



CITY DEVELOPMENT PLAN  
Background Paper 7

Natural Environment



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### 1.0 Introduction

- 1.1 This paper provides background information in support of City Development Plan policy CDP 7: Natural Environment, examining, in greater detail, the contextual basis for the Policy.

### 2.0 Background

- 2.1 Glasgow contains a number of sites that are designated and protected for their habitats, fauna and flora, including a number of protected/priority species. In conjunction with important landscapes, trees and geodiversity features, these form a key resource for the City, in terms of setting, cultural significance, biodiversity and ecosystem services. Local Authorities have a duty to further the conservation of biodiversity and an obligation to protect certain habitats and species, in addition to promoting healthy, well-functioning ecosystems and the Council is a signatory to the Scottish Geodiversity Charter, making a commitment to maintain and enhance geodiversity.

### 3.0 National and International planning context

- 3.1 The UK and Scotland has international obligations including agreements which strongly influence everything from decision making, Scottish legislation, the species licensing system we implement. In regards to the national environment, The Habitat Regulations 1994 (latterly amended in Scotland) provides the context for European Protected Species (EPS) of animals and plants (annex IV of the directive is associated with species native to Great Britain). This regulatory directive provides the baseline for devolved Scottish environmental frameworks.

#### **Agenda 21 and the Convention on Biological Diversity**

- 3.2 Agenda 21 is a non-binding action of the United Nations for sustainable development into the 21st century, agreed at the UN Conference on Environment and Development in Rio in 1992 (the Earth Summit). The Convention on Biological Diversity is a binding treaty signed by 150 government leaders at the Earth Summit and is intended to help deliver the principles of Agenda 21. The Convention has three main goals:

- conservation of biological diversity (or biodiversity);
- sustainable use of its components; and
- fair and equitable sharing of benefits arising from genetic resources

- 3.3 The Convention states that it is the combination of life forms and their interactions with each other and with the rest of the environment that has made Earth a uniquely habitable place for humans. It recognises that biodiversity provides a large number of goods and services that sustain our lives.

#### **EU Biodiversity Action Plan**

- 3.4 In 2001, EU Heads of State undertook to halt the decline of biodiversity in the EU by 2010, and to restore habitats and natural systems, in line with their commitments to the Convention on Biological Diversity. In 2006, the European Commission setting out a detailed EU Biodiversity Action Plan to achieve the 2010 target.

#### **EU Biodiversity Strategy to 2020**

- 3.5 The EU Biodiversity Strategy that lays down a framework for EU action to meet the 2020 biodiversity headline target set by EU leaders in March 2010. The Strategy contains a vision that, by 2050, biodiversity and the ecosystem services it provides are protected, valued and appropriately restored. This is both for biodiversity's intrinsic value and for their essential contribution to human well-being and economic prosperity. It adopts a headline target of "halting the loss of biodiversity and the degradation of ecosystem services in the EU by 2020,

and restoring them in so far as feasible, while stepping up the EU contribution to averting global biodiversity loss”.

### **Convention on the conservation of European wildlife and natural habitats (the Bern Convention)**

- 3.6 The Bern Convention is a binding international legal instrument which aims to conserve wild flora and fauna and their natural habitats and to promote European co-operation to that end. The Convention places a particular importance on the need to protect endangered natural habitats and endangered vulnerable species, including migratory species. All countries that have signed the Bern Convention must take action to, amongst other things, promote national policies for the conservation of wild flora and fauna, and their natural habitats and have regard to the conservation of wild flora and fauna in their planning and development policies.

### **Nature Conservation (Scotland) Act 2004**

- 3.7 The Nature Conservation (Scotland) Act 2004 places a duty on every public body to further the conservation of biodiversity consistent with the proper exercise of their functions. It requires Scottish Ministers to designate one or more strategies for the conservation of biodiversity as the Scottish Biodiversity Strategy, and requires public bodies to have regard to the Scottish Biodiversity Strategy.

