

## **Item: 7**

**Development and Infrastructure Committee: 26 March 2024.**

### **Nature Networks.**

**Report by Corporate Director for Neighbourhood Services and Infrastructure.**

## **1. Purpose of Report**

To provide an update on the environmental work streams of the Development and Marine Planning Team and the focus on statutory workstreams to deliver positive action on nature networks.

## **2. Recommendations**

The Committee is invited to note:

### **2.1.**

That the Council is required by statute to identify nature networks as part of the Local Development Plan process to meet the requirements of National Planning Framework 4.

### **2.2.**

That policy frameworks associated with the Scottish Biodiversity Strategy will also require public bodies to support the delivery of nature networks on their land.

### **2.3.**

That, while the Council currently leads and participates in the Local Biodiversity Action Plan partnership, this work is not required by statute.

**It is recommended:**

### **2.4.**

That the Council withdraws from the Local Biodiversity Action Plan partnership to enable staff to focus on statutory work streams to deliver positively on nature networks, which will also contribute to the Council's statutory biodiversity duty.

## **3. Local Biodiversity Action Plan**

### **3.1.**

The Council has been a partner and involved in the production of the Local Biodiversity Action Plan from 2003. The purpose of Local Biodiversity Action Plans is to support policies set out in national biodiversity strategies. The current (2023) version of the Local Biodiversity Action Plan was carried over from the period 2018-2022, as it was not possible for partners to produce a revised plan so soon after coming out of the pandemic. The 2018 plan was approved by the Council in October 2018.

### **3.2.**

Since late 2022, two members of Development and Marine Planning have inputted into the Local Biodiversity Action Plan: the Development and Marine Planning Service Manager has chaired Local Biodiversity Action Plan partnership meetings, with the Environmental Planner being responsible for organising meetings, reviewing the Local Biodiversity Action Plan in light of new or emerging information such as the Scottish Biodiversity Strategy, undertaking Strategic Environmental Assessment, drafting documents for consideration by the partnership and liaising with partners on preparatory work to inform the Local Biodiversity Action Plan.

### **3.3.**

The Local Biodiversity Action Plan partnership provides a useful prompt to partner organisations about biodiversity and has provided a long list of habitats and species found in Orkney. However Council involvement in the Local Biodiversity Action Plan takes up a disproportionate amount of staff time organising and attending quarterly meetings, providing information, reviewing and keeping up to date with relevant guidance and policy, drafting documents and liaising with partners, with little delivery of actions to benefit biodiversity.

### **3.4.**

Part of the drafting process has been to review the previous list of Local Biodiversity Action Plan actions with Local Biodiversity Action Plan partners. It was considered by partners that the actions that have been achieved were largely as a result of other workstreams. Other actions, while having merit in a wider environmental sphere, were not considered to directly relate to biodiversity and/or were not achievable (for example as they would require a change in national legislation or government policy).

### **3.5.**

There is no statutory requirement for the Council to be involved in the Local Biodiversity Action Plan partnership or the drafting of a Local Biodiversity Action Plan. A Local Biodiversity Action Plan could be led and drafted by the existing or new partners without Council involvement. Other Scottish local authorities are not involved in the production of a Local Biodiversity Action Plan, such as Shetland Islands Council.

### **3.6.**

The withdrawal of the Council from the Local Biodiversity Action Plan partnership creates an opportunity for relevant interest groups and/or the community to take on responsibility for the Local Biodiversity Action Plan.

## **4. Nature Networks**

### **4.1.**

Nature networks provide links between areas important for biodiversity, to enable wildlife to move between areas using habitat corridors and stepping stone patches of habitat. While their primary purpose is to benefit biodiversity, nature networks can also benefit people. For example, delivery of multifunctional nature network projects could incorporate active travel, health and wellbeing and sustainable water management.

### **4.2.**

National Planning Framework 4 introduces the statutory requirement for planning authorities to identify nature networks, with the Scottish Biodiversity Strategy Delivery Plan requiring local authorities to spatially define nature networks. National Planning Framework 4 and the Scottish Biodiversity Strategy also require local authorities to develop and strengthen nature networks as a mechanism for protecting and enhancing biodiversity.

