

Item: 15

Development and Infrastructure Committee: 11 September 2018.

Orkney Local Biodiversity Action Plan.

Report by Executive Director of Development and Infrastructure.

1. Purpose of Report

To present a revised version of the Orkney Local Biodiversity Action Plan 2018 to 2022.

2. Recommendations

The Committee is invited to note:

2.1.

That, in terms of the Nature Conservation (Scotland) Act 2004, the Council has a duty to further the conservation of biodiversity.

2.2.

That, as the Orkney Local Biodiversity Action Plan 2013 to 2016 has reached the end of its plan period, a new draft plan has been prepared covering the period 2018 to 2022.

2.3.

That public consultation has been undertaken in respect of the draft Orkney Local Biodiversity Action Plan 2018 to 2022.

2.4.

The Consultation Report, attached as Appendix 2 to this report, which records the steps taken to ensure full and proper consultation was undertaken, and includes the comments raised by stakeholders and members of the public, as well as the responses of the Orkney Local Biodiversity Action Plan Steering Group to these comments.

2.5.

The draft Orkney Local Biodiversity Action Plan 2018 to 2022, attached as Appendix 1 to this report, which has been amended to respond to matters raised through the consultation process, referred to at paragraph 2.3 above.

It is recommended:

2.6.

That the Orkney Local Biodiversity Action Plan 2018 to 2022, attached as Appendix 1 to this report, be approved.

3. Orkney Local Biodiversity Action Plan

3.1.

The Orkney Local Biodiversity Action Plan 2018 to 2022 is the third in a series of focused revisions of the original Orkney Local Biodiversity Action Plan which was published in 2002. The Audit and Habitat Action Plans from the 2002 Plan provide much of the context to the new Plan and will continue to be relevant to the protection and enrichment of biodiversity in the Orkney Isles.

3.2.

The new Plan provides a framework for delivering biodiversity policies that are set out in the Scottish Biodiversity Strategy, including the recently published supplement '2020 Challenge for Scotland's Biodiversity'. It focuses on four themes: Greenspace, Farmland, Peatland and the Marine Environment. For each theme, a focus group comprising representatives from a range of stakeholder organisations was established, to discuss current biodiversity issues. These discussions enabled new objectives, targets and actions to be agreed, for implementation across the public, private and voluntary sectors.

4. Consultation

4.1.

Public consultation was undertaken during the period 14 June to 9 August 2018. A full record of comments received, and the Local Biodiversity Action Plan Steering Group's response to these, is recorded in the Consultation Report, attached as Appendix 2 to this report.

4.2.

The consultation included public advertisement in The Orcadian and copies of the draft Local Biodiversity Action Plan were placed at Customer Services in Kirkwall, the Warehouse Building, Stromness, the Kirkwall Library and Mobile Library Van. A press release was included in The Orcadian, along with a post on the Council's Facebook page and the consultation was also promoted on Radio Orkney. Letters and email notifications were sent to Community Councils and other key stakeholders.

4.3.

Comments were received from three interested persons, one interested group and two key agencies. The following changes were incorporated in the draft Plan to take account of comments received:

- Under the Greenspace theme minor changes were made to the wording of two actions. Action 6 was amended to “Work with schools and community groups to identify and establish biodiversity enhancement projects in existing greenspace.” Action 10 was amended to “Engage with local plant growers/suppliers to investigate the feasibility of establishing a supply of wildflowers, including pond and wetland plants, grown from locally sourced seed.”
- Under the Peatland theme, additional text was inserted explaining the potential for activities in and around peatland to impact upon water quality, as well as the requirement to consult Scottish Water’s Sustainable Land Management team in advance of any activities or restoration works to peatland.
- Under the Marine Environment theme, several amendments were made to address concerns raised by the aquaculture industry, in terms of references to potential interactions between marine fish farming and Priority Marine Features. The consultee also considered that the Sea Trout Species Action Plan focused too heavily on the effects of aquaculture on wild Sea trout.
- Clarification was included that “Any new aquaculture application would be required to demonstrate how it gives due regard to Priority Marine Features, in accordance with Supplementary Guidance Aquaculture Development Criterion 2, prior to determination through the various permissions and licencing schemes required to operate a farm.”
- Reference to the transfer of parasitic sea lice between skate and other fish species was removed from the Flapper skate Species Action Plan.
- Additional text was inserted explaining that “Marine Scotland is the regulatory authority in relation to sea lice monitoring on farmed fish and the Scottish Environment Protection Agency (SEPA) licences the use of chemicals to treat sea lice.”
- An additional objective was included in the Sea trout Species Action Plan: “Increase knowledge and understanding of Sea trout populations in Orkney waters.”
- Target 1 was amended to read “By March 2019, complete a review of the available literature regarding pressures affecting Sea trout in Orkney waters.”
- Action 2 was amended to read: “Undertake a review of available literature on the pressures affecting Sea trout populations, to identify information gaps.”

4.4.

The Orkney Local Biodiversity Plan, attached as Appendix 1 to this report, has been updated to take these comments into account.

5. Environmental Implications

5.1.

A Strategic Environmental Assessment Screening Report, attached as Appendix 3 to this report, has been prepared and submitted to the SEA Gateway for consideration by the consultation authorities, namely Historic Environment Scotland, the Scottish Environment Protection Agency and Scottish Natural Heritage.

5.2.

The Screening Report notes that the potential for significant environmental effects due to biodiversity action planning has already been assessed through Strategic Environmental Assessment of the higher-level document, 2020 Challenge for Scotland's Biodiversity. Any new or additional environmental effects, attributable to implementation of the Orkney Plan are unlikely to be significant and will be minor and positive in nature, therefore further environmental assessment is not required.

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 Thriving 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 Strong Communities.

8. Financial Implications

The Orkney Local Biodiversity Action Plan includes a target to mobilize the financial resources necessary for effective implementation of the Strategic Plan for Biodiversity by 2020. This has not been quantified by the report, but it is anticipated that this will be clarified as the individual needs assessments are developed by the respective parties going forward. It is not anticipated that this will lead to additional financial implications for the Council, beyond a small amount of staff time.

9. Legal Aspects

9.1.

The Nature Conservation (Scotland) Act 2004 places a biodiversity duty upon public bodies, stating that "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".

9.2.

By helping prepare and implement the Orkney Local Biodiversity Action Plan the Council goes some way towards fulfilling its biodiversity duty.

10. Contact Officers

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11. Appendices

Appendix 1: Draft Orkney Local Biodiversity Action Plan 2018 to 2022.

Appendix 2: Consultation Report.

Appendix 3: Strategic Environmental Assessment Screening Report.