

Post-legislative Scrutiny: Biodiversity and Biodiversity Reporting Duties

Aberdeenshire Council response 21/03/18

What follows is Aberdeenshire Council response to the Public Audit and Post-legislative Scrutiny Committee's call for views as part of its post-legislative scrutiny of the biodiversity and reporting duties placed on public bodies by the Nature Conservation (Scotland) Act 2004 (the 2004 Act) and the Wildlife and Natural Environment (Scotland) Act 2011 (the 2011 Act). The committee asked for responses to four questions as outlined below.

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

Aberdeenshire Council response: We can only speak for ourselves as a Local Authority in that we understand both the duty and our reporting requirements. As a Local Authority we are a diverse organisation with a broad remit and multiple areas of work – it is undoubtedly challenging to communicate the biodiversity message across all our Services and Functions and, for some of the Services that can less directly influence biodiversity, it is perhaps not all that clear how they should be responding to the duty. However, overall we do good work in protecting and enhancing biodiversity and welcome the chance to report on these actions. We would also comment that the reporting template, produced by Scottish Natural Heritage, is very helpful in assisting reporting.

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

Aberdeenshire Council response: There are clear resource challenges in Local Authorities with multiple draws on reducing budgets. We need a strong Act and strong backing from Government so we can communicate the value of conserving and enhancing biodiversity and ensure resources are adequately targeted.

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

Aberdeenshire Council response: Reporting helps to raise the profile of the good work that we do and makes it visible both within and out with our organisation. The motivation for us to both protect and enhance biodiversity comes from the relevant legislation and also our internal policies and procedures rather than from the need to report however.

The reporting has an additional benefit in that it helps to support the actions in the Recommended Section of the Climate Change Duties Report as well as

highlighting adaptation opportunities we report on in section 4 of the Climate Change Duties Report.

- **Are there any changes that could improve the actions**

Aberdeenshire Council response: *We are glad the duty to report it exists, it helps us highlight the good work we do as a Local Authority. The biodiversity duty itself is very broad which perhaps is both its strength and its weakness. Further guidance/clarity on how public bodies should respond to the duty in carrying out their numerous and diverse functions is likely to be helpful. In general the biodiversity legislation and associated public body duty needs strong political backing at all levels to ensure its influence across all public bodies.*