Tackling the Nature Emergency: Consultation on Scotland's Strategic Framework for Biodiversity (Scottish Government)

To: All Chief Executives, Main Contacts and APSE Contacts in Scotland. For information only to England, Northern Ireland and Wales

1   Executive summary

The Scottish Government released a consultation on the strategic framework for biodiversity. [Click here](#) to complete the consultation by 14 December 2023. [Click here](#) to read the consultation paper.

The consultation covers three parts of the Biodiversity Strategic Framework: The Scottish Biodiversity Strategy, the first five-year Delivery Plan and the proposed Natural Environment Bill. The consultation seeks views on this, the policy frameworks for Nature Networks and 30 by 30 Policy Frameworks, and your views on proposals related to tackling the nature emergency that will require legislation. The Scottish Government are undertaking this to reverse the biodiversity crisis.

Scottish Biodiversity Strategy

The draft Scottish Biodiversity Strategy was published in December 2022 with 33 priority actions designed to reverse biodiversity loss. The Strategy sets out the goal to be Nature Positive, halting biodiversity loss by 2030 and to have restored and regenerated biodiversity across the country by 2045. The strategy identifies a series of outcomes:

1.   Accelerate restoration and regeneration;
2.   Protect nature on land and at sea, across and beyond protected areas
3.   Embed nature positive farming, fishing and forestry
4.   Protect and support the recovery of vulnerable and important species and habitats;
5.   Invest in Nature; and,
6.   Take action on the indirect drivers of biodiversity loss.

The strategy was originally published for consultation on 12 September 2022; minimal amendments

have been made to the draft strategy due to typographical and factual errors in the original document. The updated draft is published here for final review.

Scottish Biodiversity Delivery Plan

The Delivery Plan contains over 100 actions which represent a step change to address the biodiversity crisis. These actions are separated under the following headings:

- Introduce statutory nature restoration targets
- Introduce a Programme of Ecosystem Restoration
- Implement a Scottish Plan for INNS (Invasive Non-Native Species) Surveillance, Prevention and Control
- Improve Resilience in Coastal and Marine Systems by reducing pressures and increase and safeguard space for coastal habitat change
- Substantially reduce deer densities across our landscapes in parallel with ensuring sustainable management of grazing by sheep to improve overall ecosystem health
- Enhance water and air quality. Undertake water management measures to enhance biodiversity
- Ensure Grouse Moor management sustains healthy biodiversity
- Ensure that at least 30% of land and sea is protected or conserved and effectively managed to support nature in good health by 2030 (30 by 30)
- Expand the role of National Parks and ensure they act as exemplars of biodiversity protection and recovery
- Fulfil the potential of National Nature Reserves (NNRs) for nature recovery
- Identify, expand and enhance Nature Networks and ecological connectivity
- Champion new planning and development measures for protecting and enhancing biodiversity
- Enhance biodiversity in Scotland's green and blue spaces
- Ensure increased uptake of high diversity, nature-rich, high soil-carbon, low intensity farming methods while sustaining high quality food production
- Introduce an agricultural support framework which delivers for nature restoration and biodiversity alongside climate and food production outcomes
- Implement further fisheries measures in vulnerable marine ecosystems and to protect Priority Marine Features outside MPAs
- Implement a sustainable approach to sea fisheries management, using best available scientific advice and minimising adverse impacts on non-target species and habitats
- Implement Scotland's vision for sustainable aquaculture to minimise negative impacts on biodiversity
- Ensure that forests and woodlands deliver increased biodiversity and habitat connectivity

alongside timber and carbon outcomes

- Revise Scotland's list of priority species and habitats for biodiversity conservation
- Develop effective species recovery, reintroduction and reinforcement programmes
- Manage existing and emerging pressures to improve the conservation status of seabirds, marine mammals and elasmobranchs
- Implement measures to protect and recover Scotland's wild Atlantic salmon and migratory fish populations
- Drive increased investment in Biodiversity and Nature Restoration
- Establish a values-led, high-integrity market for responsible private investment in natural capital
- Increase investment in Scotland's coastal and marine environments
- Provide direction on, and investment in, green skills and local economic opportunities supporting nature-based education, nature restoration skills and volunteering
- Engage and strengthen the connection between people and communities with nature
- Embed biodiversity and nature in curriculum development
- Mainstream and integrate biodiversity policy across government
- Address unsustainable supply and demand to reduce biodiversity impacts

