

Post-legislative Scrutiny: Biodiversity and Biodiversity Reporting Duties

Submission from Scottish Natural Heritage

Our Statutory Purpose

Scottish Natural Heritage (SNH) is a non-departmental public body funded by the Scottish Government through Grant-in-Aid. We are the Scottish Government's advisers on issues relating to nature and landscape. Our statutory purpose is to:

- secure the conservation and enhancement of nature and landscapes;
- foster understanding and facilitate their enjoyment of them; and
- advise on their sustainable use and management.

Scotland's nature and landscapes are recognised internationally, and this natural capital plays an important role in supporting economic growth, improving people's health and wellbeing, adapting to climate change and strengthening communities. We work with partners both nationally and locally to maintain and enhance these assets and to improve the public benefits generated from their sustainable use, both now and in the future.

- **How well do you believe public bodies understand the biodiversity and reporting duties placed upon them?**

In 2015 there were 139 Public Bodies in Scotland with a wide variety of remits and this was the first point that they were required under the Wildlife and Natural environment act to report on delivering their biodiversity duty. Those Public Bodies whose remits include aspects of the environment and employ staff with environmental responsibilities have a reasonable understanding of the biodiversity duty placed on them and the need to report. However, there are a high number of [public bodies](#) (56%)ⁱ that did not provide a biodiversity duty report to Scottish Government in 2015. SNH has worked with Scottish Government officials to develop information, guidance, case studies and reporting reminder letters to aid Public Bodies in delivering their biodiversity duty and to meet their reporting obligations. These have been issued by Scottish Government to all Chief Executive Officers of public bodies prior to reporting deadlines in 2015 and 2018.

Following the recommendations set out in the Scottish Government commissioned study into the [Evaluation of the Compliance and Quality of Biodiversity Duty Reports 2015](#)ⁱ the guidance has been updated and SNH has developed a series of case studies. The guidance is now better tailored to public bodies of differing sizes and those who own or manage land.

Many aspects of work undertaken by SNH help public bodies, particularly local authorities to deliver their biodiversity duty; such as SNH Sharing Good Practice events, our support to local authorities on Planning, SNH support for Local Biodiversity Action Plan Partnerships and through development of City Deals.

- **Do you believe that public bodies are adequately resourced to comply with the biodiversity and reporting duties?**

We are unable to comment in relation to the resourcing situation for all public bodies. However, the most recent report to the Scottish Parliament on [progress of the Scottish Biodiversity Strategy 2014-2016](#)ⁱⁱ identified "that resourcing these [LBAP] partnerships has become more challenging as local authority budgets have reduced". In recent years Local Authorities have lost dedicated Biodiversity Officers; currently nine Local Authorities are without a member of staff whose job contains a substantial amount of time dedicated to biodiversity.

The above factors may contribute to lower levels of engagement, although in general terms local authorities comply well with both the Duty and the reporting requirement. More generally budget cuts appear to have affected biodiversity delivery across public sector bodies.

- **Do you think the requirement to report on the biodiversity duty leads to effective actions for improving and conserving biodiversity by public bodies?**

There is evidence from the evaluation study commissioned by Scottish Government (cited above), and anecdotal evidence from those bodies that SNH has worked with directly, that the requirement to report has raised the aspirations and awareness of biodiversity across many public bodies, especially local authorities. Through report development many departments in local authorities are now aware that their work is contributing to biodiversity objectives.

However there are still many public bodies which appear to pay minimum attention to the legislative duty placed on them and the requirement to reportⁱ. A number of recommendations from the evaluation study commissioned by Scottish Government to improve this have been taken forward by SNH, such as development of [case studies](#)ⁱⁱⁱ, improved [guidance](#)^{iv} and tailored reporting templates for different sized organisations. There are no data available on the current round of reporting (2018) and therefore we are unable to determine the impact of this additional work.

The guidance and updated reporting templates provide a structure that helps public bodies to identify where their key contributions are in relation to the Scottish Biodiversity Strategy, Route Map to 2020 six big steps and the international Aichi Targets. This framework guides reporting by helping public bodies to identify a variety of work areas where they can contribute to biodiversity objectives in Scotland.

- **Are there any changes that could improve the actions taken by public bodies in respect of the biodiversity and reporting duties?**

The Scottish Government evaluation study referred to above made a number of recommendations, some of which still require to be progressed.

SNH has been supporting a number of organisations, including public bodies, in developing Delivery Agreements to identify their contribution to the Scottish Biodiversity Strategy. These agreements can help to form the basis of biodiversity duty reporting. We are now working to expand the number of organisations that have completed their delivery agreement and this too will enable more public bodies to clearly articulate what they can contribute to biodiversity, and will encourage sharing of best practice and examples.

In order to ensure public bodies understand the relevance of biodiversity to their work and therefore identify appropriate actions, clearer descriptions of the benefits nature brings to society including multiple benefits need to be further developed. Promotion of this, and other work explaining and demonstrating the economic benefits that investing in nature can bring, are being delivered by SNH. An evaluation of the number and content of the biodiversity duty reports submitted in 2018 would enable an assessment of whether this work has increased awareness and action for biodiversity

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ⁱ <http://www.gov.scot/Resource/0050/00508706.pdf>

ⁱⁱ <http://www.gov.scot/Resource/0052/00523092.pdf>

ⁱⁱⁱ <https://www.nature.scot/biodiversity-duty-case-studies>

^{iv} <http://www.gov.scot/Resource/0050/00508611.pdf>