### **4.3.**

Two draft policy frameworks associated with the Scottish Biodiversity Strategy will also require public bodies to be exemplars, supporting the delivery of nature networks on their land, managing their land in a way that contributes to '30 by 30' (the commitment to protect at least 30% of Scottish land and sea for nature by 2030).

### **4.4.**

In light of the above, an invitation from the Corporate Director for Neighbourhood Services and Infrastructure has been sent to public bodies in Orkney to join a nature networks delivery group led by the Council. Collaborative working should enable public bodies to make use of other organisations' knowledge and get peer support in the identification, creation and delivery of nature network opportunities.

### **4.5.**

The Council has land under its ownership and management. The involvement of teams such as Housing, Education and Roads in the development of nature networks could provide opportunities to reduce maintenance costs and improve educational and recreational opportunities. It should also help the Council as a developer in rare situations where they are unable to meet planning policy requirements for biodiversity enhancement within constrained proposed development sites (such as development at airfields). In such situations,

enhancement could instead be delivered on Council land elsewhere and support a nature network.

#### **4.6.**

The Council received Nature Restoration Fund funding from the Scottish Government in financial year 2022/23 and 2023/24. This fund is well placed to contribute to the capital costs of projects that enhance biodiversity and connect people with nature.

## **5. Compatibility with the Edinburgh Declaration and Biodiversity Duty**

#### **5.1.**

On 20 April 2021, the Policy and Resources Committee recommended that the Council should sign the Edinburgh Declaration.

#### **5.2.**

At this meeting it was considered that the Council would acknowledge its duty to protect and enhance biodiversity in several ways, including being a partner in the Orkney Local Biodiversity Action Plan Steering Group.

#### **5.3.**

With the publication of National Planning Framework 4 it is now considered that the Council would meet this commitment by developing nature networks in line with the Scottish Biodiversity Strategy. There would be no change to the acknowledgement of the duty to protect and enhance biodiversity and the Council would continue to meet the requirements of the Edinburgh Declaration.

#### **5.4.**

The Council's duty to further the conservation of biodiversity under the Nature Conservation (Scotland) Act 2004 applies to Council functions. As nature networks are a statutory requirement (unlike Local Biodiversity Action Plans), they would be considered a function. Delivery of nature networks would directly contribute to the Council's biodiversity duty.

## **6. Links to Council Plan**

The proposals in this report support and contribute to improved outcomes for communities as outlined in the Council Plan strategic priority of Strengthening our communities.

## **7. Links to Local Outcomes Improvement Plan**

The proposals in this report support and contribute to improved outcomes for communities as outlined in the Local Outcomes Improvement Plan priority of Sustainable Development.

## **8. Financial Implications**

### **8.1.**

There are no financial implications arising directly as a result of the recommendation contained within this report.

### **8.2.**

The Council received funding of £54,000 and £106,000 in financial years 2022/23 and 2023/24 respectively from the Scottish Government's Nature Restoration Fund. This fund is well placed to contribute to the capital costs of projects that enhance biodiversity and connect people with nature, although it should be noted that this grant is only notified to the Council on an annual basis, and it is therefore uncertain how much will be received each year going forward.

## **9. Legal Aspects**

### **9.1.**

The Council has a duty to further the conservation of biodiversity under the Nature Conservation (Scotland) Act 2004. The Town and Country Planning (Scotland) Act 1997 National Planning Framework 4 introduces the statutory requirement for planning authorities to identify nature networks. By delivering nature networks, the Council will comply with its statutory duties in relation to biodiversity.

### **9.2.**

There is no statutory requirement for the Council to be involved in a Local Biodiversity Action Plan partnership or in the drafting of a Local Biodiversity Action Plan. Approving the recommendation in this report will not impact on the Council's adherence to its statutory duties.

## **10. Contact Officers**

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