



Notes of LINK meeting with Environment Minister, 23 June 2010

Attending

Roseanna Cunningham, (Chair), Environment Minister
Ian Hooper, Deputy Director, Natural Resources
Peter Stapleton and Milo McLaughlin, Greener Scotland Division
David Mallon, Marine Scotland
Eila McQueen, (Leading for LINK), LINK Trustee & Archaeology Scotland
Mike Daniels, LINK Deer taskforce & John Muir Trust
Duncan Orr-Ewing, LINK Deer taskforce & RSPB Scotland
Calum Duncan, LINK marine taskforce & Marine Conservation Society
Jen Anderson, LINK Chief Officer

Introductions were made. Eila Macqueen indicated that LINK wished to remove item 5 from the agenda owing to absence of the right lead. She said LINK would instead write to the Minister. The Minister offered to give a brief update instead. She noted that there was an hour for discussion; it was agreed to keep things brief.

1. Climate and sustainable land use

With reference to LINK's publication *Living with the Land*, planned response to Scottish Government's (SG) consultation and proposed autumn conference on wide range of issues, Vicki Swales (VS) asked the Minister about progress with the draft strategy and likely priorities including relationship with national planning framework.

The Minister apologised for the long lead time involved given the need to comply with parliamentary procedures; discussions around what would be in, and not in, the draft, were ongoing. The interplay with planning issues, between both sets of officials, was still live with a view to 'getting things right from the start'. The consultation would begin in early October (with launch and stakeholder events) and the EA would be published simultaneously. The review of strategies from countries firth of Scotland would be published soon. The extent to which the strategy would reflect intentions of the Climate Change (Scotland) Act e.g., on afforestation had not yet been worked through, since climate implementation plans were not yet available.

The Minister indicated she would encourage stakeholders to hold conferences and to flag plans to officials; whilst Ministers might not manage to attend all of these officials would be available. She felt the stakeholders go well beyond LINK.

VS reported LINK's view of the importance of setting strategic priorities for multi-functional land use. VS noted the lessons from indicative forestry strategies in this field. The discussion noted that a lot of work lies beyond the Parliamentary task of agreeing the strategy.

2. CAP reform

VS asked the Minister how a reformed CAP could focus on the environment and sustainable development, especially in circumstances of economic pressures on the EU and challenges facing agriculture including those flagged in Pack's interim report. She indicated LINK interest in environmental analysis of all proposals alongside economic and wider scrutiny.

The Minister indicated that she could respond in part though this was not entirely in her part of the shared portfolio. Short-term recommendations of which she had not had sight would be published at the RHShow. R Lochhead had announced intent to introduce a new IMO to give protection for wildlife to offset loss of Setaside.

From the Minister's contact with farmers she felt there is greater consciousness of the expectations especially re climate change and more understanding that this will not negatively impact them; more farmers are now opening up these discussions. She encouraged LINK to continue constructive dialogue with farmers.



VS reported LINK thought it important to shift the focus of payments so that these underpin the industry *as well as* delivering the environmental objectives set for agriculture, re biodiversity and climate. She urged Ministers to consider building in scrutiny and environmental analysis now, to deliver good decisions post-Inquiry.

The Minister noted that the inquiry is independent though the Government is not bound to adopt all of its recommendations.

3. WaNE Bill

Mike Daniels (MD) reported that LINK members are generally supportive of the Bill though have concerns about the deer provisions; since the current voluntary system is failing to deliver its own objectives let alone policy objectives, LINK does not support SG's proposal for a voluntary code.

The Minister stated that this is a matter of what is 'do-able' where there is such a wide spread of issues in one Bill, and so many interests involved. She had found this an extremely difficult Bill. Whilst she would not personally support the proposals, the need for negotiation and balancing of demands has meant that some desirable objectives have not made it into the Bill.

MD indicated that LINK would seek opportunities to revise this given the importance of deer management to the uplands for water, forestry and more. The Minister indicated that she and the Committee expect certain amendments, though the issue for them will be balancing different demands. Snaring for example is likely to be controversial and they must avoid too many hits to any one sector of stakeholders. Duncan Orr-Ewing (DOE) reported deep frustration on the part of LINK bodies – many landowning themselves - that greater engagement of government in deer management anticipated as part of the SNH/DCS merger was not happening. They would like to SNH to be encouraged to go to estates where appropriate action is not happening and help to prepare deer management plans. The eNGOs understood SG's reluctance was based on legal advice about human rights issues though themselves struggled to see how the ECHR was relevant to wild animals.

