

# MORAY COUNCIL BIODIVERSITY DUTY REPORT 2021-23



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## 2 Introduction

Biodiversity loss and ecosystem collapse are one of the most severe and likely risks to humanity<sup>1</sup>. Under the Nature Conservation (Scotland) Act 2004 all public bodies in Scotland have a duty to further the conservation of biodiversity when carrying out their responsibilities. In accordance with the Wildlife and Natural Environment (Scotland) Act 2011 public bodies must also publicly report its compliance with this biodiversity duty. This report outlines how the Moray Council has fulfilled its biodiversity duty over the period 2021 to 2023.

### 2.1 Moray Council's Biodiversity Duty

Moray Council covers an area of 2238 square kilometres, with a predominantly rural population of just over 96,000. It is an area of rich landscapes including mountains within the Cairngorm National Park, 28% forest cover and a diverse coastline and marine ecosystem. There are 49 protected areas within Moray.

As a large organisation, the council covers a wide range of services and operations that have an environmental impact and is committed to acting on the causes of climate change and biodiversity loss, and to take action to adapt to climate impacts.

The council has a responsibility as a planning authority through the preparation and delivery of the Local Development Plan and through delivery of National Planning Framework. Both include policies which aim to protect and enhance biodiversity. The next Local Development Plan will facilitate the creation and conservation of a Nature Network to support connectivity between protected areas and between urban-rural areas. The Moray Forestry and Woodland Strategy informs woodland creation and related activities, and the council also administers Tree Preservation Orders. Strategic plans for areas at risk of coastal change are currently at consultation stage and the council has active flood risk management plans.

The council is also responsible for the management and maintenance of all council open spaces including parks, woodlands, cemeteries, school grounds, road verges and play areas, and for delivery of a Core Paths Plan. There are also opportunities to enhance biodiversity through working with partners and communities to deliver place based projects.

As an education authority the council has a duty to connect young people with nature through the Curriculum for Excellence in Outdoor Learning and Learning for Sustainability.

## 3 Actions to protect and enhance biodiversity

Recognition of the scale and pace of biodiversity loss are driving Moray Council to take action. The main developments are outlined in the following sections, but a broader, strategic approach is currently being explored to bring these various streams together. This approach will deliver multi benefit natural capital, enhance and link spaces for nature, tourism, recreation, health, learning, develop local supply chain and nature based skills (see in particular the work highlighted in sections 3.1 and 7.1).

### 3.1 Biodiversity enhancement through the planning process

Moray Council's existing local development plan policies aim to protect and enhance biodiversity, including through connectivity and the use of nature based solutions. These are now being delivered

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<sup>1</sup> <https://www.weforum.org/reports/global-risks-report-2023/digest>



in conjunction with the strengthened biodiversity policies within the National Planning Framework (NPF4).

The council is undertaking a range of work to embed the urgency of reversing biodiversity loss and restoring nature through the next Local Development Plan due to be published in 2027.

- Local habitats and species data is being collated and mapped. This evidence will be used in the evidence report for the new local development plan and forms the first stage of opportunity mapping for a Moray Nature Network. The next stage, including consultation with key stakeholders, is due to take place in 2024.
- The revised Woodland and Forestry Strategy brings together opportunities for biodiversity, carbon reduction, health and wellbeing as well as skills development and the economy. The strategy will support the Scottish Biodiversity Strategy's action to: "Ensure that productive forests and woodlands deliver increased biodiversity and habitat connectivity as well as timber production".
- A baseline review of natural capital was undertaken in 2023, identifying opportunities for carbon sequestration and biodiversity enhancement on both Moray Council land and across the Moray area. The study recommended a biodiversity first approach to pursuing opportunities for carbon offsetting and will inform climate mitigation, adaptation and biodiversity enhancements as well as development of the green economy and skills.
- The public call for ideas has also highlighted opportunities for supporting nature across Moray that will be fed into the plan.

### 3.2 Nature Positive Management of Council Land



A living lawn and wildflower program was introduced in 2020 to support the national strategy for action on pollinators. New sites have been added each year, with 27 areas across Moray now benefitting from wildflower planting and/or adjusted mowing patterns covering an area of 5.5ha. Simple signage has engaged public support for these improvements and more areas will be introduced as they are identified and subject to funding.

Part of Quarry Wood SSSI, an area of ancient upland oak woodland is under council ownership however limited resources have prevented active management of the site in recent years. As the SSSI is in 'unfavourable declining condition', a new management plan and restoration operations have recently begun. Again, the sooner the site comes under active management the lower the cost of restoration will be.

