

LINK meeting with Scottish Government Environment Directorate May 2018

Attending – (for LINK) Charles Dundas, Eddie Palmer, Sheila George, Daphne Vlastari, Jen Anderson; (for SG) Bridget Campbell, Katriona Carmichael, Ian Jardine, Philippa Brosnan

A constructive exchange ahead of LINK meeting on 8/5 with Cab Sec Roseanna Cunningham. LINK had asked to discuss progress with wildlife crime, land use strategy, and environmental assessment of SG's environmental strategy. SG added Continuity Bill outcomes, biodiversity, and perceptions of stakeholder engagement.

Wildlife Crime – LINK asked about the basis on which SG had backtracked from the SNP manifesto commitment for a Wildlife Crime Unit to a decision to simply allocate additional resource. Bridget did not have the detail, would explore and share with LINK by phone ahead of the meeting with the Cab Sec, though defended the aim of delivering SG policy rather than SNP commitment (which the party would know was costly), especially with fewer resources. She surmised the decision had been made because it seemed the 'best solution'. LINK preferred a WCU to really address the serious ongoing issues and asked for more discussion when deciding on appropriate options for the longer term. Bridget agreed this area was resourced thinly, noted the dissatisfaction with current stakeholder discussion, would ensure intentions for dialogue and direction were clarified to LINK, but maintained that the PfG is the translation of election obligations and felt there had been improvement recently in terms of budgeting and statements, stronger messaging by Police Scotland which she felt should make a difference. LINK added a call for stronger relationships between Police Scotland & SNH around licencing. **Bridget to update Daphne ahead of meeting with Cab Sec**

Land Use –LINK reiterated support for the LUS and pressed for delivery. Bridget said SG is on the case, increasing Directorate resource by dividing Katriona's remit. Don MacGilvary (sp?) is now Dep Director for Env Quality and Circular Economy (SG wants to respond to the surge in interest in waste esp single use) while Katriona heads up EU (hub), Strategy function & Sponsorship. The strategy element of her remit covers EU, land use, agriculture and environment. Her team includes David Barnes, Ian Jardine and an agri policy adviser. SG want to follow through on the big aspirations of the LUS and to prep for the next LUS from 2021, acknowledge it is time to address this area; Katriona needs to do informal stocktake including with NGOs and others. LINK noted that Land Commission work is also buying in and suggested next steps in the current LUS period might include: supporting Tweed Forum to take their pilot further as an exemplar which could be copied across the country, with mapping tool and retrospective assessment of how to target rural support; mandating Tweed Forum as a partnership to deliver; scaling up the mapping tool as a national online tool in the LUS; integration with land rights and principles for land use and management, increased accountability and greater visioning of desired outcomes. Katriona indicated a serendipitous coincidence with her discussions with Tweed Forum and Land Commission in which the potential of planning reform and the next Nat Planning Fmwk (NPF) to tie into LUS had also featured. LINK confirmed its position also is to use Planning (Bill etc) to make these links to agriculture, forestry and more, though the timeframe was not optimal, and an SG commitment from the Planning Bill process regarding the next NPF would be very helpful. Forestry and the whole issue of targets and what to plant where would be greatly aided by the LUS approach looking at multiple uses and aspirations. WRT putting stakeholder conferences back on track, SG prefer to assess need. They assured LINK their timeline is now, with conversations already happening, would not commit to whether the Climate Bill is a perfect opportunity but noted ECCLR is certainly asking good questions. **Katriona to arrange meeting with Sheila George (and potentially others) for LINK Land Subgroup**

Continuity Bill – SG were interested to know how LINK had found the experience, efficacy, outcomes, and what kind of governance gap issues might be covered in consultation. Charles acknowledged

