

REPORT TO: POLICY & RESOURCES COMMITTEE - 20 NOVEMBER 2006

REPORT ON: DUNDEE CITY COUNCIL/SCOTTISH NATURAL HERITAGE CONCORDAT

REPORT BY: ASSISTANT CHIEF EXECUTIVE (COMMUNITY PLANNING)

REPORT NO: 641-2006

1.0 PURPOSE OF REPORT

1.1 To inform this Committee of the breadth of partnership work carried out by officers from Dundee City Council and Scottish Natural Heritage.

2.0 RECOMMENDATIONS

2.1 The Committee is asked to note the contents of this report.

3.0 FINANCIAL IMPLICATIONS

3.1 Any financial implications of the work detailed in the concordat will be covered by existing Departmental budgets, grants awarded by Scottish Natural Heritage and funding secured from Tayside Biodiversity Action Fund.

4.0 SUSTAINABILITY POLICY IMPLICATIONS

4.1 Sustainability

- Protect and enhance the city's unique biodiversity and help implement the Tayside Biodiversity Strategy
- Provide opportunities for citizens and visitors to enjoy and learn more about Dundee's natural heritage resources and the benefits of environmental stewardship.

The concordat between Scottish Natural Heritage and Dundee City Council supports the coordination of biodiversity action across the city and contributes to the Council's statutory duty of 'furthering the conservation of biodiversity' given to local authorities by the Nature Conservation (Scotland) Act 2004.

4.2 Strategic Environmental Assessment

The report has been screened by a SEA representative and it has been concluded that a Strategic Environmental Assessment is not required.

4.3 Anti Poverty

None

5.0 EQUAL OPPORTUNITY IMPLICATIONS

5.1 None

BACKGROUND

- 6.1 For a number of years, officers from Dundee City Council and Scottish Natural Heritage have drawn up an annual informal agreement (the concordat) describing the nature of partnership working over the coming year.
- 6.2 The concordat follows a specific format and is contained in four sections:
- Sustainable use of natural resources
 - Promotion of high quality natural environment
 - Enriching people's lives
 - Liaison and review arrangements
- 6.3 Two meetings are held each year to discuss the concordat. The concordat is reviewed in February and a general discussion on topical issues takes place in August which gives an opportunity to update priorities/actions for both Scottish Natural Heritage and Dundee City Council.
- 6.4 Activities that Dundee City Council and Scottish Natural Heritage have focused on over the past year have been:
- Four projects in Dundee have been awarded a total of £40,000 from Tayside Biodiversity Action Fund since October 2005. Both Dundee City Council and Scottish Natural Heritage are active on Tayside Biodiversity Partnership (TBP) where local biodiversity action is coordinated. Tayside Biodiversity Action Fund was launched by TBP in September 2005. A total of £100,000 is available over three years for biodiversity projects in Dundee, with an annual contribution of £2,900 from Dundee City Council.
 - SNH provided funding for the draft Dundee Environmental Strategy produced by Dundee Partnership for the Environment and are an active partner on this Community Planning theme group. The Chair of DPE is a Director of Greenspace Scotland, which is supported by the Scottish Executive and SNH.
 - Broughty Ferry Environment Project (BFEP) was established in 1999 by DCC / SNH and local people. SNH continues to provide core funding for the project and has awarded £55,000 to BFEP over three years to 2008.
 - SNH continues to support the Countryside Ranger Service and provide opportunities for the Rangers to network and share good practice with other areas.
 - SNH supports a variety of projects in the city with advice and guidance including Dundee Red Squirrel Project and Dundee Access Forum
 - SNH is a founding partner of the Tay Estuary Forum based in Dundee University
 - Both Scottish Natural Heritage and Dundee City Council have shared information on the requirements of Strategic Environmental Assessment.
- 6.5 The year, 2005/06, has been unusual due to the reorganisation of Scottish Natural Heritage, its relocation to Great Glen House in Inverness and local staff changes. However, officers appreciate the continuing guidance and support offered by Scottish Natural Heritage to Dundee City Council.

7.0 CONSULTATION

- 7.1 Chief Executive'
Depute Chief Executive (Finance)
Depute Chief Executive (Support Services)

and all other Chief Officers have been consulted in the preparation of this report.

8.0 BACKGROUND PAPERS

8.1 None

Chris Ward
Assistant Chief Executive (Community Planning) Date: 2nd November 2006

2006/7

**CONCORDAT BETWEEN
DUNDEE CITY COUNCIL
AND
SCOTTISH NATURAL HERITAGE**

Scottish Natural Heritage's (SNH) mission is to work with Scotland's people to care for our natural heritage. Working in partnership with others is essential to taking this forward, and SNH is also committed to considering the views of local people, and the local authority provides an important link to achieving this.

