

REPORT TO SUSTAINABILITY COMMITTEE – 21 FEBRUARY 2024

ABERDEENSHIRE COUNCIL BIODIVERSITY DUTY REPORTING 2021 TO 2023

1 Executive Summary/Recommendations

1.1 This report presents Aberdeenshire Council's proposed reporting for the period 2021 to 2023 on the public sector biodiversity duty. The duty and reporting requirements were created via the Nature Conservation (Scotland) Act 2004. The Committee are recommended to approve the proposed response.

1.2 The Committee is recommended to:

1.2.1 Approve the proposed Aberdeenshire Council 2021 to 2023 public sector biodiversity duty reporting response in Appendix 1;

1.2.2 Note the summary of 2023 Aberdeenshire Council biodiversity action in Appendix 2; and

1.2.3 Note the 2023 report of the Aberdeenshire Council Pollinator Action Plan in Appendix 3.

2 Decision Making Route

2.1 Sustainability Committee approved the previous biodiversity duty report, covering the period 2018 to 2020, on 17 February 2021 ([Item No 5](#)). In compiling the report in **Appendix 1**, the Natural Environment Team have consulted with teams and Services across the Council.

2.2 If approved by the Committee, the biodiversity duty report in **Appendix 1** will be sent to Scottish Government.

3 Discussion

3.1 Every three years, Aberdeenshire Council report to Scottish Government on its works in relation to the 'public sector biodiversity duty'. The biodiversity duty was introduced in the Nature Conservation (Scotland) Act 2004 and states 'It is the duty of every public body and office-holder, in exercising any functions, to further the conservation of biodiversity so far as is consistent with the proper exercise of those functions.'

3.2 **Appendix 1** presents the proposed Aberdeenshire Council response for the reporting period 2021 to 2023. The report uses a template provided by Scottish Government. The Committee are asked to approve the response.

3.3 The proposed response notes the following highlights for the period:

- The success of the Greenspace Project and it now being adopted as a mainstream approach to the management of our open spaces;

- The adoption of the 2022-2027 Aberdeenshire Council Pollinator Action Plan;
- The Countryside Ranger Service and NESBReC continuing to be hugely important for environmental education and recording in the region;
- The 2023 Aberdeenshire Local Development Plan which includes strong policies, supplementary guidance and planning advice for the protection and enhancement of the natural environment and biodiversity;
- Turning the significant negative of extensive storm damage to our woodland to a positive with re-planting and active management to ensure the woodlands maximise biodiversity benefit and are also resilient to the effects of extreme weather and climate change.

3.4 The proposed response also notes Local Authority budgets as a challenge in delivery action for biodiversity going forward and encourages Scottish Government to make the welcome and significant support provided by the Nature Restoration Fund, a long term commitment.

3.5 The Committee will note that each year a summary of Aberdeenshire Council biodiversity actions for the calendar year is provided to Sustainability Committee via a bulletin. For completeness, the summary for 2023 is provided in **Appendix 2**. This and summaries for the previous two years have been used to compile the proposed response in **Appendix 1**.

3.6 In addition, specific monitoring on the Aberdeenshire Council Pollinator Action Plan 2022 to 2027 is provided to Sustainability Committee each year via a bulletin. Reporting for 2023 is presented in **Appendix 2**. The Committee will note the positive report with all but one action identified as 'green'. Action is required to address the 'amber' action on exploration of the production of perennial and wildflower plants in Council facilities.

4 Council Priorities, Implications and Risk

4.1 This report summarises work the Council undertakes in support of the 'Our Environment' pillar and the Climate Change priority, by showing how the Council contributes to the protection and enhancement of biodiversity and uses natural solutions to mitigate and adapt to climate change.

4.2 This report summarises work the Council undertakes in support of the 'Our People' pillar and the Learning for Life priority, by highlighting the extensive environmental education and engagement work the Council undertakes.

4.3 The table overleaf shows whether risks and implications apply if the recommendations are agreed. As the report presents a summary of already agreed and undertaken work, there are no implications for the issues identified.

Subject	Yes	No	N/A
Financial		X	
Staffing		X	
Equalities and Fairer Duty Scotland		X	
Children and Young People's Rights and Wellbeing		X	
Climate Change and Sustainability		X	
Health and Wellbeing		X	
Town Centre First		X	

4.4 The screening section as part of Stage One of the Integrated Impact Assessment process has not identified the requirement for any further detailed assessments to be undertaken. As this is a summary of already agreed and carried out work, approving the report to Scottish Government will not impact on any of the topics, characteristics or issues identified.

4.5 The following Risks have been identified as relevant to this matter on a [Corporate Level](#):

- As Biodiversity Duty reporting is a legal requirement under the Nature Conservation (Scotland) Act, corporate risk ACORP006 is relevant to this report as there is a reputational risk in not completing the reporting process. As per this report, we are progressing reporting, so this risk does not manifest itself. If the currently proposed response is not acceptable, we will work with Committee to create an acceptable response and then send it to Scottish Government.

The are no identified [strategic level](#) risks.

5 Scheme of Governance

5.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated with the report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

5.2 The Committee is able to consider this item in terms of Section R1.1b of the List of Committee Powers in Part 2A of the Scheme of Governance as part of the Committee's role to respond, on the Council's behalf, to the Scottish Government and other relevant bodies regarding sustainable development and climate change issues, including reporting on Scotland's Climate Change Duties Report and the Covenant of Mayors for Climate & Energy.

Alan Wood
Director of Environment & Infrastructure Services

Report prepared by James Davidson, Environment Planner
9 February 2024

List of Appendices

Appendix 1 – proposed Aberdeenshire Council Biodiversity Duty Report 2021 to 2023
Appendix 2 – Aberdeenshire Council biodiversity work collation 2023
Appendix 3 – Aberdeenshire Council Pollinator Action Plan 2022 to 2027 monitoring