

COMMITTEE: Housing & Environment

DATE: 11 January 2010

CORPORATE DIRECTOR: Pete Leonard

TITLE OF REPORT: Final Aberdeen City Council Nature Conservation Strategy (2010-2015)

REPORT NUMBER: EPI/10/002

1. PURPOSE OF REPORT

The purpose of this report is to present the Final Aberdeen City Council Nature Conservation Strategy (2010-2015) after being subject to formal public consultation and to seek approval for adoption. This report follows on from the Enterprise, Planning & Infrastructure Committee Meeting of 1st September 2009 where the committee resolved 'to approve the release of the strategy for public consultation and to look forward to its subsequent resubmission in the light of that process'. Since that committee meeting, the recommendation has been to resubmit the final strategy to the Housing & Environment committee.

2. RECOMMENDATION(S)

That the Committee:-

- a) Approves the Final Nature Conservation Strategy (2010-2015); and
- b) Refers the Strategy to Corporate Policy & Performance Committee for adoption.

3. FINANCIAL IMPLICATIONS

There is no additional revenue costs associated with the adoption of the strategy.

It should be noted that this strategy may have capital and revenue implications as a result of future projects required to implement the strategy. However, the Council's ability to implement the final strategy will be governed and influenced by resource constraints and other competing priorities.

4. SERVICE & COMMUNITY IMPACT

This strategy has direct links with the administration's Vibrant and Dynamic & Forward Looking requirement to 'adopt and implement policies which safeguard Aberdeen's green belt and green wedges'.

This strategy will also assist the Council in delivering a number of Single Outcome Agreement National Outcomes including: -

- 1 – 'We live in a Scotland that is the most attractive place for doing business in Europe';
- 10 - 'We live in well-designed, sustainable places where we are able to access the amenities and services we need'; and

12 - 'We value and enjoy our built and natural environment and enhance it for future generations'.

This strategy has been designed to have a positive impact on Aberdeen citizen's quality of life, therefore, an 'Equalities and Human Rights Impact Assessment' has been conducted. The summary of the assessment is as follows: -

The Nature Conservation Strategy includes everyone and will have significant positive impacts on all groups. It promotes sustainable development and Local Agenda 21 through public participation, community engagement, and knowledge sharing in a nature conservation context. It aims to promote quality of life for all citizens that live, work and visit Aberdeen City through improving biodiversity.

For example, the young, old and people with disabilities will benefit from wildlife gardens or will be encouraged to get involved with their creation in facilities such as schools, sheltered housing or hospitals.

There is, however, potential for some negative impacts to the group 'Race'. Gypsies or Travellers that set up unauthorised camps on designated sites important for nature conservation may be requested to move to another site. The creation of official halting sites by the Council will address this potential issue. Changes to the nature conservation strategy are, therefore, not required.

A monitor and review process has been included in the strategy, and information gathered as part of this process will be used to amend actions required to implement the strategy and will inform future nature conservation strategies.

5. OTHER IMPLICATIONS

There may be potential operational and development implications that will arise from this strategy. For example, changes may be required to some operational activities that could have a negative impact on biodiversity, or developers may be required to include more consideration for nature conservation through design.

The Nature Conservation (Scotland) Act 2004 states that 'it is the duty of every public body and office holder, in exercising any functions, to further the conservation of biodiversity so far is consistent with the proper exercise of those functions.' The lack of an updated Nature Conservation Strategy places the Council at risk of not meeting this and other associated legal obligations.

The strategy outcomes must comply with the Health and Safety processes within the Council.

6. REPORT

6.1 Background

Aberdeen City's natural heritage is a key element to the City's character and is vital to its citizen's enjoyment and quality of life. It helps create the City's identity and makes it a pleasant and attractive place to live, work and visit. It is important to protect, preserve, enhance and promote the City's natural heritage in order to ensure a wildlife-rich environment for current and future generations.