Dundee City Council (DCC) has responsibility for a largely urban area with a small area of rural hinterland. Although largely built up, the area includes a diversity of natural heritage qualities, including a distinctive landscape setting, historic parkland, and areas of national and international importance for wildlife. There are also many opportunities for enjoyment of the natural heritage within the urban area and in the surrounding countryside and coast, and great potential for involvement of the community in the caring for it.

SNH, the Council and their respective predecessor bodies, have long enjoyed a constructive working relationship, and have made significant achievements through partnership. The aim of this Concordat is to provide a framework through which joint working may be planned and monitored, and both SNH and the Council can better inform one another of their own programmes and priorities. It is intended as a working document for staff of each partner organisation, and as a declaration to others of the way in which they intend to work together.

SNH and the Council agree the following joint goals:

- 1. To progress towards sustainable use of the natural heritage of Dundee**
- 2. To promote a high quality natural environment**
- 3. To provide opportunities to enjoy the natural heritage**

The Concordat will set out a programme of action to be reviewed and taken forward annually. Its content will be communicated to all relevant staff in each organisation.

1. Sustainable use of natural resources

1.1 Dundee Partnership for the Environment: Both parties are committed to developing understanding amongst their staff of the concept of sustainability, and putting it into practice. They intend to work together to share experience and take forward projects in this field. SNH has developed

guidelines on the practical implications of a sustainable approach, and has experience in working with local authorities in this area.

Both DCC and SNH have worked together along with other partners to establish the Dundee Partnership and develop a Community Plan for the city that states the commitment of key agencies to work together to improve the quality of life for everyone in Dundee. The Dundee Partnership for the Environment (DPE) is one of six thematic groups of the Dundee Community Plan responsible for addressing the environmental and sustainability theme. Chaired by DCC's Head of Business Development and Support (Leisure and Communities Department), the DPE is building on the experience gained from its early environmental action plan to develop an Environmental Strategy for Dundee that provides a focus for environmental effort across the city. DPE has also become a member of Greenspace Scotland and an action plan reflecting the aspirations of partners is being produced that will act as a catalyst for the success of DPE projects and strategic objectives.

Dundee City Council and local people have drawn up nine local community plans which set environmental priorities and improvements communities would like to see happen. Both SNH and Dundee City Council will seek to assist communities in resolving local natural heritage issues through the Dundee Partnership and Local Community Plans.

Action: 2006/07: 1.1 SNH and DCC will work together through the Dundee Partnership for the Environment. SNH and DCC will work together to implement the relevant environmental objectives of the Community Plan and Local Community Plans through the DPE's Environmental Strategy for Dundee.

1.2 Strategic Environmental Assessment: A SEA Implementation Framework has been developed to ensure SEA duties are adopted across DCC. This framework consists of two distinct but inter-related aspects: SEA Administration (to deal with screening, scoping, publicity, consultation, post adoption procedures) and Environmental Reporting. SEA administration will be undertaken within each Department and the approach to Environmental Reporting will be centralised. Centralising the Environmental Reporting process will allow the Council to draw on a wide range of corporate expertise in producing Environmental Reports and will allow a more independent approach than might otherwise be achieved by an individual Department. By requiring individual Departments to take responsibility for administering screening, scoping, publicity, consultation, and post adoption procedures, it will be easier effectively mainstream SEA and properly integrate it into the plan preparation process. Departments will also be able to dovetail SEA publicity and consultation with normal publicity and consultation requirements for a plan or programme. To support implementation of SEA the Council has undertaken training for key staff in all Departments and produced electronic guidance for SEA Assessors and Facilitators as well as a checklist procedure specific to Dundee City Council.

The Environmental Assessment (Scotland) Act 2005 came into force in February 2006, and will broaden the number of plans and programmes requiring an SEA.

SNH is consulted over all SEAs and initially deals with them centrally, routing them through SNH's Edinburgh-based secretariat – the SNH “gateway” SNH is developing a link on the SNH website to enable easier access to environmental information required as part of the SEA process. This link will be launched in Spring 2006.

Action 2006/7.1.2: SNH and DCC will work together when dealing with Dundee-related SEAs in future.

Action 2006/7 1.4 DCC and SNH will share experience in SEA and exchange guidance and training material. DCC will forward a copy of their current SEA guidance to SNH and vice versa.

2. Promotion of a high quality natural environment

2.1 Statutory Town Planning: The interaction between the Council and SNH in dealing with statutory town planning issues plays an important role in furthering the protection and enhancement of the natural heritage of Dundee where appropriate, and encourages the wise use of the area's natural resources.

The Council and SNH have developed a Procedural Agreement to improve their working relationship in dealing with casework and to economise on effort and clarify the respective roles of each organisation. It sets out agreed consultation arrangements, information liaison procedures. It also highlights opportunities to reduce workloads through training provided between the parties

Scottish Ministers approved the Dundee and Angus Structure Plan in October 2002 subject to 15 Final Modifications. The Structure Plan provides a long term vision for the area and sets out the broad land use planning strategy guiding development and change over the period 2001-2016. The Plan provides a significant contribution through land use matters to the broader community planning process and to Local Agenda 21 in working towards sustainable development. See www.dundee.gov.uk/structureplan for further details.

The Structure Plan also sets the context for the Finalised Dundee Local Plan Review, which translates the land use planning strategy in more detail.

The Dundee Local Plan Review has now been completed and the Plan was formally adopted by Dundee City Council on 1st August 2005.

There is a need to safeguard and enhance the locally important natural heritage in Dundee. Mechanisms to ensure protection and enhancement of these areas through the planning process were explored as there is little in-

house natural heritage expertise. The Council is applying for funding to re-survey local designated sites.

Action 2006/07 2.1.1: The procedural agreement covering development control, forward planning and non-statutory plans will continue to be implemented this year.

Action 2006/07 2.1.2: The Council will promote appropriate training to help staff assess impacts on locally on locally important natural heritage as part of the planning process, and liaise with SNH as to how these can best be met.

2.2 Firth of Tay: The Council and SNH both recognise the importance of the Firth of Tay as a natural heritage resource and as a location for social and economic activity. In order to manage the various interests present in the Firth, it is recognised that liaison is important.. The Tay Forum and Dundee Partnership for the Environment provide mechanisms for this. The need for a strategic approach, to action on the Dundee waterfront and linking with adjacent local authority areas, is recognised.

The Firth of Tay is classified as a Special Protection Area under the EC Wild Birds Directive and has recently been confirmed as a Special Area for Conservation under the EU Habitats Directive (NATURA 2000). Monifieth Bay was awarded Blue Flag status in 2005. ? SNH is able to provide advice on the implications of any development proposals within or otherwise likely to affect these designations.

To celebrate the nationally and internationally recognised natural heritage qualities of the Tay, the Council, SNH and the Dundee Partnership for the Environment have identified the Tay as a priority area for action. A range of initiatives are being promoted:

Action 2006/07 2.2.1: SNH will continue to advise the Broughty Ferry Beach Management Group on the beach management regime.

Action 2006/07 2.2.2: DCC will continue to promote the Dundee Partnership for the Environment project ' Reconnecting the Tay', by bringing together stakeholders including SNH. A short life working group will be convened to take forward this initiative and seek funding for its implementation.

2.3 The Nature Conservation (Scotland) Act includes a duty to promote biodiversity. The Council is in a strong position to accommodate this with its Ranger Service, as well as through the processes of Development Planning and Control. Since this has potentially far reaching effects across all Departments, the Council's senior management needs to input to how this duty is to be accommodated. SNH will assist the Council in considering these issues further. The Tayside Biodiversity Partnership has produced a Guide to Biodiversity in Council Services which should prove invaluable in this context. Guidance from the Scottish Executive is expected in 2006, and is anticipated will include the biodiversity duty, designated sites and protected species.

Action 2006/07 2.3: The Council will consider how to take forward the implications of the biodiversity duty and liaise with SNH in doing so.

2.4 Local Biodiversity Action Plan: DCC and SNH are committed to working alongside other partners to progress the LBAP for Tayside. Habitat Action Plans and Species Action Plans have been drawn up and projects are underway. The LBAP helps to define our priorities, through partnership working and action on the ground. Information from the LBAP will be used in the implementation of policies in Dundee Local Plan, open space access strategies and parks master plans. Funding for the SNH and Council supported Tayside LBAP co-ordinator post will expire in April 2007.

Key projects to be tackled in Dundee include; the Dundee Red Squirrel Project, Swallows and Swifts, control of invasive alien species on the Dighty Burn, various projects by the Broughty Ferry Environmental Project and by the Dundee Countryside Rangers. The rangers networking day in November 2005 identified five key species groups (bats, wildfowl, water voles, alien species and swifts) which Dundee rangers will focus on this year, along with other ranger services in the area.

The SITA Biodiversity Action Fund has awarded funding for the first round of Tayside biodiversity projects, and the Council and SNH are represented on the assessment panel.

Local Record Centres: The Council is investigating the potential for a Local Record Centre in Dundee but this is part of a longer term development plan. The need for a LRC is being discussed with Tayside LBAP partners. SNH has carried out a review of Local Record Centres, and this has contributed to the development of a draft SNH policy on LRC's.

Action 2006/07 2.4.1: The Council and SNH will continue to contribute to and promote the work of the LBAP in Tayside, through partnership and community working, development of information documents and action on the ground. Performance will be judged against the extent to which each other's lead actions are implemented.

Action 2006/07 2.4.2: The Council will consider with SNH and other funding partners the existing Tayside LBAP structure, and the possibility of funding an individual LBAP co-ordinator in Dundee.

Action 2006/07 2.4.3: SNH will report on the findings of the review of Local Record Centres to the Tayside LBAP. The Council, SNH and other partners will liaise regarding the need and resourcing of a Tayside LRC.

2.5 Natural Heritage Management and Enhancement: The Leisure and Communities Department is in the process of developing a series of Masterplans for all of its major parks. Four are complete and four are being developed, on the back of this each park will develop a management plan. Baxter Park's is nearly complete.

The Countryside Rangers are going to be a composite part of the development of these plans introducing a greater level of environmental enhancement and biodiversity. Also a Beach Management Plan has been developed with environmental factors included. The maintenance of the Local Nature Reserves is also being reviewed. A three year Trees and Woodlands in Greenspace (TWIG) partnership post has been created and managed by DCC, dealing with the sustainable management of the City's open space resource.. An action plan is being prepared for stakeholder comment. Dundee City Council welcomes any support and guidance from SNH in the development of the Park Masterplans.

The Dundee Public Open Space Strategy has now been completed.

Action 2006/07 2.5: SNH will provide guidance in the implementation of the TWIG Action Plan.

2.6 The Water Framework Directive came into force in 2000 and establishes a new and far reaching framework for the protection, improvement and sustainable use of surface waters, transitional and coastal waters (up to 3 miles) and groundwater. It was transposed into Scottish law in 2003 through the Water Environment and Water Services (Scotland) Act 2003 ([WEWS Act](#)). The Act requires a River Basin Management Planning System and SEPA are establishing a new system of Area Advisory Groups (AAG) in Spring 2006, including one for the Tay. It is likely that SNH and the Council will be represented on this group. SNH and the Council will work together on this group with a view to promoting the aims of Dundee Partnership for the Environment's "Environmental Strategy" and this Concordat for Dundee.

Action 2006/07: 2.6 Council to consider representation on the Tay AAG and advise SNH.

3. Enriching people's lives

3.1 Environmental Education: SNH and Dundee City Council wish to foster closer links to develop environmental education in the school, the playground and the community. Relevant initiatives which could contribute to this are the promotion of a 'Grounds for Learning' Support Group and SNH's School Grounds Grant Scheme. To date, all schools are now registered under the Ecoschool programme, with 11 schools gaining bronze awards and 3 schools gaining silver awards. The addition of a biodiversity section has given schools further scope to develop, and include sustainability, but the appointment of an eco-schools officer is no longer feasible.

Action 2006/07 3.1: Dundee City Council will continue to support its schools in participating in the Eco Schools programme.

3.2 Enjoying the outdoors is a part of many people's lives, and provides an important source of relaxation and stress relief. SNH has a key role in promoting and improving opportunities for people to visit and enjoy the countryside, but in order for such provision to reflect the needs and

circumstances of the local area, the local authority must also play a central role. There is a history of constructive working on projects between SNH and the Council, and the aim should be to build on this. The Paths for All initiative is regarded as playing a key role in provision.

The Land Reform (Scotland) Act 2003 came into effect towards the end of 2004 and has significant implications for the Council and SNH. The legislation contains a range of duties and powers for both organisations and Council and SNH are working closely in implementing the legislation, particularly with respect to the successful introduction of the new right of responsible access. Key elements in implementing the Act will include the following:

3.2.1 Corrie Fee National Nature Reserve: Corrie Fee NNR lies at the head of Glen Doll in Angus, and is a popular area for visits by Dundonians. Corrie Fee has opportunities for a wide range of groups to learn more about the mountain environment.

Action 2006/07 3.2.1: SNH and the Council will discuss the potential of the reserve to benefit less advantaged groups.

3.2.2 Scottish Outdoor Access Code: The new access legislation is accompanied by a new Scottish Outdoor Access Code (SOAC). The Council and SNH have a joint responsibility for publicising the Code and will work together to fulfil this duty. SNH has the additional duty to promote the Code.

