

ACE Advisory Committee London: Precautionary Principle

April 23, 2019 London City Council voted to declare a climate emergency by 12 – 3¹

London's procurement policy describes commitment to "sustainability" with a purpose of obtaining 'value'.² Laudable goals, but quite vague with regard to specifics. The definition used by the policy's authors is not provided. Reference to its "value analysis" reads:

*means a life cycle costing approach to valuing a given alternative, which calculates the long term expected impacts of implementing the particular option.*³

Does the lowest bid necessarily win? Value is not solely synonymous with currency and transactions. It includes recognition of the merit or tangible worth of something. Worth and value are wrapped up in long-term usefulness and efficacy more often than not. A deal on a guard dog who mauls your children is no deal at all. 2019 is the year following the four warmest years measured to date.⁴ **Right now, living in Southwestern Ontario lowers your lifespan⁵.** What dogs guard us and what is their pedigree?

Ocean heat is rising, polar caps are melting, and it is common knowledge extreme weather will have a growing impact on our lives. Doing nothing is not an option, that is what got us to where we are.

An emergency is one that poses risk and needs immediate attention. Collectively, when we were 'only' in a crisis; people sat idle. Well now we are in an emergency and so we see what the status quo has wrought; a house on fire. You do not say the house is on fire and then ignore a need for water. You do not continue with the status quo. We got here, despite being a city that claims commitment to sustainability. So, we must be doing something wrong.

How London measures value is a flag which must be flown. The one we raise will be part of the historical record. Do you want to be viewed as someone who stood idle? Advisory committees should not spend months developing practically finalized materials for paid staff. Advisory committees exist to advise and recommend, as set out in the Appendix.

IF you think that something is a good idea worthy of examination or action then now is when a resolution should be made *and passed*.

Environmental impact flows from each every day decisions. Today we can reverse a trend and do things different. Things as simple as utilizing screens, which we already have, instead of superfluous print materials where possible, would be one step of many toward the right direction. There are, no doubt, numerous small and large steps that can be taken. However, that is not the basis for the existence of this committee. We are a brush that paints broad strokes, not detail work.

¹ Meaning twelve people need thanking for agreeing with the obvious and three need an Optometrist.

² <https://www.london.ca/city-hall/by-laws/Documents/CouncilPolicy.pdf>

³ **That definition means nothing.** Good use of catch phrases does not equate to good policy.

⁴ 2018 WMO Statement on the State of the Global Climate in 2018 <https://www.un.org/en/climatechange/reports.shtml>

⁵ <https://www.theweathernetwork.com/news/articles/air-quality-life-expectancy-essex-county-windsor-ontario-southwestern-ontario-index-university-of-chicago/119368>

The way through this mess is neither navel gazing and *ad hoc* committees performing elements of the jobs people are paid to do, nor is it from new titles for the same faces at the same table in the same seats. **We need to do things differently.**

A 2013 Canadian Federal Government document titled: A Framework for the Application of Precaution in Science-based Decision Making about Risk (Framework) reads as follows:

The application of “precaution”, “the precautionary principle” or “the precautionary approach” recognizes that the absence of full scientific certainty shall not be used as a reason for postponing decisions where there is a risk of serious or irreversible harm.

*The application of precaution is distinctive within science-based risk management and is characterized by three basic tenets: **the need for a decision, a risk of serious or irreversible harm and a lack of full scientific certainty**”⁶*

2019 this year of a climate emergency, why do we worry about the ‘need’ for road expansions on Wonderland? Curious thinking in an emergency with roots in carbon emissions. Policies and anything touching on ‘value’, should stipulate that this means avoiding creation of future problems and recognition; we live inside a largely “closed loop” environment. Garbage out equals garbage in.

Fast food is often something that we remark about having a ‘regret factor’. So ease of access and affordability came to be known as not always being the best metric to use as the basis for analysis to appreciate expected outcome or that of anticipated impact.

London must address things head on. Open for business yes, but, “*the lowest bid **does not** guarantee success*” must be a guiding principle we now put forward. Environmental concerns must be front and centre. Are we not in an environmental emergency?

Do we need concrete separations for bike lanes or did we need enforcement? Why was a decision made to abandon all hope for cyclists on Hamilton? Why not instead delegate further encroachments into boulevards to slow things down? Why not take out two lanes and make angled parking and a bike lane available? Those are the sorts of questions that could tumble around at ACE for weeks and months and years. Possibly bounce to an ad hoc committee.....**we need to do things differently.**

Would it not be nice, if as a member of the public with a concern? You could put that to a sustainability office? An office and a person with discretion to investigate and produce a report to council should they consider it advisable?

And now a familiar refrain:

“We are in an emergency. Things must change”

The declaration of a climate emergency says that things must change. A piecemeal approach must not continue. It is too little and speaks volumes to priorities resting elsewhere.

⁶ A Framework for the Application of Precaution in Science-based Decision Making about Risk (Framework), available at www.who.int/ifcs/documents/forums/forum5/precaution_e.pdf4

Do not believe that we are doing enough. London needs a Sustainability Office independent of other departments and reporting directly to council. Absent that what have we?⁷ This person should have discretion to publicly remark upon issues of concern and provide reports and advisements to City Council. The office should be headed by a person under terms that prevent removal except in exceptional circumstance. This Office should have autonomy to commence investigations and make observations as they see fit. This Office should have the mandate and funding to obtain independent legal advice when needed and to take the City of London to court where necessary.

Said investigations and observations should be contained in tabled reports that become therefore public documents. This office should perform as well as the point of contact for individual or collective “environmental petitions” from the public. An independent office which serves audit and administrative functions with relation to public concerns related to the environment which they wish to have considered by various city departments or at council. That is something different.

Motion

Be it Resolved: ACE recommends PEC ask Council to:

- Undertake to amend the current City procurement policy to better reflect the state of environmental emergency we have declared
- Accept a need to make it plain, London supports and advocates the use of the precautionary principle and will strive to protect the environment through its application
- Demonstrate its commitment to address our environmental emergency by creating an independent Sustainability Office that is with powers to independently investigate matters of interest and to make observations and issue reports as well as act as point of contact to receive public concerns involving the environment and the City of London.
- Ensure that the Sustainability Office is run by an individual with a mandate that exceeds the terms of council by no less than one year and who can only be removed from their position in exceptional circumstances which are enumerated and made part of their contract of employment with the city

#

⁷ One thought https://www.youtube.com/watch?v=zYMD_W_r3Fg

Appendix A

General Policy for Advisory Committees

Policy Name: General Policy for Advisory Committees

Policy Statement

1.1

This policy establishes the various expectations and protocols for City Council's Advisory Committees.

4.1 Role of Advisory Committees

While it is the legislative mandate of the Municipal Council to make the final decision on all matters that affect the Municipality, the role of an Advisory Committee is to provide recommendations, advice and information to the Municipal Council on those specialized matters which relate to the purpose of the Advisory Committee, to facilitate public input to City Council on programs and ideas and to assist in enhancing the quality of life of the community, in keeping with the Municipal Council's Strategic Plan principles. Advisory committees shall not give direction to the Civic Administration or to any local board or commission, nor shall

Advisory Committees request, without the approval of the Municipal Council, the preparation of any administrative reports, research or work assignments. This does not preclude Advisory Committees from directly asking the Civic Administration for information and data when, in the opinion of the Civic Administration, such requests can be reasonably accommodated within existing workloads and priorities, and do not place an unreasonable demand on available resources