

ENVIRONMENT CAPITAL SCRUTINY COMMITTEE	Agenda Item No. 8
15 JULY 2010	Public Report

Report of the Executive Director of Operations

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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 future Council Budgets alongside other budget pressures.
- 2.4 That the Committee agrees to receive annual progress reports against the updated Strategy.
- 2.5 That the Committee, if felt appropriate, refers the draft policy for works during the bird nesting season to Peterborough City Services to lead on the progression of this item separately from the Biodiversity Strategy. Support to be provided in this respect from the City Council's Officer Working Group for Biodiversity as required.

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 proposed update of the Biodiversity Strategy was previously considered by the Scrutiny Committee in September 2009. The existing 2004 Strategy required an update primarily to take into account 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”

In September 2009 the Scrutiny Committee recommended to Cabinet that it:

(i) endorse the Biodiversity Strategy prior to its consideration by Council as part of the Major Policy Framework; and

(ii) consider the requirement for additional resources during the development of the Council Budget for 2010/11 alongside other budget pressures.

- 4.2 Prior to going before Cabinet the Strategy was considered by the Corporate Management Team. A concern was raised at this point with respect to the additional cost of using hand held hedge cutting tools (petrol hedge cutters) instead of mechanised cutting of hedges and shrubs in the bird nesting season. In light of this concern the Strategy was referred back to the Scrutiny Committee to consider amendments regarding manual cutting prior to resubmission to Cabinet.
- 4.3 A recommendation was also made that the Strategy should be separated into two documents, a concise report for Cabinet and a main policy document.
- 4.4 Further updates have been made to the Strategy and covering report in light of these recommendations and are summarised in the table below for the Scrutiny Committee's consideration:

Item previously proposed as part of the Strategy	Proposed changes in the latest update of the Strategy
Vision Statement	Retained as the first part of the Strategy and presented at Appendix A to this report.
Action Points	Retained as the second part of the Strategy and updated to reflect recommendation with respect to bird nesting policy and retention of analysis of implications of the Strategy only as part of the covering report. Presented at Appendix B to this report.
Summary of BAP targets	Removed from the Strategy and a link to the web based copy of Biodiversity Action Plans inserted as a footnote within the Vision Statement.
Analysis of implications of the Strategy including Financial Implications	Removed from the Strategy but included as part of the covering report. Updated to reflect removal of bird nesting policy. Presented at Appendix C to this report.
Policy with respect to works during the bird nesting season previously proposed as part of the Biodiversity Strategy.	Removed from the Strategy and referred to Peterborough City Services to lead on the progression of this item separately from the Biodiversity Strategy. Support to be provided in this respect from the City Councils Officer Working Group for Biodiversity as required. Draft of this presented at Appendix D to this report for ease of reference and clarity only.

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 analysis of the proposed update to the Biodiversity 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 (Revenue)	Single/One off Costs		Responsible
		Revenue	Capital	
Changes in Management Practices to road verges to enhance County Wildlife Sites, reflect designation of new sites and create habitat links	£8798	N/A	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. This may be offset by the current cost incurred by PCS for day to day management of the Boardwalks.	£4000*	N/A	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	£2000	£10,000	Peterborough City Services
Signage for County Wildlife Site Road Verges including new sites and extensions	N/A	N/A	£3410	Highways/ Peterborough City Services
Totals	£12,798	£2,600	£13,410	£28,808

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 Council's 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 Appendix B, point 20 (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.

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.

8.3 To refer the draft policy for works during the bird nesting season to Peterborough City Services to be progressed as a separate item from the Biodiversity Strategy. This to be supported by the City Councils Officers Working Group for Biodiversity as required.

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).
- Cambridgeshire and Peterborough Biodiversity Action Plan targets.

10. APPENDICES

- 10.1 Appendix A: Vision Statement. (Part 1 of 2 of the Biodiversity Strategy).
- 10.2 Appendix B: Action Points. (Part 2 of 2 of the Biodiversity Strategy).
- 10.3 Appendix C: Financial Implications. (Part of this report but not the biodiversity Strategy).
- 10.4 Appendix D: Policy with respect to works during the bird nesting season (previously proposed as part of the Biodiversity Strategy and included for Reference only).

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