



Department for
Business, Energy
& Industrial Strategy

The Rt Hon Claire Perry MP
Minister of State for Energy and Clean Growth

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Dear Tim,

The Government's request for advice from the Committee on Climate Change

Thank you for your letter dated 26 October 2018. Climate change is one of the most urgent and pressing challenges we face today, and we are committed to tackling it.

This year marks 10 years since the passage of the Climate Change Act 2008 (CCA), a world first, and in this time, we have shown that we can tackle climate change while delivering real economic growth – reducing emissions by more than 40% since 1990 while growing the economy by more than two thirds. As well as the strong action we have taken to reduce emissions domestically, we have committed £5.8 billion of international climate finance between 2016 and 2020 to help developing countries reduce their emissions and deal with the impacts of climate change.

Our commission to the Committee on Climate Change (the 'CCC') for advice on long-term targets is another example of UK leadership on climate change – taking action only a week after the Intergovernmental Panel on Climate Change's special report on global warming of 1.5°C (the 'IPCC report') was published. I have addressed in turn below the concerns you raised regarding my letter dated 15 October 2018 commissioning this advice ('the Request').

Section 42 CCA

In your letter, you ask for clarification about whether the stipulation that carbon budgets 3,4 and 5 are out of scope of the Request was a direction under section 42 CCA. I can confirm that it was not.

The Request makes clear the statutory basis for commissioning the advice (sections 3 and 7): The Secretary of State is required to obtain the CCC's advice before amending the 2050 target or setting a target percentage for later year(s). The commission was concerned only with the matters set out in the provisions referenced in the Request.

Requests for advice from the CCC prior to making an alteration to an existing carbon budget are dealt with separately in the CCA¹ and the relevant statutory provisions are clearly not in the scope of the Request. The 'stipulation' you refer to in your letter makes that clear. It is not a direction to the CCC as you suggest.

¹ See sections 21-22 CCA.

The Request was made in line with the CCC's recommendation in its January 2018 Report² that the UK Government should request advice from the CCC on the implications of the Paris Agreement for the UK's long-term emissions targets following publication of the IPCC Report.

Although I have asked the CCC not to consider formally carbon budgets already set in legislation as part of this commission, the Request asks for evidence from the CCC on how reductions in line with the CCC's recommendations might be delivered in key sectors of the economy. If the CCC considers that the most effective way of communicating this information is through a cost-effective pathway [which could include years 2018-2032], they may incorporate that information into their advice. The Chief Executive of the CCC, Chris Stark has made clear publicly that this is his understanding of the position³.

In addition, I would like to draw your attention to Lord Deben's reply⁴ when asked for his interpretation about what the CCC had been asked to prepare in response to the Government's request:

"It is perfectly reasonable to say that the Government had already received advice from the Climate Change Committee that there was no immediate need to change the targets for the fourth and fifth carbon budgets, because the trajectories that were envisaged gave it enough room, as long as it moved towards the left-hand side of those trajectories, to be online for what seemed to be necessary to meet a higher target." (my underlining)

Exercise of Discretion

You raised a concern that the Request demonstrated that the Secretary of State has in effect 'closed his mind' to the possibility of making any amendment to existing carbon budgets. This is not the case.

In order to explore fully the options open to us, I have asked the CCC to provide advice on:

- a. options for the date by which the UK should achieve a net-zero greenhouse gas target; and/or
- b. options for the date by which the UK should achieve a net zero carbon target.

As well as options for:

- a. the range which UK greenhouse gas emissions reductions would need to be within, against 1990 levels, by 2050 as an appropriate contribution to the global goal of limiting global warming to well below 2°C above pre-industrial levels; and
- b. the range which UK greenhouse gas emissions reductions would need to be within, against 1990 levels, by 2050 as an appropriate contribution towards global efforts to limit the increase to 1.5°C above pre-industrial levels; and

Given the scope of the above, there is a wide range of possible recommendations that the CCC could make and it does not make sense at this stage to ask the CCC to provide advice about the implications of all of those recommendations for carbon budgets 3-5.

The more sensible approach is for the Secretary of State to consider, once received, the CCC's advice which, together with any representations from the national authorities will inform a decision on whether an amendment to the 2050 target and/or a new long-term target(s) should be made.

² An independent assessment of the UK's Clean Growth Strategy From ambition to action, see page 22.

³ In tweets on 18th October 2018: <https://twitter.com/chiefexceccc?lang=en> <https://twitter.com/chiefexceccc?lang=en>

⁴ During the meeting of the Environment, Climate Change and Land Reform Committee on 23 October 2018, from which you quote Jim Skea in your letter.

If the Secretary of State decides that an amendment to the 2050 target and/or a new long-term target is the right way forward, an order containing the relevant provisions would then need to be laid before, and approved by, Parliament. Only at the conclusion of that process, once the long-term targets have been settled, does it make sense to consider whether to amend any, or all of, the existing carbon budgets. The approach that the Secretary of State is taking does not preclude those carbon budgets from being amended in future, if it is judged necessary and appropriate to do so in order to meet any new or revised long-term targets that may be adopted.

Irrationality

It seems to me quite untenable to suggest that our approach to the request for advice from the CCC has been irrational. In particular, the Secretary of State's request does not preclude any future amendments to existing targets, as you have assumed.

I trust that the above explanation elucidates why the approach being taken is the right one and is compliant with the statutory scheme-, and that it provides you with the clarification you sought.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'CP' followed by a long horizontal flourish.

THE RT HON CLAIRE PERRY MP
Minister of State