**LINK Governance Group, 30 April 2019**

**Meeting Note**

**Attending**: Lloyd Austin (Convenor); Deborah Long (LINK); Daphne Vlastari (LINK); Charles Dundas (Woodland Trust Scotland); Isobel Mercer (RSPB Scotland); Sheila George (WWF Scotland); Bruce Wilson (SWT); Lisa Webb (LINK); Paul Walton (RSPB Scotland – by Zoom); Calum Duncan (MCS)

1. **Brexit**

*31 October extension*

The Group discussed the latest Brexit developments including the extension to 31 October and implications. Overall, the possible outcomes remain as before, (i) no deal; (ii) May’s deal; (iii) People’s Vote or 2nd referendum/ extending or revoking Article 50.

The Group speculated there was little chance of May getting her deal through by 22 May so there will be European Parliament elections (to be discussed later on in meeting).

*Keeping pace*

On 5th April, Mike Russell announced that the Continuity Bill would be set aside but that they will bring forward legislation to enable devolved laws to ‘keep pace’ with the EU if Brexit occurs. It was noted that while ‘keeping pace’ is similar to the ‘dynamic alignment’ (DA) spoken about at Westminster, the political context is different and more welcome (?) within ScotGov. The group discussed meanings of DA and non-regression, the former allows a decline/ regression while the latter implies things staying the same or improving.

Greener UK has prepared a paper on dynamic alignment.

**Action: Lisa/ Daphne to circulate the GUK DA paper.**

The Group agreed it would be useful to have a briefing, setting out what non-regression and environmental improvement look like, and propose a meeting with Michael Russell (CabSec for Government Business and Constitutional Relations). It was also noted that, at LINK’s fringe event at the SNP conference, Roseanna Cunningham mentioned the value of having a green narrative in the Citizen’s Assembly so use this meeting to explore that too.

**Action: Daphne to contact the EU Exit Hub to seek appropriate time for Mike Russell meeting.**

We discussed the First Minister’s climate emergency statement and noted their rhetoric does not always transfer into reality, eg SNP voting against the climate emergency motion back in March. Discussed that we need to offer the FM something on an international platform, eg at Beijing. Or similar. LINK to make initial contact with a letter welcoming SG recognition of the climate emergency.

**Action: LINK to write to FM to offer support in climate emergency. Done - see letter** [**here**](http://www.scotlink.org/wp/files/documents/FM-letter-climate-emergency-1May19-Final.pdf)

The group noted the FM’s statement on independence referendum on 23 April. Agreed to keep an eye on this and resurrect the Referendum Challenge when we need to.

*Environment Act policy workshop – 10 April*

Members attended this workshop to help hone LINK’s asks for a Scottish Environment Act. Those who had attended agreed it was a worthwhile day and useful to have ClientEarth’s perspective there. It is now for the Groups to summarise asks.

**Action: Daphne to set a date for responses and collate asks (ideally in time for Roseanna meeting, likely to be in June)**

**Action: Daphne to touch base with Susie Turpie regarding Environment Strategy progress. Noted that next meeting of ES reference group is 10 June.**

We discussed some of the details of what we would like from a Scottish Environment Act. Paul asked whether, in the section on targets, we could include a power to report on whether resources have been allocated for biodiversity? Can we articulate that a minimum amount is needed? We could use recommendations from PAPLS Committee. Discussed that we have to be cautious in case it is used as an argument against spend…but we should explore this further.

*Environmental Principles and Governance consultation*

Lloyd noted that he made some tweaks to the draft following the policy workshop. Final draft is almost ready and Lloyd will aim to capture Paul’s earlier comments on funding and resources; include a line on climate emergency and the contribution that nature can make; emphasise introducing an Envt Bill; and include Paul’s comments on INNS.

**Action: Paul to send Lloyd wording on INNS.**

**Action: Daphne to look at translation of French quote.**

In the section on monitoring, Isobel suggested that we highlight the difficulty of monitoring and add something on the fact that the scrutiny of monitoring and reporting needs to be addressed.

**Action: Update EPG consultation with reporting requirements text from the** [**LINK briefing**](http://www.scotlink.org/wp/files/documents/LINK-Parliamentary-Briefing-EU-Exit-and-the-Environment_April2019FINAL.pdf) **to ECCLR.**

**Action: Daphne to circulate consultation draft for sign-up by 8 May and submit by 11 May.**

*Fight for Scotland’s Nature campaign*

The e-action is going well (currently over 7000 signatures) and 38 degrees has launched an online petition. Overall >15000 online signatures. Miriam has been working with members to develop blogs, social media and radio interview and Azra is working on regional comms. Considering doing a hand-in of campaign postcards to Roseanna. Currently deciding steps for the campaign after the consultation deadline on 11 May and we are considering a pledge over the summer with an event to celebrate this in September.

The Group discussed whether the Brexit delay might prevent legislation going into the Programme for Government. We need to argue there is no need not to put legislation in.

*Statutory Instruments and Scottish Statutory Instruments*

Daphne and Isobel are tracking progress on the development of SSIs and associated guidance. Still awaiting confirmation of the timeframe for the INNS SSI.

*UK Environment (Principles and Governance) Bill*

The EFRA Committee published their [report](https://publications.parliament.uk/pa/cm201719/cmselect/cmenvfru/1893/189302.htm) today which broadly agrees with that of the Environmental Audit Committee. Similar recommendations include application of the duty to all public bodies and that the Office for Environmental Protection (OEP) must be independent.

Ben Christman was asked to look at the UK Bill within the Scottish context and he has made observations on this.

