ABSTRACT: This report seeks the Committee’s agreement to the continuation of the Tayside Biodiversity Partnership and to the revised funding arrangements.

1. RECOMMENDATION

1.1 It is recommended that the Committee agrees:

1. to the continuation of the Tayside Biodiversity Partnership as outlined in this report;

2. to increase the funding to £24,000 per annum from 2011/12 onwards, this expenditure to be met from the Planning & Transport Revenue budget subject to Perth and Kinross Council confirming match funding;

3. to authorise the Head of Planning and Transport in conjunction with the Head of Law and Administration to enter into a formal Agreement with Perth and Kinross Council; and

4. subject to agreement to the above to make the Partnership Co-ordinating Officer post permanent:

2. BACKGROUND

2.1 The Tayside Biodiversity Partnership first met in 1998. It comprised the 3 Local Authorities (Angus, City of Dundee and Perth and Kinross), and Scottish Natural Heritage (SNH). Since 2000 the Partnership has employed a full time Co-ordinating Officer, who moved from one partner Local Authority to another every 3 years until 2010 when it was decided, for efficiency reasons, to base the post permanently at the Perth and Kinross Council offices in Pullar House, Perth. The Co-ordinating Officer has an ecological background and offers invaluable advice to the partners as well playing a pivotal role in the delivery of the aims and objectives of the Partnership.

2.2 The Partnership (TBP) exists to:

“Co-ordinate the further development, implementation, monitoring and evaluation of biodiversity in Tayside to conserve and enhance the region’s biodiversity, taking account of both local and national priorities”

2.3 A key role of the Partnership is the delivery of the Tayside Biodiversity Action Plan. The Plan has two main aims: to co-ordinate existing actions, as well as initiating and co-ordinating new ones; and to conserve and enhance the region’s biodiversity, taking into account both local and national priorities.

2.4 Since its inception the TBP has:

- made significant progress to implement its action plan,
- developed guidance to incorporating biodiversity into local services,
- organised seminars and training events, attended by over 1300 participants since 2003,
• in the 3 years (2007-10) secured funding from the landfill operator SITA UK which is channeled through the Tayside Biodiversity Action Fund enabling a further 74 “on the ground” projects to be started through the allocation of £469,000 (and a total leverage of nearly £886,000),
• become the key “biodiversity information hub” in Tayside, its website attracting over a half million hits per annum and a suite of publications

3. CURRENT POSITION

3.1 From 2003 onwards, funding for the TBP has been provided by Angus, City of Dundee and Perth & Kinross Councils along with SNH on a tri-annual basis. Considerable in-kind staffing support has also been given by the partners to date. However, with the introduction of Single Outcome Agreements, SNH no longer directly funded the TBP from 2010 onwards as this funding is now part of the funds given to Local Authorities directly from the Scottish Government.

3.2 In light of this, City of Dundee Council first announced in early 2010 that it could not commit to a further 3 year funding arrangement. Although the Partnership continued throughout 2010-11 with a reduced Dundee contribution it was made clear this was not a tenable long term position. Clarification of City of Dundee Council’s long term intentions towards the partnership was sought and in February of this year they confirmed that “after consultation within Dundee City Council it had been decided that the City Council no longer wishes to continue to fund the Tayside Biodiversity Partnership and the Partnership Officer on an equal basis with Perth and Kinross and Angus Councils”.

3.3 The funding currently available to the Partnership is sufficient to permit the Co-ordinating Officer post to continue until December 2011 but, unless additional funding can be secured to compensate for the withdrawal of City of Dundee Council funding the Partnership may have to fold.

3.4 The current arrangement is a very good example of how a shared service works with the participating Councils maintaining services and expert knowledge which would not be affordable if done individually.

4. PROPOSALS

4.1 In response to City of Dundee Council’s position, officers of Angus and Perth & Kinross Councils met with the independent Chairman of the Partnership to discuss the future of the partnership. At that meeting there was agreement between the parties that the continuation of the Partnership was crucial to the delivery of both Councils biodiversity duties and to the accessing and distribution of the SITA funding through the Tayside Biodiversity Action Fund. The increasing importance of the Partnership was further noted with the proposed statutory duty upon Councils to report to the Scottish Government on a tri-annual basis on how it has delivered its biodiversity duty.

4.2 It was agreed to explore setting up the Partnership as a new style simplified charity in order that a wider range of funding options may be investigated to support primarily project funding and to assist in meeting core costs. Essentially, the new Partnership would comprise Angus and Perth and Kinross Councils on an equal basis but with a management structure similar to that which existed previously.

4.3 A formal Agreement will be established between the two Councils which will set out clearly defined and deliverable targets. The exact terms remain to be negotiated but the principal accords with best practice. It is also recommended that the post of the Partnership Co-ordinating officer be made permanent. It should be noted that, under employment law, the Co-ordinator has a right to a permanent post, having been in post for over 10 years.
5. **FINANCIAL IMPLICATIONS**

5.1 Each of the constituent Councils had previously contributed £15,900 in 2010/11 towards the Partnership costs, the majority being the funding of the co-ordinator post. The Angus Council contribution is met from the Planning and Transport Revenue budget.

5.2 With the withdrawal of the Dundee contribution this would require an increase in the annual contribution of approximately £8,000 from 2011/12 onwards to approximately £24,000 from each of the two Councils to maintain the partnership and more importantly the Co-ordinating Officer post.

5.3 This contribution of £24,000 can be contained within the 2011/12 Planning and Transport Revenue budget.

6. **HUMAN RIGHTS IMPLICATIONS**

6.1 There are no human rights implications

7. **EQUALITIES IMPLICATIONS**

7.1 The issues dealt with in this report have been the subject of consideration from an equalities perspective. An equalities impact assessment is not required.

8. **SINGLE OUTCOME AGREEMENT**

8.1 This report contributes to the following local outcome contained within the Single Outcome Agreement for Angus.

- Our communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

9. **CONSULTATION**

9.1 The Chief Executive, Director of Corporate Services, Head of Finance and Head of Law and Administration have been consulted in the preparation of this report.

10. **CONCLUSION**

10.1 With the withdrawal of the funding from City of Dundee Council, the Tayside Biodiversity Partnership may have to fold unless additional funding can be secured. The continuation of the Partnership is seen as crucial to the delivery of the Council’s biodiversity duties and to the accessing and distribution of the SITA funding through the Tayside Biodiversity Action Fund. The role of the Co-ordination officer is pivotal in this.

**ERIC S LOWSON**
DIRECTOR OF INFRASTRUCTURE SERVICES

**NOTE:** No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

**P&T/GWC/RM/IAL**
30 June 2011