the Advisory Committee will assist the council in addressing the Climate Emergency within the strategic focus of the Best Council Plan.

4.4 Resources and value for money

- 4.4.1 There are no implications for this report.

4.5 Legal implications, access to information, and call-in

- 4.5.1 In accordance with S101(1)(a) a local authority may arrange for the discharge of any of their functions by a committee of the authority, and under S102 may appoint a committee for that purpose. S102 further provides:-
S102(2) the number of Members and their term of office shall be fixed by the appointing authority;
S102(3) the committee may include persons who are not members of the appointing authority; and
S102(4) the committee may be appointed to advise the appointing authority or its executive on any matter relating to the discharge of their functions.
- 4.5.2 S15 Local Government and Housing Act 1989 applies to advisory committees. Schedule 1 paragraph 19(b) requires that political distribution of seats on the committee is proportionate. However the committee is not an ordinary committee for the purposes of S15(5)(c) of LGHA'89 as it is not appointed under S102(1)(a).

4.6 Risk management

- 4.6.1 There are no implications for this report.

5. Conclusions

- 5.1 The recommended arrangements set out provide a cross party, cross cutting remit to enable the proposed Advisory Committee on Climate Change to make recommendations on all of the authorities functions and facilitate annual debate in relation to the climate emergency through the annual report to full council.

6. Recommendations

- 6.1 General Purposes Committee are requested to make a recommendation to the annual meeting of Council on 22nd May that the Advisory Committee on Climate Change be established with membership and substitution arrangements as detailed in the body of this report and Terms of Reference as set out at Appendix A attached.

7. Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

ADVISORY COMMITTEE ON CLIMATE CHANGE

An advisory Committee¹ authorised to consider and make recommendations regarding climate change and sustainability and in particular

1.) To advise the Council in relation to functions which are²

- specified as being non executive functions or
- being local choice functions, are reserved to the Council; and

and to report annually to full council; and

2.) *To advise the Executive in relation to functions which are²*

- *specified as being executive functions, or*
- *being local choice functions, are not reserved to the Council, or*
- *are functions which are not specified as being either non executive functions or local choice functions and by default are executive functions*

¹ Appointed by the Council in accordance with Section 102(4) of the Local Government Act 1972.

² In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as from time to time amended.