- 3.8 It also increases the protection for Sites of Special Scientific Interest (SSSI), as set out in the Wildlife and Countryside Act 1981. SSSI is a statutory designation, made by Scottish Natural Heritage (SNH), and reflects those areas of land and water that SNH considers to best represent Scotland’s natural heritage. The Act places a duty on public bodies for the further conservation and enhancement of SSSIs.

### **The UK Biodiversity Action Plan (UK BAP)**

- 3.9 The UK BAP was first published in 1994 as the UK Government’s response to the Convention on Biological Diversity. Devolution resulted in the creation of a Scottish Strategy (see below) in 2004, however subsequent documents have set out a shared vision for UK biodiversity conservation through the **Conserving Biodiversity – the UK Approach** (2007) and, more recently, the **UK Post-2010 Biodiversity Framework** (2012). The 2012 document reflects a change in strategic thinking following the publication of the Convention on Biological Diversity’s **‘Strategic Plan for Biodiversity 2011–2020’** which included 20 targets, known as the “Aichi Targets” (see below) and the launch of the new EU Biodiversity Strategy in May 2011. The framework demonstrates how the work of the four countries and the UK contributes to achieving the ‘Aichi targets’, and identifies the activities required to complement the country biodiversity strategies in achieving the targets.

### **Scotland’s Biodiversity Strategy**

- 3.10 Scotland’s biodiversity strategy, “**Scotland’s Biodiversity: It’s in Your Hands**”, was published in 2004 and sets out how the government will conserve biodiversity for the health, enjoyment and wellbeing of the people of Scotland. The strategy set out a vision for 2030 as well as objectives and desired outcomes. Whilst these remain valid, the Government has indicated that the way in which the Strategy will be taken forward has since changed. As a result, the Government published “**2020 Challenge for Scotland’s Biodiversity**” in 2013, which provides greater detail in some areas, responds to the new international targets, and updates some elements of the 2004 document. The 2004 and 2013 documents, together, comprise the Scottish Biodiversity Strategy which public bodies must have regard to.

- 3.11 2020 Challenge refers to new targets for halting biodiversity loss. Whilst Scotland’s performance against the 2010 international targets showed that good progress had been made, internationally, the 2010 targets to preserve biodiversity were missed. This resulted in the UN Convention on Biological Diversity setting new targets for 2020 – the ‘Aichi Targets’. In addition new 2020 targets were set for the EU and a new European Biodiversity Strategy was published in 2011. The new international targets call for a step change in efforts to halt the

loss of biodiversity and to restore essential services that a healthy natural environment provides.

3.12 There are 20 Aichi targets, intended to help deliver 5 Strategic goals:

- address the underlying causes of biodiversity loss by mainstreaming biodiversity across government and society
- reduce the direct pressures on biodiversity and promote sustainable use
- improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity
- enhance the benefits to all from biodiversity and ecosystem services
- enhance implementation through participatory planning, knowledge management and capacity building

3.13 Scotland's 2020 Challenge aims to deliver these targets and:

- protect and restore biodiversity on land and sea, and to support healthier ecosystems.
- connect people with the natural world, for their health and wellbeing and to involve them more in decisions about their environment.
- maximise the benefits for Scotland of a diverse natural environment and the services it provides, contributing to sustainable economic growth.

#### **EU Habitats and Birds Directives**

3.14 The Habitats Directive is one of the EU's two directives in relation to wildlife and nature conservation, the other being the Birds Directive. It aims to protect some 220 habitats and approximately 1,000 species considered to be of European interest, and listed in the directive's Annexes. The 'Habitats Directive' is translated into Scots law through the Conservation (Natural Habitats, &c.) Regulations 1994. These afford protection to certain species identified in the Habitats Directive, including those requiring strict protection (European protected species). The directive led to the setting up of a network of Special Areas of Conservation (SACs).

3.15 The Birds Directive aims to protect all European wild birds and the habitats of listed species, in particular through the designation of Special Protection Areas (SPAs). Together, SPAs And SACs form a network of protected sites across the European Union called Natura 2000. Under the Habitats Regulations, Scottish planning authorities are required to determine whether the development plan is likely to have a significant effect on a Natura 2000 site and, where this is the case, undertake an appropriate assessment in the form of a Habitats Regulations Appraisal (HRA). An HRA has been prepared in support of this Plan.

