

Third Statutory “Biodiversity Duty” Report 2017-2020

Grant Ballantine, Lead Officer Conservation and Environment

Report for Decision

1 Recommendations

That Cabinet:

- i) approves the appended report (in appendix B) as the Council's third statutory 'Biodiversity Report' 2017-2020 and agrees to its publication on the Council's website under the requirements of the Wildlife and Natural Environment (Scotland) Act 2011 and that a copy is provided to the Scottish Government as also required; and
- ii) refers this report and appendix to the Performance Review & Scrutiny Committee for its information and interest.

2 Purpose of Report

This report seeks approval of the appended paper as the Council's third statutory 'Biodiversity Report' 2017-2020 and agreement for it to be published on the Council's website and for a copy to be forwarded to the Scottish Government. In accordance with the requirements of the 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 Midlothian Council since November 2017 to further biodiversity.

Date 12 October 2020

Report Contact:

Grant Ballantine Tel No 0131 271 3429

grant.ballantine@midlothian.gov.uk

3 Background

3.1 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, life, life patterns and the availability of such goods and services can be put at risk.

3.2 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 (published in 2004). The strategy sets out local government's role in conserving biodiversity: including through community planning, spatial planning, education and greenspace management. The 2004 Strategy was supplemented in 2013 with the "2020 Challenge for Scotland's Biodiversity". The aims of the 2013 document are:

- protect and restore biodiversity on land and in our seas, and to support healthy ecosystems;
- connect people with the natural world, for their health and well-being, and to involve them more in decision making; and
- maximise the benefits for Scotland of a diverse natural environment and the services it provides, contributing to sustainable economic growth.

3.3 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 attached proposed report highlights the activity undertaken by Midlothian Council in carrying out that duty. The Council's last biodiversity report was published in November 2017 and can be viewed on the Council's website.

4 Report Implications (Resource, Digital and Risk)

4.1 Resource

There are no additional resource implications for Midlothian Council from this report. Preparation of the Biodiversity Report has been undertaken within existing budgets. Resource for future work on biodiversity matters will need to be identified as part of Service Plan preparations.

Volunteer contributions to the furtherance of biodiversity in Midlothian are highlighted in the appended Biodiversity Report.

4.2 Digital

None

Subject to Cabinet approval, the appended biodiversity duty report will be uploaded to the Council website.

4.3 Risk

The Council is required by the Wildlife and Natural Environment (Scotland) Act 2011 to publish a third “Biodiversity Report” on its website and provide a copy to the Scottish Government. Failure to meet this requirement risks resultant reputational damage.

Lack of resources and consideration for safeguarding and enhancing biodiversity, such as implementing the Midlothian Local Biodiversity Action Plan 2019-2024 (LBAP) and other associated work reported in the appended “biodiversity duty” report, could pose a risk in terms of determining whether the Council is properly discharging its biodiversity duty. That could also create reputational damage for the Council.

4.4 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 not necessary.

4.5 Additional Report Implications (See Appendix A)

See Appendix A

Appendices

Appendix A – Additional Report Implications

Appendix B – Midlothian Council Third Biodiversity Duty Report 2017-2020

APPENDIX A – Additional Report Implications

A.1 Key Priorities within the Single Midlothian Plan

Natural environment priorities and actions have been included within the Environment component of the Midlothian Sustainable Growth community planning theme, one of Midlothian's five community planning themes. This Environment component has now become part of the Midlothian Community Planning Climate Emergency Group. The new Climate Emergency Group will retain natural environment priorities and actions relating to biodiversity safeguarding and enhancing.

A.2 Key Drivers for Change

Key drivers addressed in this report:

- Holistic Working
- Hub and Spoke
- Modern
- Sustainable
- Transformational
- Preventative
- Asset-based
- Continuous Improvement
- One size fits one
- None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- One Council Working with you, for you
- Preventative and Sustainable
- Efficient and Modern
- Innovative and Ambitious
- None of the above

A.4 Delivering Best Value

In discharging its Best Value duties and otherwise, the Council is required to contribute to the achievement of sustainability. The Council's Sustainable Development Framework notes the stresses being placed on global life-support systems, including through biodiversity loss.

A.5 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 Local Biodiversity Action Plan (LBAP). This occurred through the Midlothian LBAP Steering Group for the production of the LBAP and continues

through the implementation of LBAP actions. Ongoing engagement and partnership will be occurring through the work of the Midlothian Community Planning Climate Emergency Group.

A.6 Impact on Performance and Outcomes

There is no direct impact arising from this report.

A.7 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. Enhancing biodiversity will add to the quality of life for residents and visitors.

A.8 Supporting Sustainable Development

This report, through the Biodiversity Duty Report, seeks to highlight what the Council has been doing to help safeguard and promote biodiversity. As stated above in section A.7 of this report, biodiversity is central to life. Safeguarding and enhancing of biodiversity will help support sustainable development.

APPENDIX B

Midlothian Council Third Biodiversity Duty Report 2017-2020