Action 2006/07 3.2.2.: SNH and the Council will keep each other informed of plans and publicise and promote the SOAC.

3.2.3 Outdoor Access Strategy The Paths for All Initiative is now being taken forward by an expanded corporate group under the banner of the Outdoor Access Strategy. The Outdoor Access Group have taken over the remit of the Paths for All implementation group and will be positioned as a sub group of the Dundee Partnership for the Environment, which is part of the Community Planning process. A Local Access Forum has been established. Access linkages outwith the Council area are recognised as important, for example along the riverfront to Perth and Kinross Council and Angus Council.

3.2.4 Outdoor Access Officer The outdoor access officer has been reassessing the Paths for All Initiative and developing a new forward plan. This will take account of the duties imposed on Local Authorities by the new legislation.

3.2.5 Core Path Plans The Council has a duty to draw up a Core Path Plan within three years of the Land Reform Act coming into force, and this is now underway. The Council will have a responsibility for the maintenance of Core Paths and the Act provides the Council with powers to assist them in this role.

Action 2006/07 3.2.5: SNH and the Council will liaise regarding potential resubmission of the Greenways grant application.

3.3 Countryside Rangers: SNH is embarking on a review of its policy on ranger services and as part of the implementation of SNH's Strategic Review which looks at the mechanisms of support to local authorities. SNH will continue to support the Council's Countryside Ranger Service - interim arrangements are being made for a one year grant for 2007/08 for ranger services whose SNH grant offer expires in 2007, including Dundee.. This will be achieved through grant aid, based upon a Management Strategy, Annual Work Programme and Reporting/Monitoring System, as set out in the grant agreement. Liaison between SNH staff and the Council Ranger Service will take place throughout the year. This will include the role of rangers in supporting changes in access legislation and the consultation on the access code.

Action 2006/07 3.3.2: DCC Ranger Service and SNH will liase regarding the ranger review and to ensure that joint priorities are met and that grant payments are received on time.

Action 2006/07 3.3.2. The Council's Ranger Service will consider the desirability of a further networking day in 2006 and liase with SNH.

4. Liaison and Review Arrangements

4.1 Both the Council and SNH wish to encourage regular liaison between their respective organisations on issues which could affect the other. This will allow possible conflicts of interest or opportunities for joint working to be identified early, for maximum benefit. In order to achieve this, officers are encouraged to discuss issues with relevant contact officers as they arise (see Annex).

It is essential that this Concordat undergoes an annual review process in February each year, so that it may adapt to changing circumstances, and so that projects can be taken forward. Annual review meetings may also allow general discussion of topical issues and an opportunity for exchange on the changing priorities of each organisation. Due to a desire from both organisations for this more informal information exchange, the Council and SNH will arrange an additional meeting each year, in August.

A further purpose of an annual review meeting should be to allow each organisation to take account of the requirements and opportunities offered by the other when planning their work programme for the following financial year. The most up to date corporate plan and service plans from the Council are available on the Dundee City Council website and SNH will make their most up to date Operational Plan available to the Council.

Action: 2006/07 4.1: SNH and the Council will meet annually to review and update this Concordat. This meeting will take place in February.

Action: 2006/07.4.2: SNH and the Council will meet in August each year for a more general discussion of topical issues and make an opportunity for exchange on the changing priorities of each organisation.

Annex

DUNDEE CITY COUNCIL AND SCOTTISH NATURAL HERITAGE RELEVANT CONTACTS

SNH

Based at:	Battleby Redgorton Perth PH1 3EW		Tel: (01738) 444177 Fax: (01738) 442060
	Phil Gaskell	Area Manager	
	Neale Taylor	Operations Manager	
	Carolyn Warwick	Area Officer	(first point of contact on concordat issues)
	Pat Lumsden	Area Administrator	
	Helen Taylor	Area Officer	(environmental education in Tayside and Clackmannanshire)
Based at:	West Lodge Airlie by Kirriemuir Angus DD8 5NP		Tel: (01575) 530333 Fax: (01575) 530220
	Shona Hill as interim contact	Area Officer	(casework in Dundee)

Dundee City Council

Waste Management	Bryan Harris	Environmental Strategy Officer	(01382) 432787
	Alison Anderson	Corporate Planning Officer	(01382) 432785
Planning & Transportation	Andy Mulholland	Planning Officer	(01382) 433612
Education	Morag Cooney	EDS	(01382) 462857
Leisure and Communities	Alistair Cluley	Manager Centres and Projects	(01382) 436374
	Merrill Smith	Head of Business Development and Support Services	(01382) 433534
	Peter Sandwell	Environment Development Section Leader	(01382) 433815