

— OFFICE OF THE — SCOTTISH ROAD WORKS COMMISSIONER

Biodiversity Duty Report – January 2024 to December 2026

Introduction

The Nature Conservation (Scotland) Act 2004 places a duty on all public bodies to further the conservation of biodiversity in the course of carrying out their responsibilities. The Wildlife and Natural Environment (Scotland) Act 2011 places a further obligation on public bodies to provide a publicly available report, every three years, on the actions taken to comply with the biodiversity duty. The Scottish Road Works Commissioner is an independent public official set up in 2008 under the Transport (Scotland) Act 2005. The purpose of the Commissioner and the Commissioner's office is to improve and monitor national performance in road works. There are no significant direct environmental impacts as a result of the Commissioner's operations. As a public body, the Scottish Road Works Commissioner is required to report on its contribution to Scottish Biodiversity over the last three years (1 January 2024 to 31 December 2026). This is the Commissioner's report.

Contribution to Scottish biodiversity duties

Actions to protect and enhance biodiversity

The Commissioner is based in Saughton House, Broomhouse Drive in Edinburgh. This is a Scottish Government building and the Commissioner does not hold any land or gardens. However, the Commissioner acknowledges and seeks to further the objectives and outcomes of the Scottish Biodiversity Strategy to 2045 and the Scottish Biodiversity Delivery Plan 2024-2030 where possible.

Accordingly, where possible he will work to “to halt biodiversity loss and be Nature Positive by 2030 and to have restored and regenerated biodiversity across the country by 2045” in an appropriate and measured way, in keeping with duties and size. Many of the operational

issues that support biodiversity are controlled by the Scottish Government however, as a small office and team, the following action has been taken:

- The Commissioner and his staff have a hybrid working arrangement which minimises the need for commuting. During the reporting period, travel to the office has been kept to the bare minimum, with generally only essential journeys made.
- Staff are encouraged to walk and cycle to/from work where possible.
- Staff are encouraged to think about their travel choices for meetings and appointments during the working day, making use of public transport by default.
- Staff are offered the opportunity to volunteer one day a year. This may be used to support local biodiversity projects.
- The Commissioner has leased an electric pool vehicle and encourages usage of public transport and joint journeys to meetings etc.

In common with many organisations, the Commissioner has embraced digital transformation, eliminating almost all paper format publications and letters. Accordingly, paper use is extremely low.

Mainstreaming biodiversity

In addition to the post of Commissioner, 7 members of staff are employed. The Commissioner is an Other Significant National Body and is sponsored by and supported through grant-in-aid from Transport Scotland. The Commissioner seeks to:

- Minimise the impact on biodiversity when developing new policies and procedures. During the reporting period, the Commissioner has worked with the bus industry to reduce the impact of road works on bus services. This has included supporting development of a new Co-ordination Code of Practice, as well as introducing additional functionality to the Scottish Road Works Register (SRWR). These aim to increase awareness of the presence of bus services at locations where works are proposed and allow for improved planning to take place. Improving bus reliability helps make bus a more attractive travel option and encourages use over the private car.

- Promote similar standards and principles towards biodiversity conservation from all third parties involved in our business – suppliers, vendors and contractors.

The Commissioner recognises that, whilst better organised, shorter, higher quality road works have a correlation with the outcomes associated with sustainability, the environment and communities. It is recognised that road works, by their very nature, also have negative environmental and social impacts. The Commissioner will work to support organisations to reduce the number of works carried out, with a particular focus on those involving excavation. This commitment, contained within the Corporate Plan, ensures that environmental sustainability and, by association, biodiversity is considered going forward.

Nature and Adapting to Climate Change

The Commissioner will continue to:

- Encourage replanting of verges after works.
- Encourage partners and stakeholders to make use of recycled aggregates for reinstatements.
- Encourage stakeholders to consider biodiversity when undertaking road works.
- Perform a mediating role within the road works community to minimise delay and disruption.

Workforce development

During the reporting period, the Commissioner appointed two new Compliance Officers. Whilst their activities unavoidably involve travel, this is done using the electric pool vehicle. Deployment of this resource is planned at a monthly Commissioning Group meeting, ensuring that it is utilised in an efficient manner and with the lowest possible impact to biodiversity. Powers to issue Compliance Notices to roads authorities and statutory undertakers were also introduced during the reporting period. These additional powers give a useful tool to the Commissioner to deal with organisations not working to agreed standards. Whilst no opportunities have yet arisen for these powers to be used to promote biodiversity, the Commissioner will aim to work towards doing so where this is linked to some other compliance matter.

The fifth version of the Specification for the Reinstatement of Openings in Roads (SROR), published in October 2023, included the introduction of a revised materials trials process. The Commissioner has played a lead role in the administration of this process, allowing details of the efficacy of new materials to be collected and shared. This has allowed the Commissioner to closely monitor developments and help shape best practice around use of these materials. Where new materials can be judged to offer a satisfactory alternative, these may help deliver a biodiversity benefit.

Research and Monitoring

The Scottish Road Research Board (SRRB) is a partnership between Transport Scotland, the Society of Chief Officers of Transportation in Scotland (SCOTS) and the Scottish Road Works Commissioner (SRWC). During the reporting period, the SRRB undertook a number of research projects associated with biodiversity.

[Scottish Road Research Board | Completed research projects | Transport Scotland](#)

Whilst none of these were specifically applicable to the Commissioner's role, he continues to support the SRRB and submits bids for relevant research projects.

Biodiversity highlights and challenges

The Commissioner has, and will continue to, work closely with the road works community in Scotland to facilitate knowledge sharing and the promotion of good practice. Work will also continue to support research into technologies that offer opportunities to reduce impacts on biodiversity. The challenges of public sector reform over the coming three years will, however, undoubtedly mean that, amongst roads authorities particularly, biodiversity will have to compete with a number of other important priorities.

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