

**Second Statutory 'Biodiversity Report'****Report by Ian Johnson, Head of Communities and Economy****1 Purpose of Report**

This report seeks approval of the Council's second statutory 'biodiversity report' as required by the Wildlife and Natural Environment (Scotland) Act 2011. It sets out the actions taken by the Council since November 2014 in carrying out its statutory duty to further the conservation of biodiversity. A copy of the document is appended to this report.

**2 Background**

- 2.1 Biodiversity is the variety of life. It includes plants, animals, even micro-organisms and bacteria, interacting with each other and the non-living environment (soil, water, etc.) to form living ecosystems. These interactions within ecosystems cleanse the air and water, pollinate crops, break down waste, control pests and diseases and regulate natural events. The production of food, fuels, medicines and the fibres of our clothes is dependent upon this web of life. Once ecosystems are disrupted, availability of such goods and services can be put at risk.
- 2.2 The Nature Conservation (Scotland) Act 2004 requires public bodies to further the conservation of biodiversity in delivering services, having regard to the Scottish Biodiversity Strategy. The strategy sets out local government's role in conserving biodiversity: including through community planning, spatial planning, education and greenspace management.
- 2.3 The Wildlife and Natural Environment (Scotland) Act 2011 requires public bodies to publish a 'biodiversity report' every three years that sets out the actions taken by the public body in carrying out its biodiversity duty. The proposed report highlights the activity undertaken by the Council in carrying out that duty. The Council's last biodiversity report was published in November 2014 and can be viewed on the Council's website.

**3 Report Implications****3.1 Resource**

There are no additional resource implications for Midlothian Council from this report. Preparation of the biodiversity report has been undertaken within existing budgets.

The benefits of volunteer contributions are highlighted in the biodiversity report.

### **3.2 Risk**

Lack of resources to maintain an up-to-date Local Biodiversity Action Plan (LBAP) could pose a risk in terms of determining whether the Council is properly discharging its biodiversity duty. It could also be relevant in terms of Best Value: the Council is required to carry out its Best Value duties “in a way which contributes to the achievement of sustainable development”, biodiversity being headlined in the UK-wide Sustainable Development Framework principles of sustainable development (see paragraph 3.9 below).

### **3.3 Single Midlothian Plan and Business Transformation**

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☒ Improving opportunities in Midlothian
- ☒ Sustainable growth
- ☒ Business transformation and Best Value
- ☐ None of the above

### **3.4 Key Priorities within the Single Midlothian Plan**

Conservation and enhancement of biodiversity is essential for sustainable economic growth. Biodiversity is intrinsically linked to the natural environment. Environment is a key part of the Sustainable Growth theme of the Single Midlothian Plan.

### **3.5 Impact on Performance and Outcomes**

There is no direct impact arising from this report.

### **3.6 Adopting a Preventative Approach**

Biodiversity is central to life. Its safeguarding and enhancement are also central to quality of life. The Council would be at risk of failing in its statutory duty and policies and strategies if it neglected biodiversity.

### **3.7 Involving Communities and Other Stakeholders**

Through work facilitated by the Council's Ranger Service significant engagement with individual and community groups is undertaken in its nature conservation and biodiversity work.

Public ownership and partnership are principles of the LBAP process, principally through the Midlothian Local Biodiversity Partnership. Work has started to replace the current LBAP and reinvigorate a Midlothian Local Biodiversity Partnership.

### **3.8 Ensuring Equalities**

This report does not relate to a new / revised policy / service change / budget change. It is therefore considered that undertaking an Equalities Impact Assessment (EqIA) in relation to this report is necessary.

### **3.9 Supporting Sustainable Development**

In discharging its Best Value duties and otherwise, the Council is required to contribute to the achievement of sustainable development. The Council's Sustainable Development Framework notes the stresses being placed on global life-support systems, including through biodiversity loss, and acknowledges the importance attached to biodiversity within the UK Shared Framework for Sustainable Development. The Council's Sustainable Development Policy Statement references environmental limits and natural resource protection.

### **3.10 IT Issues**

There are no IT implications from this report.

## **4 Summary**

This report seeks approval of the appended paper as the Council's second statutory 'biodiversity report' and agreement for it to be published on the Council's website. In accordance with the requirements of Nature Conservation (Scotland) Act 2004 and the Wildlife and Natural Environment (Scotland) Act 2011, this covering report and appended paper set out the actions undertaken by the Council since November 2014 to further biodiversity.

## **5 Recommendations**

It is recommended that Cabinet:

- i) agrees to the publication on the Council's website of the Council's second 'biodiversity report' under the requirements of the Wildlife and Natural Environment (Scotland) Act 2011; and
- ii) refers this report to the Performance Review & Scrutiny Committee for its information and interest.

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#### **Report Contact:**

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**Background Papers:** None