Daphne's excellent coordination of this work for LINK. Daphne reported that LINK was very pleased with outcome of Bill, saw that Scotland had set the bar, not mirrored in Wales and that the UK had yet to live up to this standard. LINK had found the process good including discussions with officials, homework done by Holyrood, opportunities to engage, Committees listening, work done in context of LCM discussion, very collaborative discussion of amendments on cross party basis and palpable concern for the environment which had over-riden political views and colours. Also pleased with Minister's commitment that outcomes would go forward regardless of status of the Bill and members glad to see discussion on wider environmental ambitions as LINK want Scotland to be in that position. LINK asked when consultation could be expected, on what and looked forward to engaging further. Ian said SG are thinking over whether to consult in one go (or more) on both the environmental principles and governance gap, reviewing the audiences and therefore format of a consultation which covers strategic and technical issues, and considering the timescale. The Roundtable report was with the Minister, needs polishing ahead of publication and right option chosen for publication. LINK urged that since Brexit risks the loss of ECJ oversight the consultation should address strategic issues such as ECJ functions, Scotland's desire to be compliant with Aarhus, ways of ensuring this such as environmental courts. Ian said the Roundtable is looking at gaps and options to narrow/plug these, felt compliance with Aarhus is an issue for separate treatment and raises issues of scope/role/which court, but would think about how consultation could cover these issues. Katriona indicated that timescale for consultation may be confirmed in their evidence to ECCLR next week and repeated that SG are being thoughtful about audiences and how to pitch. In response, Charles indicated that LINK too is working carefully in its cross-border negotiations with the Links and Greener UK, so far keeping to strategic positions, though increasingly having to address things in greater detail. Daphne confirmed that LINK would not be supporting Greener UK's response to the (UK) consultation on governance and principles, but is discussing with GUK how that response should be attentive to devolved needs, adding that linking Scotland's strategic ambitions to an SEA of environmental strategy makes sense.

SG's environmental strategy – Picking up on that last point, Katriona indicated that SG's commitment is to ensuring there is a strategic approach to environmental policy. This is a live aspiration for the Cabinet Secretary. The aim is to set out a way of helping Scotland to make good decisions about what needs resourced at any one time, and ensuring that decisions to prioritise certain policies can be justified in strategic terms. She referred to various things banked from Cab Sec and others in terms of broad commitments and evidence of the state of the environment in relation. SG wants to test the strength of that evidence as a basis for these decisions in future. SG aim to link this with the immediate needs of these consultations. She agreed on the need for a statement of where Scotland wants to go, with principles at the heart of that, worked out in consultation and addressed separately from (parallel to?) the governance gap and principles decisions. SG are already asking public bodies to take this conversation out would like to discuss this with LINK members. **SG discussion with LINK members ahead**

Stakeholder engagement – Bridget said that with a future in mind of Scotland outside the EU, wanting to ensure important connections, on fewer resources, the Directorate is reviewing stakeholder engagement and looking for models for very strategic engagement for the future. The Cab Sec's time has been under pressure though Ian Jardine's role has helped to offset this – a junior minister post is not on the horizon. What are LINK's views on strategic stakeholder engagement? LINK asked to take this away and come back with a response. In the interim we noted that dialogue with Ministers and officials since June 2016 has not been wanting, current pressures on government are understood, LINK members would not want less access, would like to see all stakeholder forums being very clear about their TOR and timescales for delivery given the resources these demand of all participants, would prefer that LINK is treated as the gateway to the ENGO sector, though places for the sector should be in appropriate balance per forum with places for other interests. If the Climate Change Roundtable were continuing LINK would like more representation for members and would be interested in liaison with EELG (the successor to

RAFE). From SG's further comments the review of engagement seems to be seeking to know what the problems are in stakeholder engagement, what stakeholders feel would make things work better, how to ensure good granularity (reach?), and ultimately how to set up a network of consultation and engagement where all know the rules about who needs to speak to whom about what (Reference to Cab Sec wanting to be consistent and regular in relationships with her stakeholders). **LINK to consider internally and respond (via Daphne to Philippa Brosnan)**

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