

## FOR LINK NETWORK, November 2015

### Political Strategy Report, Autumn 2015

#### 1. INTRODUCTION

Items where a decision of the Board and Network are requested appear in ***bold italics***. The sections of the PSR follow the usual pattern covering the different levels of government, and our involvement in the various branches at each level as appropriate.

#### 2. ELECTIONS

The cycle of elections is set to run as follows.

- The next elections for Holyrood will be held on Thursday, 5th May, 2016. Preparation of a LINK manifesto has begun and members are being asked to contribute.
- A referendum on the UK membership of the EU may be held in 2016 or 2017 under legislation currently at Westminster. Preparation of a LINK referendum challenge has begun.
- The next local council are due to be held on Thursday, 4th May, 2017 ***The Board have discussed this issue and further discussion is required as to both how high a priority the local elections should be for LINK, and what mechanism can be used to exert influence.***
- The next European Parliament elections are to be held in May/June, 2019.
- The next Westminster General Election is due to be held on Thursday 7th May, 2020.

#### 3. PARTY RELATIONSHIPS

Relationships with the five Scottish Parliamentary parties are reasonably cordial and cooperative at present. The LINK Species Champion initiative and Scottish Environment Week continue to provide useful lines of dialogue with MSPs of all parties.

- a) **Conservatives:** The Scottish Conservatives have diminished influence in times of a majority party at Holyrood. Individual relationships with MSPs have been building up, despite many of the adverse decisions of the new Conservative majority government at Westminster. Little progress is appreciable at a policy level and it remains to be seen how far the Scottish party will follow the lead from Westminster.
- b) **Greens:** Our carefully modulated relationship with the smallest Scottish Parliamentary party continues.
- c) **Labour:** Cooperation with Scottish Labour spokespeople continues to be fruitful in relation to a range of issues, including arguments around sustainability, biodiversity and marine, but the extent of this penetration into the party's still dominant economic policy thinking is unknown.
- d) **Liberal Democrats:** The Scottish Liberal Democrats have diminished numbers and influence in the current session at Holyrood (as now at Westminster). There are few if any signs that there is any serious return to the more environmentally aware policy agenda of their days in Scottish coalition governments.
- e) **Scottish Nationalists:** The SNP remain largely focussed on constitutional matters – particularly at Westminster with their new cohort of 56 MPs and with a new Scotland Bill and discussions of English Votes for English Laws. In economic matters, their emphasis on “sustainable economic growth” has diminished since the change of leader and First Minister. Greater emphasis now appears to put be being on social issues and fairness – and there is evidence of some improved environmental understanding in recent decisions, such as those on unconventional gas, marine issues and others. Regular meetings with Ministers continue, but pressure to cut the number of

meetings has been felt from officials. The frequency of engagement with the Cabinet Secretary, Richard Lochhead MSP, appears to be improving. *Do the Network wish to discuss access to the Scottish Government?* The Board's view was that whilst our ration is now fewer meetings, we have better access than many parts of the voluntary sector do to their ministers, with longer meetings which are proving useful for in-depth discussions.

- f) **Other Parties:** A careful watch is being kept on the range of parties with representation from Scotland in Parliaments and Councils. Under proportional voting systems, minor parties can rapidly reach the stage where their presence is significant and where greater contact may be required (as opposed to the very periodical contact at present).

The Advocacy Officer is attending three party political conferences as an observer this Autumn. Further consideration has been given to the view that it might be better to engage with audiences at alternative meetings of the policy community such as CoSLA, the STUC, CBI and others. The Woodland Trust has had useful experience at such gatherings. The Board's view in 2014 was that LINK should keep an eye on the relative value of all such events, rather than opt for either one set, or another. The Governance Group will continue to keep our attendances at political and policy community conferences under review.

#### 4. LOCAL GOVERNMENT LEVEL

Due to capacity issues and a lessening of momentum, the LINK Local Governance Task Force went into abeyance in 2012 – although some limited work and thinking continues about Single Outcome Agreements and useful contacts remain open with the LBAP network and through the Countryside Rangers. The Rolling Manifesto will still capture policy proposals at local level, although it has been agreed to streamline and reduce the scope of this version of our manifestos. The LINK Local pilot project, aimed at strengthening networking with independent local environmental groups, is designed to begin to tackle this gap in the fabric of the environmental network. Development of a database of local groups to trial as a connecting mechanism, is moving ahead and will be launched in spring 2016 as a pilot.