These actions are separated into the following different codes: woodlands, coastal, freshwater, urban, uplands and peatlands, soils, agriculture, marine and overarching. The full list of actions is detailed on page 18 onwards of the consultation paper. The consultation seeks views on the first five-year plan.

Nature Networks and 30 by 30 Policy Frameworks

The policy frameworks for delivering the commitments to protect 30% of land and sea for nature by 2030 were co-designed with over 100 organisations and individuals. The shared vision for Nature Networks is:

> *"By 2030 Scotland will have evolving, flexible and resilient Nature Networks connecting nature-rich areas allowing wildlife and natural processes to move and adapt to land use and climate change pressures. The networks will help build people's connection to nature, providing biodiversity-rich spaces that deliver local benefits, and meet the priorities of local communities for nature."*

Nature Networks will be developed as long-term features of local and regional landscapes, delivered from the bottom up with transparent, democratic, accountable and inclusive governance.

As a result of a co-design process with over 100 organisations and individuals, this Vision for 30 by 30 in Scotland was agreed:

> *"By 2030 at least 30% of Scotland's land will be protected or conserved for biodiversity, delivering for people and climate. Sites showcase the best in nature restoration, protection and in mitigating and adapting to climate change. They help protect the rare and vulnerable, as well as delivering diverse, complex, and resilient ecosystems that provide important services that benefit everyone far into the future. These 30 by 30 sites are integrated into the wider landscape, acting as the beating, nature-rich hearts of Scotland's Nature Network and beyond."*

The consultation seeks views on the policy frameworks and the 30 by 30 Framework.

Impact Assessments

A series of Impact Assessments have been prepared including a [Strategic Environmental Assessment](#) in relation to the Scottish Biodiversity Strategy and Delivery Plan, Business and Regulatory Impact Assessments to assess the costs, benefits and risks of any proposed legislation, regulations and policy changes, a Fairer Scotland Duty Assessment, Equality Impact Assessment, Islands Communities Impact Assessment, and a Child Rights and Wellbeing Impact Assessment. The consultation asks for feedback on the contents of the impact assessments and whether you think there will be any adverse impacts of the introduction of the Scottish Biodiversity Strategy and Delivery Plan.

The proposed Natural Environment Bill

There is a commitment to pass a new Natural Environment Bill in the current parliament, which will include legally binding nature restoration targets in the same way the government's climate change targets work. The proposed Natural Environment Bill may include changes to the legislation governing Scotland's National Parks. The consultation seeks views on the process for developing these statutory targets and on the proposals to update the National Parks legislation.

2 Consultation questions

Scottish Government is asking for responses to the following key questions.

2a: Have we captured the key actions needed to deliver the objective: accelerate restoration and regeneration?

2b: Are the key actions, to support the objective: accelerate restoration and regeneration, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

2c: Which actions do you think will have most impact?

2d: Have we captured the key actions needed to deliver the objective: protect nature on land and at sea across and beyond protected areas?

2e: Are the key actions, to support the objective: protect nature on land and at sea across and

beyond protected areas, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

2f: Which actions do you think will have most impact?

2g: Have we captured the key actions needed to deliver the objective: embed nature positive farming, fishing and forestry?

2h: Are the key actions, to support the objective: embed nature positive farming, fishing and forestry, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

2i: Which actions do you think will have most impact?

2j: Have we captured the key actions needed to deliver the objective: protect and support the recovery of vulnerable and important species and habitats?

2k: Are the key actions, to support the objective: protect and support the recovery of vulnerable and important species and habitats, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

2l: Which actions do you think will have most impact?