With the assistance of Scottish Natural Heritage (SNH) and other groups, Aberdeen City Council developed and adopted a Nature Conservation Strategy in 1994 in a bid to preserve and enhance the quality of the environment, to protect plants and animals and their habitats and to provide opportunities, where possible, for greater public access to sites.

While the current Nature Conservation Strategy has been an important tool in a Land Use Planning context, changes in legislation, the development of new policies and strategies, increased development within the City as well as a shift in the dynamics of the natural environment has brought about the need to update the current strategy.

The updated Nature Conservation Strategy will help the Council, through delivering all its functions, comply with the requirements of the Convention of Biological Diversity (CBD) 1992 which commits the UK to help protect and restore the functioning of natural systems and to halt the loss of biodiversity in the European Union. The Council will also be more able to comply with the Nature Conservation (Scotland) Act 2004 which imposes a duty on every public body to further the conservation of our natural environment. This Strategy will also assist the Council deliver the requirements of the North East Local Biodiversity Action Plans which have been developed to meet the commitment of the CBD by taking action to conserve locally important species and habitats.

Along with Land Use Planning, this strategy has been designed to support all Council functions and will help to inform other future Council plans, policies and strategies such as the forthcoming Open Space Strategy and new Local Development Plan.

A plan will be required to implement the strategy once it has been adopted. A Monitoring Group will also be required to monitor progress of the implementation of the strategy.

6.2 Process to Date

In 2007, an expert working group made up of relevant Council officers and representatives from external organisations (including Scottish Natural Heritage, Aberdeen Greenspace, East Grampian Coastal Partnership and Royal Society for the Protection of Birds) was established to review the Nature Conservation Strategy for Aberdeen (1994), and assist in the development of an updated Aberdeen City Council Nature Conservation Strategy. The draft updated strategy was finalised with the endorsement of the expert working group and was subject to a formal public consultation exercise which ran for 8 weeks between 7th September and 2nd November 2009. The results of the public consultation have been taken into account within the attached final strategy.

6.3 Strategic Environmental Assessment (SEA)

As part of developing the strategy, a full Strategic Environmental Assessment (SEA) has been undertaken in line with The Environmental Assessment (Scotland) Act 2005. This has been conducted in consultation with the Consultation Authorities (Scottish Natural Heritage, Scottish Environment

Protection Agency, and Historic Scotland). The SEA has assisted in identifying any significant effects of the strategy, both positive and negative, on the environment. The SEA Environmental Report was also subject to full public consultation at the same time as the strategy. The results of the public consultation have been taken into account within the attached final strategy.

6.4 Appropriate Assessment (AA)

Due to the presence of a number of species of European importance such as the Atlantic salmon, European otter and Freshwater pearl muscle, the River Dee is designated as a freshwater Special Area of Conservation (SAC) which is a statutory designation as per the Habitats Directive (79/409/EEC). In order to comply with this Directive, an Appropriate Assessment (AA) has been considered. A full AA was not required as the strategy objectives do not generate any significant negative effect on the River Dee SAC.

6.5 Consultation Results Summary - Strategy

A total of 16 responses were received for the strategy and are broken down into the following groups: -

- Members of the public – 3
- Community Councils – 1
- External Organisations – 4
- Council Officers – 8

All groups were in support of the strategy and there were no major changes required as a result of the consultation process. Most respondents' comments were linked to grammatical issues with only a couple of respondents concerned that the strategy was not specific enough particularly with how it is to be implemented. All comments have been addressed and reflected in the final strategy where appropriate.

6.6 Consultation Results Summary – Environmental Report

As part of the SEA process, the consultation authorities were pleased with the content of the Environmental Report and were also in support of the strategy. No significant changes were required for the Environmental Report as a result of the consultation process.

7. REPORT AUTHOR DETAILS

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8. BACKGROUND PAPERS

Listed in the Nature Conservation Strategy.