#### 5. SCOTTISH LEVEL

##### 5(a) Legislative Issues

The last legislative programme of this term of the Scottish Parliament has been introduced and contains only two Bills of major interest to LINK.

- The Government's **Land Reform Bill** has been introduced and Stage 1 evidence submitted with consideration to be given to Stage 2 amendments.
- A draft Scottish **Lobbying Bill** is being considered and evidence has been submitted. LINK has been invited to attend a Stage 1 round-table discussion at the Standards, Procedures and Public Appointments Committee.

This rare legislative hiatus, caused partly by LINK not pressing for any major legislative items but concentrating on delivery within existing laws. It is also a result of the SNP having concentrated on constitutional matters during this Parliament. Consideration of the issue of legislation during the process of agreeing the overall LINK strategy for the coming years suggests that there is little appetite to change course here – and the concentration on delivery should continue.

##### 5(b) Administrative Issues

LINK Task Forces are engaged in continued stakeholder engagements and monitoring of the progress of the SNP Administration, based on their manifesto commitments (together with monitoring all the other levels of government). The Scottish 2015/16 Programme for Government continues to be light in environmental substance.



- **Agriculture:** The TF has been re-assessing its work in relation to issues of food and sustainability and has established the Food Coalition to broaden LINK's approach to this area of work before returning to the issue of fundamental reform of the CAP.
- **Climate Adaptation:** The Climate Change Adaptation TF remains as a corresponding group. Climate change mitigation is dealt with by individual members – mostly through SCCS.
- **Deer:** The Deer TF has emerged from a period operating largely as a corresponding group in order to assist in work on the Land Reform Bill.
- **Economics Task Force:** The Economics Task Force continues to pursue the reform of the NPF and changing political and broader attitudes towards sustainability and 'growth'. Progress is being made towards a fuller understanding of the relationships between economics and the environment, particularly with regard to the development of the Scottish approach to a circular economy. The TF is following up the publication of 'Scotland and the Carbon Bubble' wherever opportunities appear.
- **Freshwater:** This Task Force has focussed on responding to a number of consultations.
- **Governance:** The Governance Group has continued to work on all areas covered in Governance Matters and, in particular, constitutional and lobbying reform matters at both Westminster and Holyrood. It has continued to co-ordinate participation at Holyrood and the preparation of manifestos at all levels. The governance Group has merged with the Parliamentary Forum and Legal Governance Group – both of which will continue as sub-groups.
- **Land Group/Land Reform Bill Team:** The Land Group has been working on the Land Reform Bill and has submitted written and oral evidence during Stage 1.
- **Landscape:** The TF continues to operate and has nearly finalised its statement on landscape and energy policy. The hill tracks campaign continues monitor implementation of the recent reforms.
- **Legal Governance:** This subgroup of Governance Group continues to pursue access to justice issues and the promised consultation on environmental courts and tribunals.
- **Marine:** The TF continues to actively pursue the implementation of the Marine Act – with growing levels of achievement. The TF is working with the other Links at the UK level on related issues.
- **Planning:** The TF has focussed on the development of policy in the area of Equal Rights of Appeal within the planning system. Inputs are being made to the recently announced Scottish Government review of the planning system.
- **SLU:** This TF is coming out of hibernation to consider the second iteration of the Land Use Strategy. This work is being closely co-ordinated with work on the Land Reform Bill. Proposals for merging the various groups dealing with land are under consideration.
- **Wildlife:** The Forum is focussed on the development of the Species Champion scheme; the implementation of the Government's Biodiversity Strategy; and dealing with the evolving SNH thinking on protected areas. ***The Board have indicated that this is a high priority area of work and the views of the Network are to be sought.***
- **Wildlife Crime:** The Task Force has published 'Natural Injustice' (papers 1&2) a review of our position on wildlife crime and is pursuing their recommendations - against an unwillingness to discuss the issue from the Scottish Government. ***There has been serious dissatisfaction with the abrupt dismissal of discussion of these report by parts of the Scottish Government - and the Network may wish to discuss this issue further***
- **Woodlands:** The TF continues to monitor policy implementation. Discussions continue around the issue of the future shape of forestry and natural heritage public bodies.

LINK has continued to commit attention to the following public policy areas but has no formal mechanism for their discussion.



