

REPORT TO: AUDIT & PERFORMANCE REVIEW COMMITTEE ON 28 APRIL 2010

SUBJECT: LOCAL GOVERNMENT NATIONAL REPORTS 2009/10 – PROTECTING AND IMPROVING SCOTLAND’S ENVIRONMENT

BY: CHIEF EXECUTIVE

1. REASON FOR REPORT

- 1.1 The Committee is asked to consider Moray’s responses to the recommendations included within Audit Scotland’s National Report: Protecting and Improving Scotland’s Environment, published in January 2010.
- 1.2 This report is submitted to Committee in terms of Section J3 of the Council’s Administrative Scheme relating to consideration of Audit Scotland’s reports concerning Council functions.

2. RECOMMENDATION

- 2.1 **It is recommended that the Committee considers Moray’s response to recommendations made in Audit Scotland’s National Report: Protecting and Improving Scotland’s Environment.**

3. BACKGROUND

- 3.1 Audit Scotland supports the Accounts Commission in its responsibility to carry out national performance studies to improve economy, efficiency and effectiveness in local government.
- 3.2 The national report focuses on the Scottish public sector’s progress in improving air quality, the water environment, biodiversity, and waste management though these areas are not independent of each other. Climate change will be a focus for future work by Audit Scotland.
- 3.3 The national report states that protecting and improving the environment is central to sustainable development and in meeting the Scottish Government’s aim of achieving sustainable economic growth. Key Scottish industries such as tourism, agriculture, food and drink are dependent on the quality of the environment.
- 3.4 The Council’s role in protecting and improving the environment is to monitor air quality and identify and manage local Air Quality Management Areas, contribute to and consider river basin planning, deliver Local Biodiversity Action Plans in partnership with other bodies, to further the conservation of biodiversity and provide and fund waste management services.

- 3.5 Several public bodies are involved at a national level in protecting and improving the environment and councils play a key role at a local level. Councils' single outcome agreements (SOAs) with the Scottish Government contain indicators reflecting local and national priorities.
- 3.6 This report details the key messages from the national audit and provides Moray's response to national recommendations in **Appendix 1**. No recommendations were made in relation to The Water Environment although the national report did reinforce that all councils have a role in the development of river basin management plans.
- 3.7 For information, the weblink to the report is available on the Elected Members Information Portal.

4. KEY MESSAGES OF THE NATIONAL AUDIT

4.1 Air Quality

The National Audit reports that Scotland has tighter limits than the rest of the UK for three air pollutants, however the Scottish Government has not assessed the cost of achieving these tighter limits. Air quality in Scotland is generally good but there is poor air quality in 21 locations across 12 council areas. Road transport is the main cause of local air quality problems and there is a lack of coordination between air quality and transport objectives at both a national and a local level. The report states that councils are not using all the available Scottish Government funding for improving air quality.

4.2 The Water Environment

The quality of Scotland's water environment has improved significantly. Over half of Scotland's waters currently meet the European standard of good ecological status with national plans to ensure that nearly all waters meet this standard by 2027. Pollution from agricultural sources is now the leading threat to the water environment and SEPA must continue to work in partnership with land managers to address this.

4.3 Biodiversity

There has been mixed progress in protecting and improving Scotland's biodiversity. The Scottish Government's target for 95 per cent of all protected areas to be in favourable condition by 2010 is at risk of not being met. However, its target to increase the number of terrestrial breeding birds is being met. The duty on all public bodies to promote biodiversity has had limited impact, due to a lack of sufficient guidance on how to implement it and the absence of any monitoring or reporting system to enforce it.

4.4 Waste Management

The Scottish Government has introduced a new approach to waste management since the publication of Audit Scotland's *Sustainable Waste Management* report in September 2007. Scotland has already met the European target for reducing the amount of waste sent to landfill by 2010, although the national recycling target is at risk of not being met. Collectively, councils' plans are not sufficient to meet landfill and recycling targets beyond 2010.

5. SUMMARY OF IMPLICATIONS

(a) Single Outcome Agreement/Service Improvement Plan

The Council is committed to delivering better public services year on year through accepting the key principles of accountability, ownership, continuous improvement and transparency. Elected Members and senior managers ensure that findings of Audits are considered in contribution to the corporate priorities of the Council and confirming the future direction. Protecting and improving the environment contributes to all five of the Scottish Government's strategic objectives (wealthier and fairer, smarter, healthier, safer and stronger, and greener) and directly to three of its national outcomes.

(b) Policy and Legal

All Scottish public bodies have a legal duty under a number of Acts/Directives (see below) and part of that duty is to consider the findings/recommendations of National Audit Reports:

- The Nature Conservation (Scotland) Act 2004 to further the conservation of biodiversity
- Environment Act 1995
- Water Environment and Water Services (Scotland) Act 2003
- The European Waste Framework Directive includes a target for increased recycling of construction and demolition waste by 2020.

(c) Resources (Financial, Risks, Staffing and Property)

There are no financial implications arising from this report although there may be risks associated with not addressing National Audit Report recommendations.

(d) Consultations

The Corporate Policy Unit Manager, Director of Environmental Services, Planning and Development Manager, and the Environmental Health Manager have been consulted and agree with the content of this report.

6. CONCLUSION

6.1 In relation to air quality, Moray is pro-active in monitoring and using this data in considering the air quality impacts of any new industrial, commercial or biomass developments or any traffic management schemes proposed before implementation. In relation to biodiversity despite the lack of government guidance Moray is still proactively participating in Local area plans with partners. In reaction to waste targets set for 2013 a report has been drafted to go to CMT in May detailing what needs to be done to achieve these targets.

6.2 That the Committee is satisfied with Moray's response to recommendations made in Audit Scotland's National Report; Protecting and Improving Scotland's Environment.

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Background Papers: Held by Author
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