



**REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE
SERVICES COMMITTEE 14 NOVEMBER 2023**

**SUBJECT: CONSULTATION ON SCOTLAND'S STRATEGIC FRAMEWORK
FOR BIODIVERSITY**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 To ask the Committee to agree the response to the Scottish Government's Consultation on Scotland's Strategic Framework for Biodiversity.
- 1.2 This report is submitted to Committee in terms of Section III (F) (13) of the Council's Scheme of Administration relating to matters regarding environmental protection.

2. RECOMMENDATION

- 2.1 It is recommended that the Committee agree the response to Consultation on Scotland's Strategic Framework for Biodiversity that will be submitted to the Scottish Government.**

3. BACKGROUND

- 3.1 On 2 February 2023, when the Council declared a nature emergency, it also welcomed the revised national Scottish Biodiversity Strategy and forthcoming statutory targets for public bodies, including local authorities, required to meet the challenges of the nature crisis.
- 3.2 This Scottish Government consultation is seeking views on a range of topics and proposals related to biodiversity and tackling the nature emergency in Scotland.
- 3.3 It covers three parts of the Biodiversity Strategic Framework:
- The Scottish Biodiversity Strategy which sets out the vision to halt and reverse biodiversity loss;
 - The first five-year Delivery Plan which contains the actions to deliver the vision; and

- The proposed Natural Environment Bill which will provide a framework for establishing statutory nature targets to drive delivery and the transformational change we need.
- 3.4 Many topics and proposals will directly impact on the council as a public body that has responsibilities as a regulator, land manager and educator and more.
- 3.5 The consultation is wide ranging and includes a significant volume of information. Given limited staff resource and other priorities, the proposed response has been limited to those areas with greatest implications for the council. The deadline for responses is 14 December 2023. Given constraints on officer resources, should Committee be unable to identify and agree upon any amendments felt necessary to the response, it is proposed that the response is instead submitted as an officer response, allowing individual members and groups to then submit their own responses.

4. **KEY POINTS**

Scottish Biodiversity Delivery Plan

- 4.1 The Scottish Biodiversity Strategy to 2045: tackling the nature emergency sets out evidence based goals for Scotland to be Nature Positive, halt biodiversity loss by 2030 and restore and regenerate biodiversity by 2045.
- 4.2 It is proposed that the council responds in support of the strategy and delivery plan. They are highly ambitious, as required by the urgency of the situation, but how the actions will be delivered is not yet clear.
- 4.3 What is evident is that the council will have to play a key role in delivering a co-ordinated approach through the Local Development Plan and its subsequent delivery that achieves multiple benefits for people and nature. This will require local authorities to be properly resourced.
- 4.4 Nature Networks will have an especially high impact but it is not clear how these will be funded and a clear overall picture is required. Consistent funding streams will be required for all stakeholders.
- 4.5 Delays to the adoption of a standard biodiversity metric for Scotland risk the ability to halt biodiversity loss by 2030. Local authorities and developers need a consistent metric, training and support.
- 4.6 An action to implement nature-positive amenity grassland management strategies, while welcomed, will require extensive public engagement at the local level
- 4.7 The section on investing for nature should have a clearer vision for co-ordinated funding and does not highlight the role that local investment through the planning system can play. Investment in skills also needs to be considered more broadly and bring young people in before school leaving age to show them the opportunities available in rural areas.

- 4.8 The short-term nature of the Nature Restoration Fund is a concern, though it is acknowledged that this funding has been incredibly valuable. The Town Centre Improvement funding was highlighted as a positive example of long term funding certainty.
- 4.9 It is pleasing to see the addition of an objective on the indirect drivers of biodiversity loss and recognition of the importance of connecting people with nature as this is important for long lasting change to be possible. Policy mechanisms for delivering this include NPF4 and Nature Networks and the Climate Adaptation Programme which can be well aligned to deliver but again, need resourcing, especially for meaningful engagement with communities.
- 4.10 Many of the actions require a co-ordinated approach alongside local knowledge and skills that should be delivered by urban/countryside rangers.
- 4.11 While outdoor learning and learning for sustainability are already embedded within the Curriculum for Excellence, the actions outlined are not ambitious enough and should more clearly commit to delivering climate adapted school grounds that provide quality opportunities for children to connect with nature on their own as well as when guided within a class.

Nature Networks Policy Framework

- 4.12 The recently published Nature Network Framework states that every local authority will have a spatially defined network by 2030. These are similar to what would often be referred to as wildlife corridors, linking nature rich areas together in ways that deliver multiple benefits for people and nature. The design, co-ordination, and delivery of Nature Networks at the local level will be led by Local Authorities.
- 4.13 Local Development Plans will play a key role (and Nature Networks are already embedded throughout NPF4), however there is not enough clarity on where the finance will come from for the connecting strands between the protected / nature rich sites. Again, a big picture, co-ordinated approach that combines multiple benefits and outcomes is required.
- 4.14 It is also unclear how Nature Network sites (that are not designated sites) will be protected – clearly a need for regulation but also risk that restrictions could deter landowners. With protection also comes a requirement for monitoring – and meanwhile there is no resource or expertise within the council to deliver this.
- 4.15 The principle that Nature Networks must be delivered from the bottom up is very welcome, however lack of resourcing risks this not being done meaningfully or being rushed.

