

<b>ENVIRONMENT CAPITAL SCRUTINY COMMITTEE</b>	<b>Agenda Item No. 7</b>
<b>17 SEPTEMBER 2009</b>	<b>Public Report</b>

## **Report of the Executive Director - Operations**

**Report Author** – **Brian Armstrong, Wildlife Officer**  
**Contact Details** – **01733 453400**

### **CITY COUNCIL'S BIODIVERSITY STRATEGY: UPDATE OF STRATEGY TO TAKE ACCOUNT OF LEGISLATIVE CHANGES**

#### **1. PURPOSE**

- 1.1 The purpose of this report is to present the updated Biodiversity Strategy for the Committee to consider and if considered appropriate to refer it to the Cabinet.

#### **2. RECOMMENDATIONS**

- 2.1 That the Committee receives and endorses the updated Biodiversity Strategy and the measures outlined within it, which will replace the existing 2004 Strategy.
- 2.2 That the Committee refers the Strategy to Cabinet for endorsement prior to its consideration by Council as part of the major policy framework.
- 2.3 That the Committee recommends to Cabinet that the requirement for additional resources is considered during the development of the Council Budget for 2010/11 alongside other budget pressures.
- 2.4 That the Committee agrees to receive annual progress reports against the updated Strategy.

#### **3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY AND LOCAL AREA AGREEMENT**

- 3.1 The updated Strategy is directly linked to the Sustainable Community Strategy (SCS) and LAA via National Indicator 197 County Wildlife Sites and associated targets. It is more generally linked to the SCS and National Indicators via the Cleaner Greener sections of these documents.

#### **4. BACKGROUND**

- 4.1 The existing Biodiversity Strategy was endorsed by Cabinet in October 2004. The Vision Statement which forms part of the Strategy was subsequently considered and adopted by full Council at its November 2004 meeting where the following decision was made:

“To adopt the Biodiversity vision statement as a guidance and reference document to officers and the executive when making decisions on biodiversity ensuring that the vision, objectives and targets are used in a flexible manner, within existing resources and subject to planning considerations”.

- 4.2 This report and updated Strategy is submitted to the Environment Capital Scrutiny Committee by a working group of Officers and Councillors. This working group was convened following a report to the then Environment and Community Safety Scrutiny Panel in January 2008 with respect to the new biodiversity duty brought in by S40 of the Natural Environment and Rural Communities Act 2006:

“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”

- 4.3 This report to the Scrutiny Panel concluded that the 2004 Strategy and the wording of its adoption by Council did not adequately reflect the requirements of the new Biodiversity Duty. The Scrutiny Panel endorsed the intent to update the Strategy to take into account the new biodiversity duty.

## 5. KEY ISSUES

- 5.1 The key issues which the Committee need to consider are laid out in the appendices. These include changes to land management practices, the ability of the Council to maintain existing resourcing and in some instances make other resources available. In many cases additional resources can be used to access additional external funding for restoration and habitat creation works, however routine management would have to be met by the Council's own resources.

## 6. IMPLICATIONS

- 6.1 The incorporation of biodiversity into many of the Council's functions and services can be achieved within existing resources, providing that this is maintained. This is supported by the experience of the implementation of the 2004 Strategy.
- 6.2 However the updating of the Strategy has identified that some additional resources would be required. In some cases additional resource requirements can also be offset by seeking external funding for restoration of degraded habitats, however routine management could not generally be funded in this way.

A summary of the additional financial resource implications is summarised in the table below:

Element	Annual Costs	Single/One off Costs	Responsible
Changes in Management Practices to road verges to enhance County Wildlife Sites, reflect designation of new sites and create habitat links	£8798	N/A	Highways/ Peterborough City Services
Secure management of the Boardwalks Local Nature Reserve by a body such as the Wildlife Trust, Froglife or Nene Park Trust.	£4000	N/A	Peterborough City Services
Chemical Treatment of Japanese Knotweed at the Boardwalks Local Nature Reserve	N/A	£600	Peterborough City Services
Match funding to make 3 bids for up to £98,000 of external funding. This is for works to Local Nature Reserves and Sites of Special Scientific Interest.	N/A	£12000	Peterborough City Services
Signage for County Wildlife Site Road Verges including new sites and extensions	N/A	£3410	Highways/ Peterborough City Services
<b>Totals</b>	<b>£12,798</b>	<b>£16,010</b>	<b>£28,808</b>

Owing to the success of the 2004 Strategy and the maintenance of existing resources in support of it, the degree of additional funding required to comply with the Biodiversity duty is greatly reduced.

6.3 This report has implications throughout the authority area where the Council is a Landowner or Manager.

## **7. CONSULTATION**

7.1 Consultation has been undertaken with the Officers, Groups and organisations which were consulted with respect to the original Biodiversity Strategy along with additional relevant organisations that have become known in the Peterborough area in the intervening time. These have included:

- BritishTrust for Conservation Volunteering (BTCV)
- Buglife
- Consultation has also been undertaken with the Councils Finance as well as Legal and Democratic Services.
- Council Officers within the update working group and Biodiversity Officer Working Group. This includes, Bereavement, Recreation, City and Education Services, tree and woodland team, Natural Environment Team. Landscape Architect, Transportation.
- Councillor representatives within the Working Group
- Forestry Commission
- Froglife
- Natural England
- Parish Councils
- PECT
- Peterborough Bird Club
- Peterborough Conservation Volunteers
- Peterborough Friends of the Earth
- Planning Policy team
- RSPB
- The Landyke Trust
- The Wildlife Trust
- Woodland Trust
- Greater Peterborough Partnership
- Opportunity Peterborough

7.2 Councillor Sandford as a member of the working group updating the strategy has indicated agreement with all the recommendations in the report with the exception of the following.

7.2.1 Appendix B, point 21 (pesticides). Councillor Sandford has indicated that this should go further to require a commitment to reducing usage of herbicide progressively over time, and felt that a commitment to review usage is not useful if it does not state any intention to do anything as a result. Councillor Sandford has indicated that previously there was a commitment to reduce herbicide usage in the Council's Environmental Strategy and for example organisations signing up to Forest Stewardship Council certification on sustainable tree/woodland management are required to make such a commitment.

7.2.2 Appendix E (nesting birds policy) in its entirety. Concern was expressed with respect to the length and complexity of this document as well as a concern that it would weaken current policy/practice. The current policy/practice implemented by City Services was understood by Councillor Sandford to be to avoid works on trees, shrubs and hedges during the bird nesting season unless there are clear health and safety concerns. It was felt by Councillor Sandford that this was a simple, straightforward and easily understood policy which complies with best conservation practice.

## **8. NEXT STEPS**

8.1 To refer the Strategy to Cabinet for endorsement prior to the Vision Statement being considered by Council as part of the major policy framework.

8.2 To receive an annual report with respect to progress in implementing the Strategy from the Biodiversity Officers Working Group. This would include all parts of the Strategy including the approach and specific actions.

## **9. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- Natural Environment and Rural Communities Act 2006 (Section 40).
- Guidance for Local Authorities on Implementing the Biodiversity Duty, Defra, May 2007.
- Peterborough City Council Approach to Biodiversity submitted to the Environment Policy Overview Committee on 2 August 2004.
- Peterborough Sustainable Community Strategy (including Rural Vision Strategy and Environment Capital manifesto).

## **10. APPENDICES**

10.1 Appendix A: Vision Statement.

10.2 Appendix B: Action Points.

10.3 Appendix C: Summary of BAP targets.

10.4 Appendix D: Financial Implications.

10.5 Appendix E: Policy with respect to works during the bird nesting season.