#### **Wildlife and Countryside Act 1981**

3.16 Even though there have been significant revisions to the 1981 Act, it remains an important piece of legislation relating to wildlife protection in Scotland. The Act applies to the terrestrial environment and inshore waters (0-12 nautical miles) and protects a number of wild birds, other animals and plants.

#### **National Parks and Access to the Countryside Act 1949**

3.17 Section 21 of the 1949 Act gives Scottish local authorities the power to acquire, declare and manage nature reserves. The area must be of at least local importance and wholly within the area of the local authority which designates it. Prior to designation, the local authority must own or lease the land or have the formal agreement of the owner(s).

#### **National Planning Framework 2**

3.18 National Planning Framework 2 (NPF2) indicates that stewardship of Scotland's wildlife and biodiversity can make a significant contribution to sustainable economic growth. It identifies one of the key elements of Scotland's spatial development strategy as being to conserve and

enhance Scotland's distinctive natural and cultural heritage, and continue to safeguard internationally protected sites, habitats and species.

- 3.19 NPF 2 indicates that a strong commitment to protecting and enhancing the natural, built and cultural environments as essential components of our quality of life and unique economic assets is required. It states that the planning system has an important role to play in improving the environment, for example by safeguarding and enhancing urban and rural biodiversity.

#### **Scottish Planning Policy (SPP)**

- 3.19 The SPP indicates that planning authorities should take a broader approach to landscape and natural heritage than just conserving designated or protected sites and species, but that they should take into account the ecosystems and natural processes in their area. A strategic approach to natural heritage in which wildlife sites and corridors, landscape features, watercourses, and areas of open space are linked together in integrated habitat networks can make an important contribution to the maintenance and enhancement of biodiversity and to allowing ecosystems and natural processes to adapt and respond to changes in the climate. Planning authorities should seek to prevent further fragmentation or isolation of habitats and identify opportunities to restore links which have been broken. Where possible, planning authorities should seek benefits for species and habitats from new development including the restoration of degraded habitats. SPP highlights that all public bodies, including planning authorities, have a duty to further the conservation of biodiversity, and that this should be reflected in development plans.
- 3.20 With regard to landscapes, the SPP indicates that the aim is to facilitate positive change whilst maintaining and enhancing distinctive character. Different landscapes will have a different capacity to accommodate new development, and the siting and design of development should be informed by local landscape character.
- 3.21 The SPP notes that, whilst the protection of the landscape and natural heritage may sometimes impose constraints on development, with careful planning and design the potential for conflict can be minimised and the potential for enhancement maximised. However there will be occasions where the sensitivity of the site or the nature or scale of the proposed development is such that the development should not be permitted. Statutory natural heritage designations are important considerations where they are directly or indirectly affected by a development proposal. However, designation does not necessarily imply a prohibition on development.
- 3.22 SPP addresses national designations (SSSIs are the only such designations found in Glasgow). It indicates that development that affects an SSSI should only be permitted where it will not adversely affect the integrity of the area or the qualities for which it has been designated, or any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance. It goes on to state that international and national designations can be complemented by local designations which protect, enhance and encourage the enjoyment and understanding of locally important landscapes and natural heritage. Such local designations should be clearly identified and protected through the development plan and the reasons for designation should be clearly explained with the factors which will be taken into account in development management decision making clearly set out. Local nature conservation sites designated for their geodiversity should be selected for their value for scientific study and education, their historical significance and other cultural and aesthetic value, particularly for their potential for promoting public awareness and enjoyment.
- 3.23 The SPP sets out the position which development plans should take with regard to protected species. It indicates that although their presence rarely imposes an absolute block on development, mitigation measures are often needed and the layout, design and timing of works may be affected. Planning permission must not be granted for development that would be likely to have an adverse effect on a European protected species or a species protected

under the Wildlife and Countryside Act 1981 unless the development is required for preserving public health or public safety.

- 3.24 The SPP also addresses woodlands and trees, indicating that ancient and semi-natural woodland is an important and irreplaceable national resource that should be protected and enhanced, as should other native and long established woodlands with high nature conservation value. Tree Preservation Orders can be used to protect individual and groups of trees considered important for amenity or because of their cultural or historic interest.

#### **Planning Advice Note 60: Planning for Natural Heritage (PAN 60)**

- 3.25 PAN 60 states that the planning system has a vital role to play in safeguarding the natural heritage and building environmental capital. It can help to create high quality sustainable environments which offer social and economic opportunities and weave the experience of nature into the fabric of everyday life by:

- maintaining and enhancing landscape character;
- providing for a diversity of wildlife habitats;
- making provision for a wide range of outdoor recreational activities, and
- fostering opportunities for learning about the environment

#### **Scotland's Land Use Strategy**

- 3.26 Scotland's Land Use Strategy is a strategic framework bringing together proposals for getting the best from Scotland's land resources. It is intended to facilitate more strategic thinking on the potential of land and the ways in which it is used now and in the future. It sets the long-term directions we need to pursue to get. It outlines a set of Principles for Sustainable Land Use to guide policy and decision making, including that land use decisions should be informed by an understanding of the functioning of the ecosystems which they affect in order to maintain the benefits of the ecosystem services which they provide.

- 3.27 To support this approach, the Government has produced "**Applying an ecosystems approach to land use**" an Information Note which outlines the principles, benefits and practical applications of an ecosystems approach. It states that adoption of an ecosystems approach can help ensure that any decision which has the potential to have multiple impacts on the natural environment (e.g. on water quality as well as biodiversity) is taken with the knowledge of the indirect as well as the direct effects. It can be used in any situation where the natural environment is affected or managed and can be applied at all scales, including, for example, the masterplan for a new housing development or a SUDS scheme.

#### **Scotland's Geodiversity Charter**

- 3.28 Scotland's Geodiversity Charter was produced by the Scottish Geodiversity Forum, of which the City Council is a member, in 2012 and refreshed in 2013. The Charter recognises not only the value of geodiversity, but also the need for action to promote awareness and more integrated management as part of an ecosystem approach. The Charter's vision is that "Scotland's geodiversity is recognised as an integral and vital part of our environment, economy, heritage and future sustainable development, to be safeguarded and managed appropriately for this and future generations". To achieve the vision, the Charter focuses future on four main areas:

- *raising awareness* of the importance of geodiversity and its wider links with landscape, culture and sense of place, and encouraging a sense of pride through education, promotion and interpretation;
- *integration of geodiversity in relevant policies* to ensure sustainable management of the natural heritage, land and water at a landscape/ecosystem scale;
- *conservation and enhancement of geoheritage* and its special character: within existing designated sites and areas and by further designation of local sites; and
- *research* to improve our understanding of the role of geodiversity in providing benefits to ecosystems and people.

## 4.0 Strategic context

### **Glasgow and the Clyde Valley Strategic Development Plan (SDP)**

- 4.1 The SDP sets out a Spatial Vision which, amongst other things, aspires to have a green infrastructure (open space, formal and informal, green corridors and pathways, playing spaces, parks, trees and natural green spaces) which will be a key part of the urban environment and a focus for action to improve the living environment, aid competitiveness, develop new economic and energy developments, enhance biodiversity and provide opportunities for healthy living. It indicates that the Glasgow and Clyde Valley Green Network, linked to and integrated with the Central Scotland Green Network, will provide the framework for a wide range of action addressing such myriad objectives. The Green Belt and Green Network Background Paper provides further information on the role of the Green Network.
- 4.2 The SDP recognises that the environment is critical to a low carbon economic future through its role in, amongst other things, creating and supporting biodiversity and sensitive habitats.

## 5.0 Local Context

### **Glasgow City Council Strategic Plan 2012 – 2017**

- 5.1 The Council's Strategic Plan was approved in spring 2013 and sets out the Council's priorities for the next five years. There are five priority areas where the Council aims to drive real progress and achievement in Glasgow over the next five years. These are to make sure Glasgow has:

- Economic growth; and is
- A world class city
- A sustainable city
- A city that looks after its vulnerable people
- A learning city.

- 5.2 The Natural Environment policy can help deliver on the four of these outcomes in helping establish a basis for the protection and enhancement of protected habitats and species, biodiversity and ecosystem services and the economic, health and other benefits this will bring to the City.

### **Glasgow's Local Biodiversity Action Plan (LBAP)**

- 5.3 LBAPs are a key means for implementing the UK Biodiversity Action Plan at the local level. Glasgow's LBAP was launched in September 2001 and included a number of Species Action Plans (SAPs) and Habitat Action Plans (HAPs) for species or habitats experiencing loss or decline. Each individual Species or Habitat Action Plan has a number of objectives, and details actions to be carried out in order to conserve and enhance populations of particular animal and plant species, or to protect and enhance valuable habitats.

### **Glasgow City Plan 2 – The Local Plan**

- 5.4 City Plan 2 aims to further the conservation and enhancement of biodiversity both inside and outside designated areas and to extend the multifunctional benefits of the green network. Through its policies it aims to, amongst other things:

- utilise the opportunities offered by development proposals to increase the diversity of flora and fauna and to provide new green space in the City;
- ensure that all development proposals have due regard to: the protection of landscape features and habitats, including trees and woodlands; the network of designated Sites of Importance for Nature Conservation (including wildlife corridors); legally protected species and listed species of conservation concern; and the appropriate habitat and species plans of Glasgow's LBAP;



- protect key sites that are important for their flora and/or fauna (Sites of Importance for Nature Conservation) and declare Local Nature Reserves, where appropriate. (City Plan 2 that the Council would seek to achieve Local Nature Reserve status for sites at Cathkin Braes; Linn Park; Waulkmill Glen/Darnley Mill; Frankfield Loch; and extensions to Cardowan Moss and Bishop Loch LNRs);
- integrate nature conservation and biodiversity measures into the maintenance, enhancement and development of Council-owned parkland, amenity open space, farmland and other land, as appropriate;
- improve the quality of existing landscapes; and
- maximise the use of greenspaces for flood attenuation and sustainable drainage purposes to help deliver enhanced biodiversity

5.5 Policies DES 1, ENV 6, ENV 7 and ENV 8 all contribute towards meeting this aim.

## 6.0 Glasgow City Development Plan - The Local Development Plan

### Monitoring Statement

6.1 The monitoring statement prepared in support of Glasgow Main Issues Report analysed the progress that had been made to date on biodiversity and greenspace. It noted that the Council was actively progressing some of the LNR proposals noted in the Plan, but did not identify any major biodiversity considerations of the new LDP.

### Main Issues Report

6.2 The main issues report was published for consultation in October 2011. It set out a broad future regeneration context based on 6 facets, the fifth of which was to plan for the protection and enhancement of natural and historic features to help promote biodiversity, flood protection, recreation and active travel.

6.3 Issue 5.4 of the report addresses Ecosystems and Integrated Habitat Networks. The preferred option and approach is to develop a policy that protects, and promotes the expansion and enhancement of, habitat networks, helping safeguard species and habitats and the ecosystem services they provide. It makes the point that the existing City Plan 2 policy ENV 6 only protects those species and habitats protected by law or set out in the LBAP and that this doesn't necessarily deliver an integrated policy approach which considers the role of other species or habitats in ecosystem services or wider habitat networks.