The Minister did not wish to get into detailed debate about ECHR though did comment that this has surprised government in other areas of policy where it was not originally anticipated as an issue. She understood that LINK would like to see statutory management but reported that the resources for that are just not going to be available, eg with 25% cuts likely in the short term for the Scottish budget. However she felt landowners are aware that there is a 'short lead' on various things in this Bill and that future governments will want to respond sharply if the voluntary system does not work. At this stage the SG wishes to give an opportunity for the voluntary system to deliver.

Ian Hooper added that this had been a difficult decision. He said SG is not 'doing nothing' and their current intention is to improve the powers of intervention in S7&8 of the Deer Act - seen by some as extreme so that these are more practical and more achievable in bad situations. SG will share the draft code which will not be entirely voluntary with others in advance of Committee Stage. To MD's question about flagrant breaches IH felt the proposed system allowed for a better trigger for intervention. DOE agreed the current system is cumbersome and said LINK bodies would like sight of the R Rose report, now three years in drafting, before the code is published. MD added that the proposed approach would allow less use of the ecosystem approach; he hoped the SLU strategy would pick this up. DOE urged that revised wording of S7&8 of the Deer Act needed to be usable as a proper backstop to intervene in the public interest. Eila Macqueen added that this kind of improvement would be of use to SNH.

4. Marine

Calum Duncan welcomed the Marine (Scotland) Act 2010 and also welcomed government's approach in general to Marine Protected Areas (MPAs). He raised the



issue of the incomplete draft Priority Marine Features list and LINK members' concern that the decision not to include certain features was a policy one and not a scientific one. The Minister emphasised that it is for SG to decide after the consultations, that we are still at early stages and that all submissions will be considered by SG when they make their decision. Mr Lochhead would sign this off. David Mallon commented that Natura sites will also contribute to the network. CD welcomed these assurances and explained LINK bodies felt this was an important issue to flag now with a view to getting a comprehensive approach and coherent set of sites.

CD offered the Minister a copy of LINK's report *Avoiding Conflict in the Marine Environment* on marine renewables, launched at an event on 17 June at which a good cross-section of stakeholders and decision makers had been present and had held good discussions. LINK looked forward to continuing to work constructively with others to ensure development of a sustainable marine renewables industry in Scotland. He noted the industry is still nascent allowing scope to get things right at the start. David Mallon welcomed the document as an important contribution.

The Minister observed that there are tensions which government must resolve between various industries all looking for space in the marine environment. Vicki Swales noted that Scotland either needs five times the space for proposed development or must get smarter at ensuring delivery of multi benefits. CD added a note of welcome for vision of the Marine Scotland Act with regard to spatial planning.

5. Central Scotland Green Network

The Minister had attended the first CSGN board meeting and the prospectus and draft plan were now out for consultation, to which LINK responses would be important. SG see NGOs as integral to CSGN success. Consultation events had happened and there would be specific meetings in the next six months including with NGO reps. She encouraged LINK members to identify projects for support from the CSGN development fund, and indicated that FCS conservancy staff would be happy to discuss any ideas.

DOE hoped wetland habitats and opportunities formed part of the vision besides tree cover. The Minister indicated that water and a variety of habitats – some wilder, some smaller green strips – were in the thinking. CSGN could join up a broad range of these even if management is located in key bodies and in the context of the institutional frameworks. CSGN has £.5m from FCS; she would be concerned if this meant only considering forestry, though FCS are a key partner. Relevant local authorities are also involved and fundamental to delivery and a meeting was planned with reps. The meeting briefly noted the Inver Forth project (involving with three LAs) and the Upper Clyde initiative.

Eila Macqueen confirmed that LINK bodies would consider projects for which bids might be submitted.

6. AOB

The Minister was conscious that agendas often touch on Richard Lochhead's part of the portfolio and encouraged LINK to submit such agendas earlier so that dates can be found when both Ministers can attend, even if Mr Lochhead only attends part of the discussions. Jen Anderson and Peter Stapleton agreed to keep in touch about this and noted CAP reform would be a contender for the autumn agenda. Also that dates for further meetings are awaited.

Eila Macqueen thanked the Minister for the opportunity for discussion.