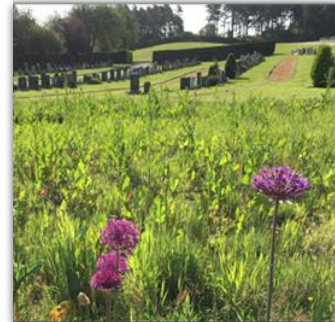


Another large area of council land, Millbuies, now has a plan in place to protect and enhance the woodland and loch for both nature and public enjoyment. Restructuring of the woodland for biodiversity benefit and resilience to climate impacts has begun, starting with the replacement of commercially planted Sitka spruce stands with mixed native broadleaves and Scots pine, and a gradual transition towards continuous cover forestry. Nest boxes for bats, kestrel and barn owls have also been installed and *R. ponticum* removal undertaken.



The Wards wildlife site, an urban wetland and predominantly wild space also has a new management plan in place, with community engagement and gradual wetland improvements currently underway. Wetland scrapes have been created and local provenance wildflowers planted. Swift boxes have been installed on two council owned buildings adjacent to the wetland.

Two rain gardens have been created at Clovenside cemetery and Forres Academy to mitigate flooding as a result of heavy rainfall. The areas have been planted with native trees and a mix of wildflowers.



The use of glyphosate based herbicides to treat unwanted vegetation is being monitored, with its application being minimised where practical. This involves recognition of the value that flowering plants offer to pollinators and tolerance of a greater presence of weeds. Reductions of glyphosate application include; limited strimming around tree bases, signs, benches and drain covers instead; all play areas except for those where weeds can easily establish and need to be controlled for the safety surfacing to be effective; using alternative methods such as mulching shrub beds to suppress weed growth.

The Core Path network is positively managed to enhance biodiversity and the council continues to support communities to deliver on the ground projects including Elgin allotments, REAP's therapeutic garden and various community orchards and other edible planting in suitable locations.



The council has undertaken control of Giant hogweed, Japanese knotweed, Himalayan balsam and Rhododendron ponticum on council land and through supporting the work of the Scottish Invasive Species Initiative (SISI). Invasive species control now, and the co-ordinated approach of SISI in particular, will avoid escalating future costs to the council and general public.

Much of the above work has only been possible due to the Scottish Government's Nature Restoration Fund direct grant, and even so there have been challenges. Limited staff resources across several services and short delivery windows for the grant have restricted what can be achieved.

Going forward there are plans to combine projects and add value through collaboration, for example the Nature Network, Open Space Strategy and Moray Growth Deal Housing Mix Delivery project and town centre improvement plans.

### 3.3 Work with Communities

Sites included in the wildflower program have been identified in consultation with communities, with some areas being led by and delivered by community groups. A map of wildflower areas has recently been added to the council's website to support public engagement.

Many schools have been taking opportunities to improve outdoor learning environments to support deliver of this approach to learning which is embedded in the curriculum (see 6.2 below). These spaces often directly enhance biodiversity in addition to connecting young people with nature and developing green skills within the young workforce.

The Moray Growth Deal projects are developing learning opportunities, such as innovative design in the Housing Mix project to maximise access to nature, and plans for a dedicated outdoor learning hub for young children.

Biodiversity is a key benefit identified within the Moray Food Growing Strategy. The council supports communities to deliver on the ground projects including Elgin allotments, Greenfingers therapeutic horticultural project and REAP's therapeutic garden and various community orchards and other edible planting in suitable locations.

### 3.4 Partnership working

The council contributes to and participates in the management of the North East Scotland Biodiversity Partnership (NESBiP). NESBiP produced and maintains an action plan, which outlines the habitats and species in most need of urgent local action. The resources provided by the partnership support developers to make locally significant improvements to biodiversity within new developments, and also guide and engage individuals and communities to take local action. Successful social media channels and engagement events provide support and education for the public to help nature through volunteering, citizen science and home gardening.

## 4 Mainstreaming biodiversity within the organisation

Moray Council is working to embed biodiversity considerations throughout a number of policies, plans, guidance and strategies with the limited resources available.

- The Climate Change Strategy, published in 2021, highlighted biodiversity as a key theme. The associated action plan now includes several actions that recognise the council's existing action on biodiversity, providing a governance structure for monitoring progress in this area.
- All committee reports are now required to identify climate change and biodiversity implications.
- The wildflower programme has involved changing management practices on council land, with operational staff delivering the ongoing maintenance of these areas including reduced mowing and the use of new cut and lift machinery.
- The council agreed to further reduce the use of herbicide use through a managed approach in certain settings and is monitoring the cost and effectiveness of alternative

approaches. It is recognised that glyphosate based herbicides may need to be phased out in the near future.

- Carbon Literacy training and a short e-module have highlighted the importance of using nature based solutions to climate change to staff and elected members.
- Supplementary planning guidance on biodiversity continues to be delivered alongside NPF4. New biodiversity guidance and training for planners is currently in development.