Statutory Targets for Nature Restoration

- 4.16 The proposed Natural Environment Bill will set out high level targets next year. A legislative approach is welcomed, as mainstreaming biodiversity has been too slow as we continue to lose biodiversity at pace. Concern remains that it may be too slow to meet the 2030 target to halt biodiversity loss. All previous comments regarding resourcing are essential for this approach to be deliverable.
- 4.17 It is also essential that the targets align across policy areas, as is improving the understanding and application of multiple or co-benefits that are wider. Health and education are key areas that could have synergistic targets.
- 4.18 It was noted that no targets are identified for the indirect drivers of biodiversity loss, however these are crucial to transformational change in the long term and there are many ways these could be measured.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Action on biodiversity loss supports the delivery of corporate plan priorities for people, place and the future by; improving health and wellbeing, strengthening communities, minimising harm and costs arising from climate change impacts and creating economic opportunities.

(b) Policy and Legal

Public bodies in Scotland are required to further the conservation of biodiversity and the council has declared a nature emergency.

Some of the policies and legislation relating to biodiversity that are particularly relevant include;

Nature Conservation (Scotland) Act 2004

Wildlife and Natural Environment (Scotland) Act 2011

Scottish Biodiversity Strategy to 2045

National Planning Framework 4

Local Development Plan 2020

Nature Networks Framework

Pollinator Strategy for Scotland

Local natural heritage designations

Climate Change (Scotland) Act 2009 and 2019

Moray Climate Change Strategy

Moray Woodland and Forestry Strategy

Moray Food Growing Strategy

Curriculum for Excellence through Outdoor Learning

Scotland's Natural Health Service

Scotland's National Strategy for Economic Transformation

(c) Financial implications

There are no immediate financial implications, however Scotland's Strategic Framework for Biodiversity sets out a number of actions that will increase the responsibilities on local government.

Local authorities have been identified as the delivery leads for Nature Networks and this will be a big project. There is a need for the council to work collaboratively and creatively across departments and with partners to draw in funding and pool resources.

Biodiversity enhancement and stopping biodiversity loss will require experts from a variety of services across the Council to work together to efficiently and effectively deliver change. This may mean having to reprioritise areas of work to facilitate the change.

It is essential that any new duties placed on the Council or duties that are enhanced through guidance and strategies are fully funded and resourced.

(d) Risk Implications

At current resourcing levels, the Council does not have the resources to take on additional duties . This has been highlighted in the consultation response..

There is a reputational risk should the council not support strong and urgent action to reverse biodiversity loss, particularly following the declaration of a nature emergency.

(e) Staffing Implications

The council has been endeavouring to deliver its Biodiversity Duty with limited resources for many years. Statutory responsibilities for biodiversity have already significantly increased through NPF4 and, as this consultation sets out, are likely to increase further through the adoption of the Scottish Biodiversity Strategy and the proposed Natural Environment Bill.

Statutory targets for nature restoration will mean the need to introduce measures and monitoring. The forthcoming Moray biodiversity strategy could set framework for this but ecological expertise as well as additional resources will be required to deliver all this as current staffing levels would be unable to absorb additional duties.

(f) Property

The council is already beginning to manage its land positively for nature, but it should be noted that this approach will need to be extended and mainstreamed across all services in a similar way to the action being taken to decarbonise Council services. Targets for the improvement of public land for biodiversity may be introduced.

(g) Equalities/Socio Economic Impact

Equal access to quality greenspace is important for health, wellbeing, community cohesion, child development and limiting harm from pollution. Improving biodiversity presents opportunities to reduce inequality.

(h) Climate Change and Biodiversity Impacts

The council's duties and activities have a significant impact on the biodiversity of Moray.

The risks associated with the loss of vital ecosystem services range from disrupted food systems and water supplies to increased damage resulting from climate change impacts and reduced capacity to absorb carbon emissions. Failure to act now will lead to catastrophic implications on our economy and the health and wellbeing of future generations.

The adoption of the Strategic Framework outlined in the consultation will therefore have a very positive impact on reducing biodiversity loss and mitigating and adapting to climate change, should it be adequately resourced.

(i) Consultations

The Depute Chief Executive (Economy, Environment and Finance), Head of Economic Growth and Development, the Legal Services Manager, Environmental Protection Manager, Open Spaces Manager, Chief Financial Officer, Lissa Rowan (Committee Services Officer) and Equal Opportunities Officer have been consulted and comments received have been incorporated into the report.

6. CONCLUSION

6.1 A response to the Consultation on Scotland's Strategic Framework for Biodiversity has been prepared. The response welcomes the ambitious vision and actions it proposes, however voices strong concern around the funding of delivery. The response asks for a big picture approach to be taken that supports multiple social and environmental benefits to be delivered simultaneously.

6.2 The council's statutory responsibilities have already increased significantly in the last 12 months and it is clear that this trend will continue and this must be factored into decisions around how to improve council services.

Author of Report: Sophie Ward, Climate Change Strategy Officer and Matthew Watt,
Planning Officer

Background Papers:

Ref: