



Perth and Kinross Council



Statutory Biodiversity Duty REPORT ON DELIVERY

January 2015 to December 2017

Contents

1	Introduction	1
2	Mainstreaming	1
3	Actions Taken to Improve Biodiversity Conservation	3
4	Partnership Working and Biodiversity Communications	4
5	Biodiversity Highlights and Challenges	4
6	Monitoring	12
7	Contribution to Targets	13
8	Conclusion	15

1 INTRODUCTION

Under the Nature Conservation (Scotland) Act 2004, all public bodies in Scotland are required to further the conservation of biodiversity when carrying out their functions. The Wildlife and Natural Environment (Scotland) Act 2011 further requires all public bodies to report every three years on how they comply with this Duty.

This is the second report, covering the period from 1st January 2015 to 31st December 2017 demonstrating how Perth and Kinross Council has performed regarding the Biodiversity Duty for this three year period.

Perth and Kinross Council is a partner of the Tayside Biodiversity Partnership, along with Angus Council. This partnership allows cross border partnership working in promoting biodiversity through the Tayside Biodiversity Co-ordinator.

Perth and Kinross Council employs a Biodiversity Officer to advise on, and oversee the, promotion and enforcement of the duty. This includes promoting the enhancement of developments for biodiversity and ensuring developments reduce the impact on biodiversity through the planning process.

2 MAINSTREAMING

Perth and Kinross Council Corporate Plan 2013-2018 refers to 12 local outcomes as 'A Whole Life Approach', these include the following with specific relevance for biodiversity:

- **Protect and enhance the natural and built environment through planning frameworks that support sustainable development and design**
- **Decrease the carbon footprint within Perth and Kinross by reducing the carbon emissions from our organisation and in the community**
- **Promote access to our unique natural environment through high quality sports, active recreation and cultural programmes**
- **Maintaining resilient, responsible and safe communities**

The Perth and Kinross Community Plan and Single Outcome Agreement (2013-23) highlights that the 12 local outcomes 'reflect our local circumstances and priorities but also support and contribute towards the government's sixteen national outcomes.'

The local outcomes related to biodiversity, above, help the Council to achieve the following national priorities:

- **National Outcome 6. We live longer, healthier lives**

- **National Outcome 10. We live in well-designed, sustainable places where we are able to access the amenities and services we need**
- **National Outcome 12. We value and enjoy our built and natural environment and protect it and enhance it for future generations**
- **National Outcome 14. We reduce the local and global environmental impact of our consumption and production**

The conservation of biodiversity is embedded in the delivery of Council services and an ecosystem services approach is used to balance economic development, social development and environmental protection.

The Main drivers include:

- The Perth and Kinross Local Development Plan - a key service in the delivery of biodiversity conservation through land use and management policies, protection and designation of local sites. This ensures that land use planning and the management of Council-owned land delivers protection and enhancements for biodiversity
- The Development Management team who assess individual planning applications' potential impacts on biodiversity
- The Greenspace Ranger Service who manage the natural environment within Perth and Kinross, local nature reserves and a range of non-designated sites

a) Development Management

All Planning Applications are screened by the Biodiversity Officer for any potential impacts on biodiversity. This systematic approach contributes to the Council's biodiversity duty and enables the Council to maintain and update a dataset on the Council' Geographic Information System (GIS) of protected and notable species within the Council area.

Year	Total number of Planning Applications	Number of Planning Applications assessed for biodiversity constraints	Number of Applications where advice and recommendations were provided	Number of applications approved with conditions
2015	1820	1115	119 (6.5%)	62
2016	1785	1275	182 (10.2%)	97
2017	1744	1256	151 (8.6%)	60 to date of publication

During the three year period of this report almost 900 swift bricks and 900 bat bricks were recommended as conditions of planning approval along with wildlife kerbs in 12 developments where SuDS ponds are proposed.

b) Housing

New housing developments all incorporate some nest and bat roost provision, with particular emphasis on swift nest sites, a priority species in the Local Biodiversity Action Plan (LBAP) as a result of conditions of planning approvals.

c) Property

Maintenance of properties could have potential impacts on biodiversity but also provide opportunities to incorporate some nest and bat roost provision, with particular emphasis on swift nest sites, a priority species in the LBAP

d) Architects

The Council's Architectural Service are regularly involved with designing new public buildings such as school buildings, providing opportunities to incorporate some nest and bat roost provision, with particular emphasis on swift nest sites, a priority species in the LBAP

e) Greenspace

The Council's Community Greenspace Service are responsible for managing parks and public spaces in Perth and Kinross. There has been a substantial increase in the area of open space managed by Greenspace although the total area of grass has decreased, the area of long grass and meadow managed for biodiversity increased slightly over the same period.

	2014	2017	Change	% of total
Total area of Greenspace	752ha	982ha	230ha (30%)	100%
Total area of parks	210ha	210ha	0 (0%)	21.38%
Total area of grass	521ha	511ha	-10ha (-1%)	52.04%
Total area managed for biodiversity	18ha	19ha	1ha (3%)	1.93%

(figures provided by Community Greenspace)

f) Forward Planning

The Council is in the process of preparing the second Local Development Plan which will include a number of Supplementary Planning Guidance. Included in this suite of Supplementary Planning Guidance will be 'Planning for Nature', which aims to help developers fully consider the wildlife and habitat implications of proposals which need planning permission. When adopted, the guidance will be a material consideration when local authority development management officers consider planning applications.

3 **ACTIONS TAKEN TO IMPROVE BIODIVERSITY CONSERVATION**

The Council has worked in partnership with community groups to enhance public space including meadow maintenance and the eradication of invasive plant species but a more coordinated approach is required for this to be truly effective.

The adoption of standard conditions that can be applied to planning approvals has increased the number of enhancements to developments such as swift nest boxes, bat boxes and wildlife kerbs being incorporated into developments as part of the planning approval meaning these are included as a matter of course.

4 PARTNERSHIP WORKING AND BIODIVERSITY COMMUNICATIONS

An increasing proportion of services are now delivered jointly, with more than one organisation working together. This way more can be achieved than as individual organisations working in isolation. Community Planning is the name that has been given to this process.

The ultimate aim of Community Planning is to make Perth and Kinross a better place to live, work and visit for everyone in all of our communities. By working together to improve our health, safety, environment, economic prospects and learning opportunities, this can be achieved.

The Council is a joint lead partner for the Tayside Biodiversity Partnership. The Partnership comprises approximately 100 organisations and bodies, including government agencies, non-governmental bodies, local naturalists and volunteer conservation groups. It is chaired by an independent Chairman. The Partnership is responsible for the production, delivery and promotion of the Tayside Biodiversity Action Plan, together with reporting on actions and targets.

Further information on Tayside Biodiversity Partnership can be found [here](#)

Council officers work in collaboration with a range of partnerships including:

- The Tay Estuary Forum
- The Tay Landscape Partnership

- The Tayside and Central Scotland Transport Partnership
- Sustainable Scotland Network
- Beautiful Perth
- NHS Tayside
- Perth and Kinross Association of Voluntary Services
- Perth College
- Police Scotland
- Scottish Fire and Rescue Service
- Scottish Enterprise

All Officers are encouraged to attend Sharing Good Practice events held by Scottish Natural Heritage.

5 BIODIVERSITY HIGHLIGHTS AND CHALLENGES

Perth and Kinross Council has achieved much for biodiversity over the last three years.

The adoption of the Planning For Nature: Development Management and Wildlife supplementary guidance will help make things easier for developers and allow them to fully consider the wildlife and habitat implications of proposals well in advance of submitting a Planning Application.

This report outlines how Perth and Kinross Council has delivered biodiversity conservation across all Services for the three year period from January 2015 to December 2017.

Perth and Kinross Council is divided into 4 Service areas:

- Chief Executive (including legal services)
- Housing and Community Care
- Education and Children
- Environment

Each Service has a number of functions, each delivered by teams of specialists. Activities within each Service are detailed below, although there is much collaborative working to deliver strategic services.

5.1 Legal Services

Legal Services advise the Council on legal matters and carry out a wide range of legal and related services emanating from the decisions and activities of the Council. This includes being consulted on all strategies and policies to ensure their compliance with current legislation. In a biodiversity context consultations have included for example whether there is any legal requirement to control invasive non-native species on Council property.

5.2 Housing and Community Care

Housing and Community Care is split into three areas, Community Care, Finance and Support Services and Housing and Strategic Commissioning. Perth and Kinross Council has a housing stock of 7400 properties. This has provided a number of opportunities to protect and enhance biodiversity in the Housing Stock.

Community Care services provides support for older people, those with dementia, mental health problems, learning difficulties, disabilities, who misuse drugs and/or alcohol and people who offend. It helps people wherever possible to live independently within their own homes, and works to reduce re-offending and increase public safety and protection.

Residential Care Homes and Day Care Centres in Perth, Aberfeldy and Auchterarder provide supported accommodation for elderly and disabled clients surrounded by landscaped gardens with wildlife friendly planting and bird feeders. This helps to provide a stimulating environment for the residents, creating a higher quality of life as well as the obvious biodiversity benefits.

The Tayside Biodiversity Co-ordinator is also working with a number of care homes to provide advice on improving their grounds for biodiversity.

5.3 Education and Children Services

This Service aims to provide improved outcomes for communities in Perth and Kinross in five main areas:

- Education
- Social work services for children and families
- Community, cultural and active recreation services
- Support services across Perth and Kinross
- IT services for ECS and across the organisation

The Service works to keep people safe and protected, to improve the health and wellbeing, to develop the range and quality of learning experiences for everyone to raise standards of performance and achievement, and to develop both active and responsible citizens within caring and confident communities.

Education and Children's Services contributes to the biodiversity duty through formal environmental education in schools and other learning establishments.

Over 98% of Perth and Kinross schools are registered as Eco-schools with 53 achieving 'Green Flag' standard. The involvement of pupils makes Eco-Schools an invaluable opportunity to promote an enduring mass behavioural change amongst young people. Biodiversity is one of the key criteria for Eco Schools and can play a crucial role in promoting and improving the biodiversity potential of their local area by caring for local

habitats and species. Education is also crucial for engagement of future generations.

CASE STUDY

Providing opportunities for biodiversity in new school buildings

Perth and Kinross Architects have designed biodiversity into new school buildings and extensions in a number of different ways following advice from the Biodiversity Officer. Simple solutions such as incorporating swift nest boxes and bat boxes into new schools and school extensions and planting school orchards are all examples of how working with architects has enhanced biodiversity.

5.4 The Environment Service

For many people The Environment Service is often their main contact with the Council and many of its staff are judged to be the public face of the Council and may often be the public's first and sometimes only contact with the Council. Whilst the Service's local influence is highly visible and apparent it also makes a significant contribution as to how the area looks as well as how it is presented through events and marketing to a wider range of audiences.

The Environment Service is divided into four key areas:

- Planning & Regeneration

- Performance and Resources
- Property Services
- Environmental and Consumer Services

5.5 Planning and Regeneration

The Planning & Regeneration Division is organised into 6 sections responsible for Strategy & Policy, Development Management, Building Standards, Roads Infrastructure, Regeneration, and Enterprise. Working together, these sections deliver an integrated approach to sustainable economic and physical development.

5.6 Building Standards

While the main function of the building standards team is to ensure all buildings are safe and comply with building regulations they also have a crucial role in ensuring that where buildings are demolished the work is done in a manner which does not adversely affect species which may be present, such as bats and birds.

5.7 Strategy and Policy

Strategy and Policy comprises three teams;

- Development Plans

- Sustainability, Policy and Research
- Transport planning

The Development Plans Team sets the framework for sustainable development through the preparation and implementation of the Local Development Plan (LDP) for Perth and Kinross, in accordance with the Strategic Development Plan (TAYplan). It follows the timetable and process set out in the Council's approved Development Plan Scheme.

The Development Plans Team ensure the development of local land use planning policies which promote and enable economic development, are socially inclusive and support the Council's commitment to enhancing and protecting the environment.

The approved LDP together with TAYplan forms the development plan. Council decisions on planning applications must be in accordance with the development plan unless there are other material considerations.

The Development Plans Team also prepares supplementary planning guidance (SG) on relevant planning issues. Recent published guidance includes:

- Flood Risk and Flood Risk Assessments
- Loch Leven Special Protection Area and Ramsar Site
- Sustainable Development and Zero Carbon Development
- Developer Contributions-Primary Education & A9 junction improvements

- Green Infrastructure
- Forest and Woodland Strategy
- Auchterarder Expansion MasterPlan
- Conservation Area Appraisals

Additional SG is currently being prepared for the following topics:

- Planning and Biodiversity
- River Tay Special Area of Conservation
- Dunkeld – Blairgowrie Lochs Special Area of Conservation
- Open Space Provision and Developer Contributions
- Placemaking Guide
- Spatial Strategy for Wind
- Green Belt Management Plan
- Landscape Guidance

The aims of the Sustainability, Policy and Research Team are:

- To ensure the embedding of sustainable development principles throughout the Council in its plan and decision making processes and support the Council's commitment to enhancing and protecting the environment.
- To provide a Geographic Information resource to the Council, undertake strategic environmental assessment screening and report on the state of the environment.

- To provide an accurate, up-to-date, comprehensive and meaningful picture of the economy, environment and society to support the formulation and monitoring of environmental, economic and social policies by the Council at all levels.
- To ensure the development of strategic land use planning policies for waste, transport, retail, housing, renewable energy, minerals, that include effective climate change adaptation and mitigation measures.
- To ensure that the Council meets its Biodiversity duty. The Biodiversity Officer has responsibility to advise all services on how to conserve and enhance biodiversity where possible.

The Biodiversity Officer works with a range of services across the whole Council including Architects, Property, Housing, Education, Community Greenspace and Development Management to give advice on how to protect existing wildlife and how to enhance opportunities for wildlife.

The Transport Planning Team is responsible for the strategic planning and development of the entire transport network for Perth and Kinross. This involves all forms of transport, private, public, freight etc. The team's remit is to ensure that Perth and Kinross keeps moving, ensuring a prosperous economy and a healthy, socially inclusive society.

The Perth Transport Futures Project is a vision for the provision of a transport system in and around Perth that will also support sustainable economic growth, protect and improve the environment and improve social inclusion and accessibility. Phase 1 will provide an improved

junction at the A9/A85 with links to Bertha Park to the north of Perth.

The project will ease congestion in the city and improve air quality.

5.8 Development Management

Development Management manages new development by granting or refusing planning permission, and managing unauthorised developments using, when necessary, formal enforcement powers. Pre-application advice is also provided to assist applicants as to which policies, key issues and supporting information are required for a particular development proposal.

The Development Management function implements the biodiversity protection and enhancement policies contained within TAYplan and the LDP through the assessment of applications for planning permission. It also has responsibility to ensure that development is assessed against legislation designed to protect designated sites and species (e.g. Habitat Regulations). Below are some examples of how the work the team carries out contributes to the enhancement and protection of biodiversity:

- Development proposals which could affect protected sites or species require to be supported by information to show that adverse impacts can be avoided through mitigation.
- Protected species surveys are required to support the assessment of development proposals.

- Planning conditions or planning obligations have helped to provide nest boxes for swifts and/or boxes for bats, either as mitigation or as a contribution from developers.
- Development proposals which would lead to the loss of areas of woodland or lowland peat bog have been resisted, thereby protecting the habitats contained within these areas.
- New housing developments have been required to amend plans to include more biodiverse open spaces and landscaped areas.
- Woodland management schemes which enhance biodiversity by removing non-native plants have been required to be included in development proposals.

CASE STUDY

Protecting biodiversity through Development Management

Approximately 2,000 planning applications are received every year, which the Biodiversity Officer screens for potential impacts on, or opportunities for, biodiversity, with as many as 180 applications each year requiring some level of advice on biodiversity. Through the use of conditions bat roosts have been conserved and bat and bird boxes have been provided as enhancements. Advice has also been given on appropriate species for planting regimes.

CASE STUDY

Example of requirements for Planning Applications

A bat survey can identify impacts of a development on bats, and any mitigation or habitat enhancement measures required to comply with wildlife legislation. This may include actions such as the use of bat slates in buildings or areas of roofs which are maintained or provided as bat roosts. For birds, controls may be attached to a planning permission restricting the time of year development can take place to avoid disturbing birds during the nesting season on the advice of the Biodiversity Officer.

5.9 Property Services

Property Services is responsible for the provision, within the Perth and Kinross Council area, of a wide range of building related services to its public buildings.

Within this Division there are six teams.

- Architects & Engineering
- Architects & Small Projects
- Premises & Facilities Management
- Surveying & Maintenance
- Roads
- Public Transport

Architects and Premises and Facilities Management ensure that surveys for protected species are carried out prior to work being carried out on

alterations and extensions to property, and consult with the Biodiversity Officer whenever there is a potential impact on or opportunity for biodiversity.

Roads and Structures ensure that surveys for protected species are carried out prior to work being carried out on bridges and culverts. They also consult with the Biodiversity Officer whenever there is a potential impact to biodiversity when repairs are required.

Roads have been involved with the Ranger Service on the award winning wildlife kerbs project as well as assisting in the amphibians in drains project. For more information follow this [link](#)

5.10 Environment and Consumer Services

The Environmental and Consumer Services teams are involved with various aspects of the immediate environment which have a direct effect on health and quality of life issues. These teams are responsible for safeguarding consumers, local businesses and visitors to the area through inspections and agreed enforcement policies.

Their remit includes:

- Animal welfare and dog fouling
- Direct Services (Operations)
- Community Greenspace
- Grounds Maintenance

The Community Greenspace team covers a range of areas including:

- Bereavement Service
- Ranger Service
- Environmental initiatives
- Landscape Architects
- Management of Green Spaces
- Parks
- Perth and Kinross Countryside Trust
- The Access Team
- Tree and Woodland

Bereavement Services manage cemeteries and graveyards across the county. Their maintenance is managed by the grounds maintenance team.

The Ranger Service manage 'countryside sites' in Perth and Kinross Council, such as Kinnoull Hill Woodland Park, the Birks of Aberfeldy and the Knock of Creiff. There are 20 or so such sites around the county, attracting in the region of 300,000 visits a year.

There are also three footpath networks managed by the Ranger Service, these are around Blairgowrie, Dunkeld and Birnam and Pitlochry, and the circular long distance Cateran Trail that crosses into Angus, they are also responsible for some 200 miles of Right of Way and the Loch Leven Heritage Trail.

The Rangers develop Management Plans for these countryside sites.

Perhaps the most well-known aspect of the Countryside Rangers work is in actively engaging with communities, working with volunteers and generating support, interest and activity in Perth and Kinross's green spaces.

The Environmental Initiatives Team manages the Westbank nursery, coordinates and supports volunteers who work in their communities on the 'In Bloom' programmes, and work with schools through the Eco School programme.

The Landscape Architects are key to many park development projects, designing outdoor areas, town and city centre regeneration projects and play areas. They have a role in virtually every green space area in the County.

Community Greenspace are responsible for management of all of the Councils green spaces, parks and countryside, roadside verges, hedges, graveyards and flower beds.

The Tree and Woodland Officer is responsible for looking after all the trees in Council ownership, from street trees in Perth High Street to those in parks and countryside sites and in school grounds. He deals with public enquiries and complaints, undertakes tree inspections and schedules all tree surgery and felling.

CASE STUDY

Wildflower Meadow Creation

A number of wildflower meadows have been created in parks across Perth and Kinross using seed collected from Angus and the east of Scotland. A much admired wildflower meadow has been created on a roundabout in Glasgow Road. These meadows are havens for bumblebees and butterflies.

It is because Community Greenspace has responsibility for the majority of public open space within Perth and Kinross that they are at the forefront of a number of positive projects for biodiversity. These include:

- Lady Mary's Biodiversity Project in Crieff – A long established Wildflower meadow
- Bumblebee and Wildflower Surveys at newly created wildflower meadows
- Goose and Wildfowl counts in the Tay Estuary Local Nature Reserve
- Sheltered Housing and Biodiversity Project – Involving elderly residents in wildlife recording and orchard planting, swift nest boxes and barn owl boxes
- Perth College Biodiversity Project – students on the Environmental Conservation course work carrying out conservation and management projects with the Ranger Service

6 Monitoring

While the Biodiversity Officer has made comments and recommendations on Planning Applications, not all recommendations are included in planning approvals. A check is made on all applications commented upon and where there are still concerns this is communicated to the Development Management team.

Work undertaken by other services is not monitored due to lack of resources, but there is generally a good understanding of the need to undertake works in a particular manner so as not to adversely impact on biodiversity.

7 Contribution to Targets

Targets/key steps from Chapter 1 (Healthy ecosystems) of the “2020 Challenge for Scotland’s Biodiversity”	Contribution to key step?	Justification
1.1) Encourage and support ecosystem restoration and management, especially in catchments that have experienced the greatest degradation		
1.2) Use assessments of ecosystem health at a catchment level to determine what needs to be done		
(1.3) Government and public bodies, including SNH, SEPA and FCS, will work together towards a shared agenda for action to restore ecosystem health at a catchment-scale across Scotland		
(1.4) Establish plans and decisions about land use based on an understanding of ecosystems. Take full account of land use impacts on the ecosystems services that underpin social, economic and environmental health		

Targets/key steps from Chapter 3 (Biodiversity, health and quality of life) of the “2020 Challenge for Scotland’s Biodiversity	Contribution to key step?	Justification
(3.1) Provide opportunities for everyone to experience and enjoy nature regularly, with a particular focus on disadvantaged groups	✓	Greenspace volunteers; Bloom groups; Friends of parks groups
(3.2) Support local authorities and communities to improve local environments and enhance biodiversity using green space and green networks, allowing nature to flourish and so enhancing the quality of life for people who live there	✓	Greenspace volunteers; Bloom groups; Friends of parks groups
(3.3) Build on good practice being developed by the National Health Service (NHS) and others to help encourage greenspace, green exercise and social prescribing initiatives that will improve health and wellbeing through connecting people with nature		
(3.4) Increase access to nature within and close to schools, and support teachers in developing the role of outdoor learning across the Curriculum for Excellence		
(3.5) Encourage public organisations and businesses to review their responsibilities and action for biodiversity, and recognise that increasing their positive contribution to nature and landscapes can help meet their corporate priorities and performance		

Targets/key steps from Chapter 4 (Wildlife, habitats and protected places) of the “2020 Challenge for Scotland’s Biodiversity	Contribution to key step?	Justification
(4.1) Ensure that the management of protected places for nature also provides wider public benefits		
(4.3) Integrate protected areas policy with action for wider habitats to combat fragmentation and restore key habitats		
(4.5) Involve many more people than at present in this work and improve understanding of the poorly known elements of nature		

Targets/key steps from Chapter 5 (Land and freshwater management) of the “2020 Challenge for Scotland’s Biodiversity”	Contribution to key step?	Justification
(5.1) Promote an ecosystem approach to land management that fosters sustainable use of natural resources and puts biodiversity at the heart of landuse planning and decision-making		
(5.2) Ensure that measures taken forward under the Common Agricultural Policy encourage land managers to develop and retain the diversity of wildlife habitats and landscape features		
(5.3) Support „High Nature Value“ farming and forestry		
(5.4) Put in place the management necessary to bring Scotland’s protected areas into favourable condition and improve the ecological status of water bodies		
(5.5) Ensure that biodiversity and ecosystem objectives are fully integrated into flood risk management plans, and restore wetland habitats and woodlands to provide sustainable flood management		
(5.6) Restore and extend natural habitats as a means of building reserves of carbon and to help mitigate climate change		
(5.7) Provide clear advice to land and water managers on best practice		

Targets/key steps from Chapter 6 (Marine and coastal) of the “2020 Challenge for Scotland’s Biodiversity”	Contribution to key step?	Justification
(6.4) Achieve good environmental status for Scottish seas		

Further information on Biodiversity in Perth and Kinross can be found [here](#) and [here](#)

8 Conclusion

Perth and Kinross Council is trying to raise awareness of local biodiversity where ever possible and aims to collaborate with the local community, neighbouring local authorities and stakeholders to ensure that biodiversity is at the forefront of all our work and will be enjoyed for generations to come.

In the writing of this report, the collation of information on the wide range of work that is undertaken within Perth and Kinross Council’s different service areas shows the diverse range of activity the various teams facilitate as part of their regular work programme. Progress has been made in recent years to mainstream the biodiversity process and this is reflected in this report. This will be a useful document to review internally on an annual basis as there becomes wider understanding of the value of biodiversity and the need to report on progress. This will pave the way for a more comprehensive and inclusive reporting structure in time for the next Scottish Biodiversity Duty reporting.

Importantly, ongoing monitoring will allow projects undertaken by Perth and Kinross Council to be highlighted as best practice and copied and expanded in future years.