Moray Council aims to produce a Biodiversity Strategy in 2024. Multiple strategies, policies and plans currently cover the protection and restoration of nature, but a focused strategy will synthesise the key actions and support the delivery of a landscape scale approach via the Moray Nature Network.

## 5 Climate change adaptation and nature based solutions

The Climate Change Strategy and its delivery plan acknowledge climate change and biodiversity loss as twin crises requiring a combined response, including the vision to ‘work to retain, protect and enhance biodiversity across Moray’. Actions from the climate change delivery plan include management of council land to maximise carbon sequestration as well as biodiversity benefit and working with partners to develop a Nature Network. The Climate Change Strategy also includes an action to identify adaptation work happening across the organisation, including identifying opportunities for nature based solutions. The adaptation project is at an early stage and resources have yet to be identified to develop and deliver an action plan. Collaborative working will be essential to deliver adaptation work, bringing together multiple benefits wherever possible.

The preparatory work undertaken for the next local development plan outlined in section 2.1 will inform how nature based solutions to climate change will be delivered. Some of the strategies and plans currently in development to support this are the forthcoming Nature Network Map, Biodiversity Strategy, Woodland and Forestry Strategy, Regional Coastal Change Adaptation Plan, Open Space Strategy and Regional Spatial Strategy. As referenced in section 2, the council is exploring ways to fund and deliver these together as one project.

### 5.1 Main climate related risks

The main climate impacts relevant to biodiversity in Moray in the next three years are likely to be;



#### Extreme weather events

- damage and loss of forests caused by storms
- forest/heath/dune habitats caused by wildfires
- damage and loss of habitat and soil structure caused by flooding (though can have positive effects on ecosystems too)



#### Ecosystem changes caused by a warmer climate and shifting seasons

- increase of suitable conditions for invasive species and diseases
- disrupt the synchronisation of various species and their emergence/breeding/food sources.

## 6 Public engagement and workforce development

Moray Council no longer has any staff delivering the traditional role of rangers, but does monitor wildlife and deliver environmental education and engagement when capacity and resources allow.



## 6.1 Community engagement

Initial engagement for the Local Development Plan has included biodiversity and greenspace as a key topic. Information has been shared with and sought by the public at open events, and digital call for ideas. The responses so far have shown that the climate and nature crisis is one of the highest priorities for the people of Moray when considering planning issues. Comments included embedding nature based solutions, ensuring new developments provide habitat and nature networks and that greenfield development is restricted. A number of ambitious nature projects/ visions were proposed that would bring together nature and community.

Workshops have also been held with schools, supporting young people to consider ways to reverse biodiversity loss, such as through nature networks and changing land management and building practices. Engagement with elected members through workshops and reports have highlighted the key issues and opportunities involved in delivering biodiversity enhancement through the planning process.

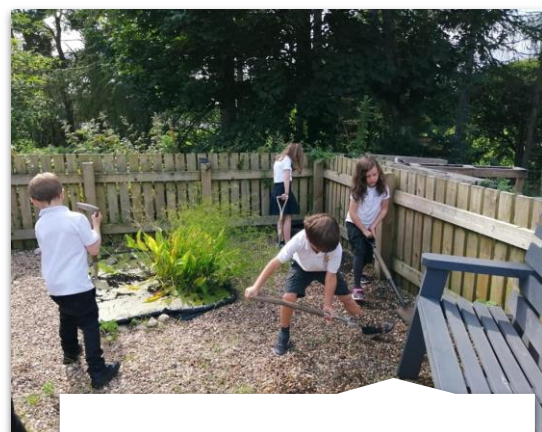
## 6.2 Outdoor learning

Schools across Moray are delivering outdoor learning projects that are connecting young people with nature.

- Outdoor learning environments have been improved, for example through the installation and restoration of ponds at several schools, new sensory gardens and pupils planting trees to commemorate Queen Elizabeth.
- Students Duke of Edinburgh program take part in expeditions along the Moray Coast and along the River Spey or Cairngorm National Park, for example. The design of the expeditions is to encourage young people to engage with the outdoors and start to appreciate the value of preserving it. Environmental projects that explore issues relating to biodiversity and land management.
- Field trips to deliver relevant curriculum elements within the local context.
- Outdoor Discovery sessions, gardening and Forest School sessions in primary schools give young people a better understanding of the nature that surrounds them.



Speyside High pupils participating in a Day of Nature Connection with a local estate to create various homes for nature.



Logie Primary pupils improving the area around their wildlife pond

## 6.3 Opportunities to celebrate successes

Projects to improve biodiversity on council land are highlighted to the public through press releases and social media channels. Clearer information has been added to the council's website, explaining

the action the council is taking as well as signposting ways for individuals to take action or learn more.

The council participated in a climate change film created by the Moray Firth Coastal Partnership which highlights the local impacts of climate change and some of the action being taken locally to address it. The film has been promoted to teachers to use as an educational resource, as well as promoted to council staff and the wider public.

