

**THE HIGHLAND COUNCIL**

**PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE**

**6 NOVEMBER 2013**

Agenda Item	9
Report No	PED 69/13

**HIGHLAND COUNCIL'S BIODIVERSITY DUTY DELIVERY PLAN (2012-13)**

**Report by Director of Planning and Development**

### **SUMMARY**

This paper reports on progress made towards the Council's Biodiversity Duty Delivery Plan in 2012-13. The progress report is attached at appendix 1 for information. All five of the key steps identified to ensure that the Council complies with its statutory Biodiversity Duty have been fully or partially delivered. The appended report will be submitted to the Scottish Government as part of the requirement for public bodies to report on the delivery of their Biodiversity Duty. Committee is invited to consider and approve the Highland Council's Biodiversity Duty Delivery Plan Report 2012-13.

## **1. Background**

- 1.1 Biodiversity is the variety of all life on earth and all the places where it is found. It is also the name given to a process of focussing conservation efforts on the rarest, most important or most threatened species and habitats in an area.
- 1.2 All public bodies have a statutory duty to "further the conservation of biodiversity". Covering the period 2008/10 and 2011/14, two successive plans have been drawn up to help the Council's Services deliver this duty.
- 1.3 The latest Highland Council Biodiversity Duty Delivery Plan (2011-2014), was approved by the Planning, Environment & Development Committee on 21 September 2011, when it was agreed that an annual report on progress be made in the autumn of 2012, 2013 and 2014. Thus far, progress has been a report to this Committee on the 16 November 2012.
- 1.4 Linked to delivery of the biodiversity duty, Highland Council chairs and provides administrative support to the Highland Environment Forum. The Forum is made up of over 30 representatives from local groups and key organisations tasked with delivering the Single Outcome Agreement in Highland. In addition the Forum has taken over the functions of the Highland Biodiversity Partnership whose purpose was to provide guidance and support to a network of local groups, and to make progress on strategic issues outlined in the Highland Biodiversity Action Plan. This work will continue through the new Forum.

## **2. Report on the Council's Biodiversity Duty Delivery Plan 2012-13**

- 2.1 The Plan is divided into two sections. The first section focuses on the delivery of biodiversity-related policy across the Council, whilst the second provides action plans for different areas of work within the Council Services (Countryside Rangers, Housing, Planning & Development, Social Work and TECS).
- 2.2 Biodiversity Policy Delivery: Four of the six objectives, Supporting Biodiversity Action, Development, Green Networks and Local Nature Reserve (LNR) Network, are being addressed. Two are outstanding: Ecosystem Approach and Environmental Data Sharing Partnerships.
- Working to deliver the Ecosystem Approach: as yet no proposals to pioneer the Ecosystem Approach have been put forward for the Council to support.
  - Development of an environmental data-sharing partnership in Highland: the Council is waiting for a national data strategy to be produced, which will inform and guide a future Highland data-sharing partnership. The Scottish Biodiversity Information Partnership is coordinating on this work.
- 2.3 Service Action Plans: There are 5 service action plans to report on:
- Countryside Rangers: four out of five actions are being delivered. The outstanding action will be delivered in 2014.
  - Housing: one action completed, the other will be delivered in 2014.
  - Planning & Development: all three actions scheduled for this year are currently underway.
  - Social Work: delayed due to difficulties in securing external funding.
  - TECS: five of the nine actions are underway. Two actions have been postponed, until 2014. Of the two actions not delivered, one has been postponed indefinitely due to it being a low priority and on the other, an offer of training was not taken up.
- 2.4 Communication Strategy: This will be launched in 2014.
- 2.5 Reporting and Review: The full 2012-13 Biodiversity Duty Delivery Plan Report review can be found at appendix 1.

## **3 Conclusion**

- 3.1 Highland Council's Biodiversity Duty Delivery Plan has delivered a number of valuable outcomes. Although a few actions have been delayed it is hoped that the majority of these will be delivered by 2014. National reporting and auditing of the Biodiversity Duty by public bodies is now required by the Wildlife and Natural Environment (Scotland) Act 2011 and the Report at appendix 1 will be submitted to the Scottish Government to fulfil this requirement.

#### **4 Fit with the Single Outcome Agreement**

- 4.1 Delivering the Biodiversity Duty Delivery Plan, strengthening the Highland Biodiversity Partnership and enhancing the links with Highland Environment Forum all help the Council deliver SOA National Outcomes 1, 10 and 12. The local outcome is *“Our natural heritage is protected and enhanced enabling it to deliver economic, health and learning benefits”*.