2m: Have we captured the key actions needed to deliver the objective: invest in nature?

2n: Are the key actions, to support the objective: invest in nature, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

2o: Which actions do you think will have most impact?

2p: Have we captured the key actions needed to deliver the objective: take action on the indirect drivers of biodiversity loss?

2q: Are the key actions, to support the objective: take action on the indirect drivers of biodiversity loss, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

2r: Which actions do you think will have most impact?

3a: Do you have any comments on the Nature Networks Framework?

4a: Do you have any comments on the 30 by 30 Framework?

5a: What are your views on the accuracy and scope of the environmental baseline set out in the environmental report?

5b: What are your views on the predicted environmental effects as set out in the environmental report?

5c: What are your views on the reasonable alternatives as set out in the environmental report?

5d: What are your views on the proposals for mitigation and monitoring of the environmental effects set out in the environmental report?

5e: Do you think that any of the provisions in the SBS or Delivery Plan will have any adverse effects on business?

5f: Are there any additional actions or changes to existing actions which can be taken through the Delivery Plan to benefit business?

5g: Do you think that any of the provisions in the SBS or Delivery Plan will have any adverse effects

on socio-economic equality?

5h: Are there any additional actions or changes to existing actions which can be taken through the Delivery Plan to benefit socio-economic equality?

5i: Do you think that any of the provisions in the SBS or Delivery Plan, will have any adverse impacts on people with protected characteristics?

5j: Are there any additional actions or changes to existing actions which can be taken through the Delivery Plan to benefit people with protected characteristics?

5k: Do you think that any of the provisions in the SBS or Delivery Plan, will have any adverse impacts on island communities?

5l: Are there any additional actions, or changes to existing actions, which can be taken through the Delivery Plan to ensure that there are no adverse effects for Island communities?

5m: Do you think that any of the provisions in the SBS or Delivery Plan, will have any adverse impacts on child rights and wellbeing?

5n: Are there any additional actions or changes to existing actions which can be taken through the Delivery Plan to benefit child rights and wellbeing?

6a: Do you agree with this approach to placing targets on a statutory footing?

6b: Do you agree with the criteria set out for the selection of targets?

6c: Do you agree statutory targets should include a combination of outcome targets and output targets?

6d: Is the list of potential target topics sufficiently comprehensive in terms of the focus of proposed target areas and overall scope?

6e: Do you have any other comments on the list of potential target topics?

6f: Do you agree with the proposal to have the smallest feasible number of targets which reflects the complexity of nature restoration?

6g: Do you agree statutory targets should align with the 2030 and 2045 timescales set out in the Strategy?

6h: Do you agree the Bill should allow for the review of statutory targets?

6i: Do you agree that reporting on targets should align with existing Biodiversity reporting requirements?

6j: Do you agree that an Independent Review Body is needed to report on Government's progress in meeting the statutory targets?

7a: Do you agree that the purpose of National Park authorities should be amended in order to emphasise the important leadership role that National Park authorities need to play in restoring nature and in mitigating and adapting to climate change?

7b: Do you agree with these suggested changes to the first National Park aim?

7c: do you agree with the suggested change to the second National Park aim?

7d: Do you agree with the suggested change to the third National Park aim?

7e: Do you agree with the suggested change to the fourth National Park aim?

7f: Do you agree that the National Park 'principle' set out in section 9(6) of the 2000 Act should be retained? This would mean that, if there is a conflict between the National Park aims, greater weight should be given to the first aim which would seek to protect, restore and enhance the natural assets, biodiversity and ecosystems within the National Park.

7g: Do you agree that public bodies operating within the National Park should have regard to the proposed National Park aims?

7h: Do you agree that public bodies operating within the National Park should have regard to the National Park principle?

7i: Do you agree that the duty on public bodies operating within National Parks should be strengthened so they have an obligation to support and contribute to the implementation of National Park Plans rather than having regard to these plans?

