

## Climate Change/Biodiversity

### For discussion/approval

1. Section 44 of the Climate Change (Scotland) Act places the following climate change duty on every public body:-

A public body must, in exercising its functions, act—

- (a) in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of this Act;
- (b) in the way best calculated to help deliver any programme laid before the Scottish Parliament under section 53;
- (c) in a way that it considers is most sustainable.

These duties are commonly referred to as the mitigation, adaptation and sustainability duties respectively.

2. Boundaries Scotland is not listed in Schedule 1 of the Climate Change (Scotland) Act 2009 therefore does not have additional reporting obligations. However, there is still an obligation to take the climate change duty into account whenever Boundaries Scotland is exercising its functions.
3. There are also the following additional obligations:
  - the Nature Conservation (Scotland) Act 2004 requires all public bodies in Scotland to further the conservation of biodiversity when carrying out their responsibilities.
  - The Wildlife and Natural Environment (Scotland) Act 2011, requires a publicly available report on the actions which the public body has taken to meet this biodiversity duty to be published every three years.
4. Boundaries Scotland has not previously produced a Biodiversity Report - please see the attached draft for comment (Appendix A).
5. To assist in ensuring the Boundaries Scotland meets its climate and biodiversity duties, the Secretary has signed up to the Sustainable Scotland network for training and development purposes.
6. The Commission is invited to approve the draft Biodiversity Report. Once approved, this report will be published on our website and referred to in the annual report for 2024/25.

Secretariat  
September 2024