#### **5 Fit with the Programme for the Highland Council 2012-17**

- 5.1 Biodiversity actions support commitments 7, 8, 11, 13 and 18 within the “Working Together to Empower Our Communities” theme. The Highland Biodiversity Partnership and Local Biodiversity Groups have a strong input from volunteers, and many of the projects are focused on working with communities and raising awareness amongst the general public.

#### **6 Equality, legal, climate change and Carbon Clever implications**

- 6.1 There are no equality, legal, climate change or Carbon Clever implications arising from this report.

#### **7 Risk implications**

- 7.1 Biodiversity Duty Delivery Plans reduce the risk that the Council will be found in breach of its statutory duties under the Nature Conservation (Scotland) Act 2004. The Council is taking action to ensure this is not the case.

#### **8 Recommendation**

- 8.1 Committee is invited to consider and approve the Highland Council’s Biodiversity Duty Delivery Plan Report 2012-13 (appendix 1).

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Background Paper:

Appendix 1: Report on Highland Council’s Biodiversity Duty Delivery Plan 2012-13

# Highland Council's Biodiversity Duty Delivery Plan 2012-13 Report.

## Summary of the Report

Of the 21 service actions for 2012-13;

- 12 are being delivered.
- 4 are delayed, until 2014.
- 3 are on hold, pending review of delivery date.
- 2 have not been delivered. One due to lack of interest externally. The other has been dropped as it is no longer relevant.
- Of the 6 key policy areas, Highland Council is fully delivering on 4.
- 2 actions not being fully delivered are due to factors beyond the control of Council.

## Biodiversity

Biodiversity is the variety of all life on earth and all the places where it is found. It is also the name given to a process of focussing conservation efforts on the rarest, most important or most threatened species and habitats in a particular geographical area. There are three tiers of this so-called biodiversity action planning in the UK; Local Biodiversity Action Plans (there are 8 covering Highland but they usually covering a local authority area), the Scottish Biodiversity Strategy and the UK Biodiversity Action Plan.

## Sustainable development

Sustainable development is defined as, "(Development that) meets the needs of the present without compromising the ability of future generations to meet their own needs" Bruntland Report 1987. The three fundamental components of sustainable development are the environment, the economy and society. These are indivisible and always act together. The aim of the Convention on Biological Diversity, signed in 1992, is to halt global biodiversity loss by the 2010, is a key plank of working towards sustainable development.

Biodiversity action is part of sustainable development and taking action on sustainable development is a part of conserving biodiversity.

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## 1. Introduction.

The Nature Conservation (Scotland) Act 2004 states, "It is the duty of every public body and office-holder, in exercising any functions, to further the conservation of biodiversity so far as is consistent with the proper exercise of those functions." This has been noted by the Sustainable Development Select Committee at the meeting of 9 March 2005.

To help public bodies to deliver the Biodiversity Duty Guidance has been created, the initial guidance was updated in 2009. Guidance was adopted in a report presented to the Sustainable Development Select Committee on the 17<sup>th</sup> of January 2007 (paper SD2/07). This outlined where the Council was in relation to its delivery of the Biodiversity Duty and also how it should move forward to follow the Scottish Governments' guidelines on delivering the Biodiversity Duty. The foreword took the form of the Highland Council Biodiversity Duty Delivery Plan 2008-10. The progress of this plan was reported to the PED Committee on the 25<sup>th</sup> of May 2011 see [Item 20](#).

The initial and subsequent Biodiversity Duty Delivery Plan has been developed in consultation with the Sustainable Development Officer and the Council's Services. This Plan integrates with the workplan of the Climate Change Working Group and its progress will regularly be reported to that group. The Delivery Plan is based on agreed, 3-year action tables, which follow the format that was trialled in Badenoch and Strathspey in 2007/8.

The Biodiversity Duty Delivery Plan consists of 4 sections;

- Biodiversity Policy Statement.
- Service Action Plans.
- Communication Strategy
- Reporting and Review.

These 4 headings were identified as the cornerstones of the delivery of the Council's Biodiversity Duty. However these are not the end point but rather a starting point in delivering our Biodiversity Duty.

Most of the plan concentrates on the Service Action Plans. Four of the seven Council services were identified as being directly able to influence biodiversity through their day to day service delivery. They are Planning and Development, Social Work, TECS and Housing and Property Services.

In addition to these services the Countryside Rangers were involved in creating an action plan specifically for their activities. Rangers are one of the key on-the-ground operatives who have been delivering the Biodiversity Duty since before it was thought of.