6.4 Whilst one commentator indicated that the Plan's focus should be social and economic regeneration and that "the focus of the Main Issues Report on natural landscapes and ecosystems is entirely unbalanced, the vast majority of comments were supportive of this approach. Some commentators made the point that the approach taken in the LDP should reflect the full range of natural heritage considerations including Integrated Habitat Networks, landscape, species and designations. As a result, policy CDP 6 protects:

- the integrity or character of areas designated for their landscape importance;
- sites, habitats, species or ecosystems protected by law or which are designated as important for their nature conservation value;
- sites designated as important for their geodiversity value; or
- trees, woodlands or hedgerows that are of importance

6.5 It also indicates that new development should not further fragment habitats, networks or isolate habitats or species, but should enhance these natural and landscape assets, wherever possible, including by:

- helping to develop linkages between habitats;
- restoring degraded habitats;
- maintaining and enhancing the health and function of ecosystems; and
- promoting resilience and adaptation to climate change.

- 6.6 Supplementary Guidance (SG) will be brought forward which sets out the detail of how these policy statements will be delivered in practice.
- 6.7 Issue 5.5 of the MIR covers geodiversity, highlighting the importance of geodiversity not only to environmental aspects but also educational, historical and aesthetic features. The preferred option was to undertake an assessment to ascertain whether there are additional geological features worthy of protection through the CDP. Again, there was broad support for this option, although one commentator expressed concern that this could restrict development options in the City.
- 6.8 On the basis of this support, the Council commissioned the British Geological Survey to undertake a Geodiversity Audit of the City which evaluated an initial list of geodiversity sites. The Audit. An assessment of 26 sites for their geoscientific merit, accessibility, cultural/heritage/economic importance, site fragility, and potential for enhancement identified 20 sites as locally important. This list will be used as the basis for identifying, in Supplementary Guidance (SG), a number of sites which will be protected/enhanced. SG will provide further detail on how this will be achieved.
- 6.9 MIR Issues 5.2 and 5.3 dealt addressed flooding and drainage (see Water Environment background paper) and Green Network Priorities (Green Belt and Green Network background paper), respectively. Commentators on both issue highlighted the LDP response to these issues deliver wider, multifunctional benefits, including for biodiversity. LDP policy CDP 6 has, therefore, been drafted as one of a series of complementary and interconnected policies dealing with the Green Belt and Green Network, the Water Environment and Sustainable Transport. Each emphasises the need for the delivery of multifunctional green infrastructure, providing for flood management, sustainable drainage, access and biodiversity.

#### **Considerations for the Emerging Plan**

- 6.10 Scottish Planning Policy indicates that local designations should be clearly identified and protected through the development plan. Figure XX of Policy CDP 6 illustrates the current extent of designated landscape and nature conservation sites – the detailed boundary of each will be set out in SG, which will also set out the factors to be taken into account in development management decision making for proposals which affect them. Including the boundaries in SG rather than in the LDP itself means that it should be easier to update in the event that, e.g., a new LNR is declared.
- 6.11 The SPP also states that the “reasons for designation should be clearly explained and the on-going relevance and function of local designations should be considered when development plans are prepared”. There are a large number of local designations sites in the City, many of which were identified some time ago. In the intervening period, and in some instances, there may have been changes in site-specific circumstances which would suggest that a redefinition of the boundaries of some designations may be appropriate. The Council will commence an examination of local designations to determine where this is appropriate, and will bring forward SG, in due course, which will update that which shows the existing designations. This new SG would also provide justification for the designations in question.
- 6.12 The Council is preparing a Natural Environment Framework which aims to integrate existing natural environment strategies in order to help deliver mutual benefits. A natural environment strategy and an action plan are also to be prepared. It was also agreed that the initial scope of the framework would focus on biodiversity and geodiversity; this would later expand to incorporate landscape and micro climate.
- 6.13 Work will start in early 2014 to update the Local Biodiversity Action Plan as part of the development of the Natural Environment Framework. The other key elements of the Natural Environment Framework will cover Geodiversity; Landscape, Micro climate, Ecosystem management and Natural Resources and the Environment, for which a work programme is

being developed. In addition, the Glasgow Open Space Strategy is being redrafted with a view to setting out priorities for the development of open space in the City. Policy CDP 4 indicates that development should take into account, and be compatible with, both the Open Space Strategy and the Natural Environment Framework, when produced.

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