#### 6.4 Participation in the North East Scotland Biodiversity Partnership (NESBiP)

NESBiP undertakes a wide range of projects to raise the profile of locally and nationally important species and habitats, encourage data recording and facilitate joint working on Local Biodiversity Action Plan (LBAP) priorities across the region. Key engagement activities include the hosting of a wildlife gardening Facebook group alongside a main Facebook page that highlights relevant information and events etc.

#### 6.5 Workforce development

##### Learning for Sustainability and Forest School training undertaken?

Training and guidance for planners in delivery of biodiversity enhancement through NPF4 is currently being developed.

Contributed to the North East Scotland Biodiversity Partnership's annual seminars, in 2023 the topic was pollinators, giving Moray Council an opportunity to showcase the living lawn and wildflower programme. Council staff and elected members were invited to the event to learn and share best practice from across the region.

## 7 Monitoring and research

### 7.1 Research

The introduction of NPF4, efforts to meet the council's net zero target and the expected increase in responsibilities for public bodies under the new Scottish Biodiversity Strategy have driven a range of research in 2023. The studies outlined in 2.1 have involved extensive desk based research and initial ecological surveys in order to advance the council's understanding of biodiversity within Moray.

- A biodiversity study involving desk based research and engagement with key stakeholders establishing priority species and habitats was carried out, in addition to ecological surveys of former SINS sites and 5 key growth sites identified in the local development plan. The output of this work will be used in the Evidence Report for the next local development plan and provide a foundation of knowledge to inform planning decisions going forward. The maps will also, alongside other relevant resources, form the starting point for the first Moray Nature Network.
- Natural capital investment opportunities have been identified through mapping GIS data, and consultation, recommending that biodiversity improvements and carbon offsetting could be delivered together.
- Similarly, the new Woodland and Forestry Strategy, currently in draft, aims to support the delivery of mitigating and adapting to climate change and reducing biodiversity loss alongside social and economic outcomes.
- Ecological surveys of two key nature sites, Millbuies and the Wards, have identified enhancement opportunities as part of renewed management plans. A woodland management plan for Quarry Wood SSSI has also recently been submitted to Scottish Forestry. This will enable active management of invasive tree species in the ancient oak woodland.

## 7.2 Monitoring

Monitoring has been a challenge to resource, however the Nature Restoration Fund has enabled some to take place through those projects. There are plans to develop performance indicators that will be essential for measuring the impact of biodiversity enhancements through planning, within the Nature Network, and carbon offsetting projects.

Ecological surveys of all wildflower and living lawn sites have been carried out to determine quality and identify management recommendations. Water level monitoring has been installed at the Wards wetland to inform future management decisions. As both of these have only recently undertaken no trends have been identified yet.

Areas of concern flagged by casual observation on council managed land include a risk of lowering water levels at the Wards wetland and spread of giant hogweed along active travel routes. Additionally, NatureScot assessment of Quarry Wood SSSI (part of which is under council ownership) is that this was in unfavourable declining condition in 2006.

All contracted ecologists undertaking surveys for the projects on council land as well as for the Biodiversity Study have been asked to submit the records to NESBReC. Occasional records are submitted by council staff directly.

## 8 Highlights

Moray Council has endeavoured to fulfil its Biodiversity Duty with constrained resources over the reporting period. Despite challenges including limited staff capacity and short timescales for the (very welcome) Nature Restoration Fund grant, this report has shown that lots has been achieved. Some most important highlights include:

The Climate Change Strategy and aligning of biodiversity as a priority within its delivery plan and therefore strengthening governance structure for biodiversity activity.

Delivery of the Nature Restoration Fund direct grant across a diverse range of projects has brought multiple benefits in addition to enhancing biodiversity. Projects have both engaged the public with nature and reduced risk of escalated costs in future.

The development of the wildflower and living lawn programme achieved with limited resources and through good engagement with the public.

The creation of three new management plans for popular natural areas owned and managed by the council mean there are actions ready to be delivered as funding becomes available. Several improvements have already been achieved.

Biodiversity featuring as a key theme within the Local Development Plan engagement during 2023 and the background work being undertaken for evidence report studies and early work on Nature Network

## 9 Future challenges

Statutory responsibilities for biodiversity have significantly increased during the reporting period through the introduction of NPF4 and are likely to increase over the next three years. Some of the

main challenges anticipated are listed below.

Development, delivery and monitoring of the Nature Network

Staff capacity and resource pressures to deliver direct enhancements and engagement/ training

Collaborative and co-ordinated working across departments

Achieving carbon insetting

Delivery and monitoring of 'biodiversity enhancement' via NPF4

Adapting to climate impacts using Nature based Solutions (especially school estate and mitigation of flood risk)