Finance, Chief Executive and Education, Culture and Sport did not have specific action plans developed for them as it was decided that their engagement in the Biodiversity Communication Plan and their participation in the Council's Sustainable Development work was the best way of engaging

them in the Biodiversity Duty process. However, the Chief Executive's Service is being more directly engaged through liaison with the Sustainable Development Officer.

Highland Council is the first council in Scotland to have gone through this process and to have produced a Biodiversity Duty Delivery Plan

## **2. Biodiversity Policies.**

Delivery of action under the following six policy headings is essential in the Council continuing to deliver its biodiversity duty. The objective status covers the year of the report and objectives will be either; fully delivered, partially delivered or not delivered.

It should be noted that the report on the status of a particular objective is restricted to the Council policies for that objective. So fully delivered means that all the necessary policies are in place and being acted on but the overall objective may not be delivered as that is dependent on action by all partners in that process, who may not have the biodiversity duty e.g. private companies placed on them.

### **2.1. Supporting Biodiversity Action.**

#### Objective.

The Council will promote the biodiversity of the Highlands and ensure that the aims and objectives of the 8 Local Biodiversity Action Plans, Highland Biodiversity Partnership, Scottish Biodiversity Strategy (SBS) and UK Biodiversity Action Plan (UKBAP) are, where appropriate, delivered through its services.

#### Actions.

- The Council will continue to support the local groups and the Highland Biodiversity Partnership as resources allow.
- The Council will continue to support the delivery of the Highland Biodiversity Action plan where appropriate.
- The Biodiversity Officers will seek funding for projects to deliver biodiversity action locally.
- Delivery of the Scottish and UK Biodiversity Action Plans where appropriate.
- The Landfill Communities Fund will continue to remain available for biodiversity projects.

#### Objective Status.

Fully delivered.

### **2.2. Development.**

#### Objective.

Where development is to be approved the proposals should seek to conserve and where appropriate enhance the biodiversity of a site through overall site planning, infrastructure, landscape and building design.

#### Actions.

- The need for further supplementary guidance will be considered and if required new supplementary guidance will be produced.
- The Biodiversity Officers will input to new planning policy and plans as required.

#### Objective Status.

Fully delivered.

#### Comment

The Supplementary Planning Guidance on Protected Species was produced in 2012. Currently further guidance is not required. There is no monitoring or collation of biodiversity enhancement or loss data with regard to development. This will be needed in the future to determine the status of biodiversity influenced by development.

### **2.3. Green Networks.**

#### Objective.

The Council will work with stakeholders and statutory bodies to identify “green networks” in the major development areas and around all the major settlements in Highland.

#### Actions.

- Seek to enhance the A96 Green Network.
- By 2014 identify and analyse the Inner Moray Firth, South East Sutherland, Thurso-Wick, Fort William and Portree Green Networks.

#### Objective Status.

Fully delivered for the A96 and Inner Moray Firth. Work on the other areas has not yet started.

#### Comment.

The identification of a Green Network and the delivery of it are two very different things. There is still uncertainty about how a Green Network would be delivered and funding secured to manage it over time. There needs to be further work done on this and to see how any such actions can link in with the Scottish Biodiversity Strategy’s objective of delivering the Ecosystem Approach of biodiversity Conservation.

### **2.4. Local Nature Reserve (LNR) Network.**

#### Objective.

The Council will support local communities if they desire to develop Local Nature Reserves.

#### Action.

- Continue to promote LNRs and provide advice and support to interested local groups.

#### Objective Status.

Fully delivered.



Comment.

So far Highland has only one LNR. One other community has shown interest but there was not unanimous support for a formal designation. There will be a presentation on this at the next Countryside Ranger gathering in Autumn/Winter 2013 to encourage Rangers to promote this idea to any communities who may be interested.

**2.5. Ecosystem Approach.**

Objective.

The Council will, where appropriate, support ecosystem-scale projects to conserve and restore native biodiversity and help Highland's biodiversity adapt to climate change.

Future/ Ongoing Action.

- When an Ecosystem Approach Project is proposed Highland Council will consider its role in such a project.

Objective Status.

Not delivered.

Comment.

This is due to a lack action from national partners in proposing regional projects. It is beyond the remit and budget of the Council to do this work on its own.

**2.6. Environmental Data Sharing Partnerships.**

Action.

The Council will work with statutory bodies and local stakeholders to develop an environmental data-sharing partnership for Highland.

Future/ Ongoing Action.

- Attend partnership meetings to manage the Highland Biological Records Database.
- Support this partnership as resources allow.
- Support the Scottish Biological Information Forum's action plan wherever possible.

Objective Status.

Partially Delivered.

Comment.