**Action: Daphne to circulate draft from Ben to Governance Group.**

*UK Fisheries and Agriculture Bills*

No movement on either of these. It was noted that it would be beneficial for the GUK Fisheries Group to liaise with the GUK Devolution Group.

**Action: Calum to encourage members of the Fisheries Group to seek advice from the Devo Group.**

*Other ELUK and Greener UK updates*

Paul noted that much is happening on INNS at Westminster at the moment. The Environmental Audit Committee is undertaking an invasive species inquiry and Paul will give oral evidence there later in May. There is to be a parliamentary event at the House of Lords on INNS on 14 May.

*Environmental Governance Research Brief and Workshop*

Daphne, Sheila and Isobel have developed a proposal to conduct research on solutions for the environmental governance gap in Scotland. The Group agreed this is a good idea to pursue and discussed whether the associated workshop would be best before or after the research proposal is underway. Agreed that it’s best for the proposal to get underway and develop ideas and then have the workshop on that basis. There will be discussions with individual stakeholders as part of the research work.

**Action: All to send comments to Sheila, Daphne and Isobel on the brief by 8 May.**

1. **European Parliament Elections**

The Group discussed what LINK activity should be ahead of the Parliament elections on 23 May. Daphne is currently collating a list of all Scotland candidates and will prepare a short LINK manifesto. We will do social media around the manifesto asks.

**Action: All to send Daphne any useful information/ intelligence about candidates**

**Action: Daphne to circulate a manifesto and seek comments by 9 May**

It was noted that Greener UK has a [manifesto](https://greeneruk.org/sites/default/files/download/2019-05/GreenerUK_european_election_manifesto_0.pdf) and likely to make approaches to candidates in Scotland. The Group agreed that it was fine to have approaches made by LINK and G-UK and that it would be useful if there could be cross-referencing and for G-UK to highlight to candidates that LINK will approach them too.

**Action: Lloyd to make Amy at G-UK aware of LINK plans.**

The Group also discussed a suggestion made by Jonny Hughes about an ‘Environmental Voters Network’. This could utilise a website that indicates who to vote for based on what you care about? Could it be used to mobilise people who care about the environment to vote? Agreed to park this idea for now and to revisit in time for Holyrood elections in 2021.

1. **Legal Strategy Subgroup**

This group continues to meet, chaired by Mary Church and attended by Lloyd, Mark Lazarowicz, Ian Cowan and Ben Christman. Priorities include the Environmental Rights Centre (ERC) and Aarhus compliance.

The ERC is ready to go forward if we can get funding. Applications still pending with Joseph Rowntree, WIlliam Grant and People’s Postcode Lottery. There is an application to DPF for match funding for the first year of the work.

On Aarhus, Mary and others met Christina McKelvie MSP (Minister for Older People and Equalities) and SG offical, Walter Drummond-Murray. Relatively positive meeting and we will seek a meeting with Ash Denham MSP.

Lloyd met with Duncan Isles who is responsible for implementing the task force to take forward the Human Rights Advisory Group work. We expect an announcement on this before summer.

Lloyd will attend the four countries human rights and civic society conference in Northern Ireland wb 30/4. He will remind Mhairi Snowden (Human Rights Consortium) to submit a response to the EPG consultation if he gets an opportunity!

The Group discussed Wild Justice (Mark Avery, Chris Packham and Ruth Tingay) and their crowd funding campaign. Discussed whether we could bring a test case re the biodiversity duty and it was noted that this would be the remit of the ERC to explore. Wild Justice are part of WCL and we might want to persuade them to become an org supporter of LINK.

**Action: Isobel to check with Ian Thomson about whether he is in touch with Wild Justice and see if we have inroads there.**

1. **Party Conferences**

A successful fringe event at the SNP conference on “Realising our right to a healthy environment”. However, frustrating that not all Ministers came through the stand area so little opportunity to speak to them. The joint stand format between LINK members seems to be working well.

**Action: LINK, WWF, RSPB and WTS to review value of Spring conferences and discuss plans/ presence at Autumn conferences.**

1. **Lobbying Register**

Noted that there will be a review of the Lobbying Register in March 2020, and there could be moves to tighten things up then. LINK should keep an eye on the review and offer comments. Agreed it makes sense to revisit this later in 2019, or at next Governance Group. Ensure FOES can attend.

1. **Freedom of Information**

The Group discussed the potential for LINK response to the PAPLS Committee [call for written evidence](https://www.parliament.scot/parliamentarybusiness/CurrentCommittees/111249.aspx) on the Freedom of Information (Scotland) Act 2002. It was agreed that this didn’t warrant a LINK response but that we should look at responses and track the nature of the discussion.

1. **AOB and date of next meetings**

Bruce and Zoe Clelland (RSPB Scotland) attended the Landscape scale Working Group which highlighted National Lottery Heritage Fund and pointed towards the benefits of NEN. So, potentially positive for funding. Could Drew Bennellick of NLHF be invited to the 22 May biodiversity conference? Definitely invite him to the NEN parli event.

**Action: Lisa to add** Drew Bennellick to invitee list for Nature Connections Parli event.

Paul noted that the National Islands Plan is now being developed and the ScotGov consultation is open until 6 July. This will set-out the Government’s strategy for tackling a range of island issues and includes explicit reference to: Environmental Wellbeing; Biosecurity for INNS; and Uninhabited Islands. Paul is keen for LINK members to be made aware of this.

Action: Paul to send Karen text to include in the LINK Bulletin - DONE

Action: Lisa to flag the NIP consultation in the weekly advocacy monitoring.

Telecalls will be set up around early June and early July, with a F2F meeting in late July/ early August.

**Action: Lisa to Doodle for dates.**

*Lisa Webb 08/05/2019*