7j: Do you agree with the proposal that National Park Authorities should be able to enforce byelaw breaches within National Parks by issuing fixed penalty notices rather than referring them to local Procurators Fiscal?

7k: Do you think that any other changes should be made to the general powers of National Park authorities?

7l: Do you agree with the proposed changes to the governance of National Parks?

7m: Do you have any other comments that you would like to make about the aims, powers and governance of National Parks?

8a: Do you think that any of the proposals in Part B, will have any adverse impacts on human rights?

8b: Are there any additional actions, or changes to existing actions, which can be taken through the proposals in Part B to ensure that there are no adverse effects for people's human rights?

8c: Do you think that any of the proposals in Part B, will have any adverse impacts on people with protected characteristics?

8d: Are there any additional actions or changes to existing actions which can be taken through the proposals in Part B to benefit people with protected characteristics?

8e: Do you think that any of the proposals in Part B will have any adverse effects on socio-economic equality?

8f: Are there any additional actions or changes to existing actions which can be taken through the proposals in Part B to benefit socio-economic equality?

8g: Do you think that any of the proposals in Part B, will have any adverse impacts on island communities?

8h: Are there any additional actions, or changes to existing actions, which can be taken through the proposals in Part B to ensure that there are no adverse effects for Island communities?

8i: Do you think that any of the proposals in Part B, will have any adverse impacts on child rights and wellbeing?

8j: Are there any additional actions or changes to existing actions which can be taken through the proposals in Part B to benefit child rights and wellbeing?

8k: Do you think that any of the proposals in Part B will have any adverse effects on business?

8l: Are there any additional actions or changes to existing actions which can be taken through the proposals in Part B to benefit business?

8m: What are your views on the accuracy and scope of the environmental baseline set out in the environmental report?

8n: What are your views on the predicted environmental effects as set out in the environmental report?

8o: What are your views on the reasonable alternatives as set out in the environmental report?

8p: What are your views on the proposals for mitigation and monitoring of the environmental effects set out in the environmental report?

3   APSE Comment

APSE encourages our members to complete the consultation on Scotland's strategic framework for biodiversity. We would also be interested to receive the views of our member local councils in Scotland to inform APSE's own response to the consultation. Please send any comments or copies of your own councils' submissions to the consultation to Garry Lee on glee@apse.org.uk

Best practice on local authority biodiversity is regularly shared as part of APSE Scotland's advisory groups which are free to attend for APSE members. Click here for more information on future meetings. APSE training has also developed a Biodiversity Net Gain training course. Aimed towards Parks professionals. Whilst this has been initially developed around the Environment Act, as applies in England, many of the principles are of equal importance to protection of the environment and ecological outcomes using BNG objectives. Details can be found here. Should you be interested in a similar course please email Olivia Giles on ogiles@apse.org.uk.

APSE recently produced research on making space for nature in burial grounds that shows how local authorities are using spaces to protect and enhance biodiversity, click here to read the report online.

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APSE member authorities have access to a range of membership resources to assist in delivering council services. This includes our regular advisory groups, specifically designed to bring together elected members, directors, managers and heads of service, together with trade union representatives to discuss service specific issues, innovation and new ways of delivering continuous improvement. The advisory groups are an excellent forum for sharing ideas and discussing topical service issues with colleagues from other councils throughout the UK.

Advisory groups are a free service included as part of your authority's membership of APSE and all end with an informal lunch to facilitate networking with peers in other councils. If you do not currently receive details about APSE advisory group meetings and would like to be added to our list of contacts for your service area please email enquiries@apse.org.uk.

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- Catering (School Meals)
- Cemeteries and Crematoria
- Cost of Providing/Cost of Living Network
- Highways and Street Lighting
- Housing, Construction and Building Maintenance
- Local Authority Commercialisation, Income and Trading Network
- Parks, Horticulture and Grounds Maintenance
- Recovery and Renewal
- Renewables and Climate Change
- Roads, highways and street lighting
- Sports and Leisure Management
- Vehicle Maintenance and Transport
- Waste Management, Refuse Collection and Street Cleansing

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