The Council has done as much as it can to deliver this so far. But until there is a National Policy on Local Data Sharing Partnerships that national organisations can work to, this action will never be fully delivered in Highland alone.

**3. Service Action Plans.**

At present there are five Service Biodiversity Action Plans, these are; Countryside Rangers, Housing, Planning and Development, Social Work and TECS. Section heads have been contacted to ensure that they approved of all the actions in their delivery plans.

At present there are no specific work plans for Finance, Social Work, Education, Culture and Sport and Chief Executive's Services. These have not been developed as their engagement with the Biodiversity Communication Plan and their participation in the Council's Sustainable Development work is the best way of engaging them in the process. The Chief Executive's Service is more directly engaged though liaison with the Sustainable Development Officer.

For schools the strong uptake of the Eco-schools programme and the new Curriculum for Excellence provide strong links to biodiversity as does the continued work of the Countryside Rangers with school groups.

### 3.1. Countryside Ranger Biodiversity Action Plan.

Action	Action Status	Information	Lead Partner	Action taking place in			
				2011	2012	2013	2014
1. Educational work in schools	Ongoing	Includes Eco Schools programme, John Muir Award, school grounds projects, activities in wider countryside, all aspects of natural heritage and aspects of cultural heritage that relate to the countryside.	Rangers	•	•	•	•
2. Guided walk and events programme	Ongoing	Programme in place	Rangers	•	•	•	•
3. Site management on Ranger managed sites.	Ongoing	Overall management to maintain/encourage/ restore native species and habitats, and coherent ecosystems	Rangers	•	•	•	•
4. Identify one area of greenspace managed in each of the main population centres of the Highlands (10 towns over 2,000 inhabitants) to be selected for a trial change in its management to maximise its biodiversity.	Delayed action.	This has not been progressed this year as the focus has been on road verge management.	Rangers/ TECS				?
5. To identify any areas with existing or potential community interest or involvement, which would be suitable as a Local Nature Reserve.	Ongoing. Currently there are no communities interested in doing this.	It is an aspiration within the Council's Biodiversity Policy that there should be an LNR in each of Highland's ten, large population centres.	Rangers	•	•	•	•

### 3.2. Housing Biodiversity Action Plan.

Action/ Target.	Action Status	Information	Lead Partner	Action taking place in			
				2011	2012	2013	2014
1. Leaflet pack to all Council Tenants.	Delayed action starting in 2014.	Delayed to tie in with the launch of the Biodiversity Communication Plan in 2014.	Highland Biodiversity Officer				•
2. Deliver training to key staff on protected species and biodiversity	Ongoing.	An initial talk on Protected Species to Property and Architectural Services in planned in November 2013.	Highland Biodiversity Officer			•	•

### 3.3. Planning and Development Service Biodiversity Action Plan

Action/ Target.	Action Status	Information	Lead Partner	Action taking place in			
				2011	2012	2013	2014
1. A rolling series of annual training events on planning and biodiversity.	Ongoing.	Training delivered in Spring 2011 and 2012. Very positive feedback. Further training planned in Spring 2014	Biodiversity Officers/ PDS		•	•	•
2. Green Networks for the Inner Moray Firth development corridor mapped.	Ongoing.	Work beginning in Autumn 2011.	PDS/ SNH	•	•	•	
3. Enhancement of the Inner Moray Firth development corridor Green Network	Not due to start until 2014.		PDS/ SNH				•
4. Enhancement of the A96 Corridor Green Network	Ongoing.	It is unclear how this will be reported on.	PDS/ SNH	•	•	•	•
5. Identify and analyse the Inner Moray Firth, South East Sutherland, Thurso-Wick, Fort William and Portree Green Networks.	Not due to start until 2014.		PDS/ SNH				•

### 3.4. Social Work Biodiversity Action Plan.

Action/ Target.	Action Status	Information	Lead Partner	Action taking place in			
				2011	2012	2013	2014
Ensure all large care homes have bird table(s) and feeders and biodiverse landscaping.	Delayed.	Securing external funding for the seed and also feeders has delayed this action. It is hoped that this can be secured in 2014.	Biodiversity Officer				

Note: Funding for this would be sought from external sources and a partnership would be developed between the Ranger Service and the care homes.

