

First Statutory 'Biodiversity Report' on Pursuance of Statutory Duty to Further the Conservation of Biodiversity**Report by Ian Johnson, Head of Communities and Economy****1 Purpose of Report**

The purpose of this report is to seek approval of the appended paper as the Council's first statutory 'biodiversity report', setting out action taken by the Council since 1 January 2012 in pursuance of its statutory duty to further the conservation of biodiversity.

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 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: through community planning, spatial planning, education, greenspace management, etc. It states that partnership 'Local Biodiversity Action Plans' ('LBAPs') are essential to delivery of the strategy, and should be supported by local authority 'LBAP officers' with a sound understanding of local biodiversity.

2.3 The Act requires public bodies to publish a 'biodiversity report' within three years of 1 January 2012 and thereafter within every three years of the last report, setting out the actions taken in pursuance of the biodiversity duty. The proposed report appended here highlights the activity being undertaken by the Council in pursuance of the duty.

2.4 Supporting the LBAP process, making a success of the native wildflower grasslands programme, and the costs and benefits of volunteer contributions are all highlighted in the report as a challenge for the Council.

3 Report Implications**3.1 Resource**

In light of other priority work, resourcing support for the LBAP process is highlighted in the report as a particular challenge for the Council given current budgetary constraints. Discussions have taken place between Council services and with neighbouring local authorities

and agencies with a view to exploring alternative ways of providing support. The situation will be kept under review.

The costs and benefits of volunteer contributions are also highlighted in the report as an issue.

3.2 Risk

Lack of resources to maintain an up-to-date 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 3.8 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 of biodiversity is essential for sustainable economic growth. Biodiversity continues as an outcome area for improvement in the current Single Midlothian Plan 2014-15.

3.5 Impact on Performance and Outcomes

Note paragraph 3.4 above.

3.5 Adopting a Preventative Approach

Measures to promote and improve local biodiversity tend to have greater positive impact on the more disadvantaged in our communities. Vulnerable people and communities are most susceptible to disruptions in ecosystem services.

3.6 Involving Communities and Other Stakeholders

Public ownership and partnership are principles of the LBAP process, principally through the Midlothian Local Biodiversity Partnership, although this partnership has not recently been active.

3.7 Ensuring Equalities

Measures to promote and improve local biodiversity tend to have greater positive impact on the more disadvantaged in our communities.

3.8 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.

3.9 IT Issues

None.

4 Recommendations

It is recommended that Cabinet:

(a) agrees to the appended report being published as the Council's first 'biodiversity report' under the Nature Conservation (Scotland) Act 2004; and

(b) refers this report to the Performance Review & Scrutiny Committee for its interest.

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Background Papers: None