### 3.5. TECS Biodiversity Action Plan.

Action/ Target.	Action Status	Information	Lead Partner	Action taking place in			
				2011	2012	2013	2014
1. When clearing ditches only clear one side in any one year. Over-dig that side to maintain water flow.	Starting in 2014?		TECS				•
2. Give a talk to the grounds maintenance teams about invasive plants in the area and best practice in managing them.	Ongoing	Talks on this have been delivered annually since 2009.	Rangers/ Biodiversity Officers	•	•	•	•
3. Bridge inspectors to attend a bats and bridges course.	Not delivered.	A course has been offered, but it was not taken up.	Biodiversity Officer/ TECS				
4. Identify one area of greenspace managed in each of the main population centres of the Highlands (10 towns over 2,000 inhabitants) to be selected for a trial change in its management to maximise its biodiversity.	Delayed action.	This has not been progressed this year as the focus has been on road verge management.	Rangers/ TECS				•
5. Map the Japanese Knotweed on the road verge network to confirm its range.	On hold.	Further development of a policy on Japanese Knotweed is required before this can be addressed.	TECS				?
6. Develop prioritisation criteria for controlling of keys sites with Japanese Knotweed.	Paper to PED in Nov 2013	This and a proposed Invasive Species Policy will be put before the	Biodiversity Officer			•	

		PED Committee in November 2013.					
7. Develop a species list for landscaping in urban and rural areas. A list of non-invasive non-native species for use on urban verges and native species to use on rural verges.	Not delivered.	This is not seen as a priority at the moment due to the small number of sites this involves.	TECS				
8. Continued involvement in and support of the Highland Invasive Species Forum	Ongoing		TECS	•	•	•	•
9. New Action. Develop a new approach to road verge management in Highland, starting with trial sites all over the Region.	Being delivered	Altered management on selected locations on the Council road verges and also on the Trunk Roads.	TECS			•	•



## **4. Communication Action Plan.**

### Objective

- 2017 Target: To significantly raise the biodiversity awareness and understanding of Highland Council staff from 2014 baseline.

### Actions.

- A survey of the Council staff's biodiversity awareness and understanding will take place in early 2014.
- A survey of Councillor's biodiversity awareness will take place in Winter 2013-14.
- A biodiversity newsletter will be produced once a year and circulated to all employees.
- A biodiversity newsletter for Councillors will also be produced annually.
- A series of talks on a variety of local biodiversity issues will start at HQ in Spring 2013 these will be video conferenced to other locations.
- Undertake a survey of the Council staff's biodiversity awareness and understanding annually and compare these to the 2014 baseline.

### Objective Status.

Delayed until early 2014.

## **5. Discussion.**

### **5.1. Policy delivery.**

Of the six key policy areas identified four are being fully delivered by The Highland Council. The Policy on the Environmental Data Sharing Partnership is only partially delivered as it requires a national policy to be developed and work on this is ongoing. Highland Council has delivered what it can. The only one not being delivered, The Ecosystem Approach, is due to the fact that external partners are primarily responsible for its delivery and they are not delivering.

### **5.2. Service Biodiversity Action Plans.**

#### **5.2.1. Countryside Rangers.**

This is progressing well with 4 actions being delivered and only one action being delayed due focussing efforts on the management of the road verges.

#### **5.2.2. Housing.**

One action is being delivered and the other is being delayed so that it ties in with the launch of the Communications Plan.

#### **5.2.3. Planning and Development.**

Three of the five actions are being delivered; the other two are not scheduled to begin until 2014.

#### **5.2.4. Social Work.**

The single action for Social work has been delayed due to the lack of available funding from the usual funders and the Biodiversity Officer not having explored more opportunities to secure this funding.

#### **5.2.5. TECS.**

One new action has been added bringing the total to nine. Of these four are being delivered. Two have not been delivered, one is on hold and two have been delayed.

The two actions relating to the policy on and mapping of Japanese Knotweed have been delayed and the policy will be presented to the PED Committee for approval in 2014. Once approved it will allow the mapping effort to be targeted and for it to begin.

The ditch maintenance action was not seen as a priority this year and is postponed to start in 2014.

The delayed greenspace action was due the focussing of resources on the road verges work, which has been very successful.

The action to produce a species list to inform landscaping in urban and rural areas was not seen as a priority and is on hold at the moment.

The offer of training to Bridge Inspectors on Protected Species was not taken up. But it will be offered again in 2014.

#### **5.3. Communication Plan.**

This has been delayed again due to a lack of time to fully implement it. However one of its actions has begun, the Biodiversity Talks have begun at the Council HQ and they have been well attended, with over 30 people attending the Invasive Species talk. There is a programme planned well into 2014. The Communication Plan will be formally presented to the Council at the PED Committee in January. There will be Councillor specific talks offered and also a list of species that Councillors can "Champion". The Baseline of Council Biodiversity Awareness will take place in Winter 2013/14 and there will be a separate consultation for Councillors. A Survey Monkey questionnaire will be used for this. This exercise will be repeated annually.

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August 2013.