- **Waste:** The Economics TF continues to discuss the circular economy and resource management. There is a growing appetite amongst member organisations to engage in waste issues on land and sea.
  - **Energy:** LINK's review of collective positioning on climate change and energy is ongoing, and the Landscape TF's Landscape and Energy statement is being considered in this context. The Economics TF oversaw the publication of 'Scotland and the Carbon Bubble'. It has been agreed that a LINK response will be made to Scottish Government consultations on unconventional gas exploitation.
  - **Transport:** LINK continues to work through Transform Scotland on transport issues – but to intervene on issues relating to active travel.
- Social Justice:** A LINK response to the Scottish Government consultation on social fairness is in preparation, and consideration of *a LINK mechanism to discuss the social justice agenda that is opening within Scottish political discourse will be part of the discussion at Strategic Planning on 17 November.*

#### 5(d) Judicial Issues

Continued slow progress is being made on several fronts with regard to environmental justice, and in particular with regard to Protected Expenses Orders, legal standing and other aspects of Aarhus Convention compliance. As it becomes less costly and problematic to access justice in environmental matters, attention now turns to finding mechanisms for members to seek out, prioritise and test areas of legislation where concerns have been identified as to the legality of the way the law is being implemented. A group of lawyers with environmental interests is being gathered to discuss such mechanisms. Charles Dundas and March Church will attend a meeting **with representatives of DG Environment in January around on-going infraction proceedings against the UK – including Scotland.**

#### 5(e) Civic Issues

A certain disenchantment has led to LINK involvement in SCVO lessening in the last year while, at the same time, many LINK members are widening the field of their co-operation with others in the civic sector as part of identifying allies within their advocacy strategies. Working in co-operation with other groups in the policy community has proved more fruitful, as in the informal alliances built in questioning "sustainable economic growth" and the furtherance of MPAs. Space for discussion within Scotland is limited, however, as:

- we remain without an effective 'Civic Forum' surrounding the legislative, executive and judicial branches; and
- SCVO remains tightly focussed on matters of social welfare and service provision as opposed to the wider concerns of NGOs/voluntary organisations.

***Do the Network wish to review the structures for debate and discussion in civic Scotland?*** The Board view was, on the one hand, that neutral space for civic dialogue is important, but that this is not a major priority for LINK to pursue alone. Consideration of how such successful forums operate and are resourced in other countries could be a useful theme for our next Congress, which would also be likely to have the active support of our President Designate.

## 6. UNITED KINGDOM LEVEL

The new UK majority Conservative Government is taking an all-out approach in pursuit of economic growth – and a specific attack on renewable energy and energy efficiency in favour of nuclear and fossil fuel subsidies (which is a growing area of conflict with the Scottish Government). The attention of the Government to environmental issues appears to be stymied by the almost total focus of the Treasury and the Cabinet Office on purely economic matters.

Contact between the four country Links continues to improve, with further discussion of issues and future co-operation centring around a drawing up a memorandum of understanding for joint work on pan-UK issues. The new joint meeting of Chairs and COs took place in late April and a further meeting is to be held in December. In the meantime, a paper on the emergence of the SNP as the third largest party at Westminster has been discussed and circulated to sister Links, to facilitate smooth relationships.

Much attention at UK level is now focussed on the issue of EU membership, with a Referendum Bill currently before Parliament and the prospect of a vote before 2017. A paper on this issue has been discussed by the LINK Network, followed by a draft 'EU Referendum Challenge' based on the similar production for the 2014 referendum. The potential for a LINK – and even a Joint Links – approach to the referendum was also discussed at Networking in August, and LINK's Governance Group has revisited that thinking very recently. Our advice to members is to consider this matter within their own organisations and to aim to arrive at a firm position by Spring 2016. Please see the updated version of our [draft challenge document](#) which is being discussed with sister Links, too.

Joint Links work on Marine issues and on the REFIT of the Birds and Habitats Directives continues, and a Scottish LINK observer is monitoring developments as the '25 Year Plan for Nature' emerges from the Westminster Government, with the clarification that it applies topographically to England – and that there will be consultation on any joint, UK measures within the plan.

The Advocacy Officer has visited Cardiff to give a presentation on engagement with Holyrood; Westminster to attend the IUCN reception for its new director; and Belfast for the inaugural Northern Ireland Environment Week and the launch of the Stormont Species Champion scheme.

## 7. EUROPEAN AND INTERNATIONAL LEVELS

Issues of interest to LINK at present include the following.

- LINK members are following the developments in the UN Climate Change process in the run up to the next major conference of the parties to be held in Paris in December 2015 - principally, but not exclusively, through involvement in SCCS.
- LINK members continue to pursue Rio+20 through the Flourishing Scotland alliance.
- LINK members are closely following the implementation of the Marine Strategy Framework Directive and the debate around the Industrial Emissions Directive (which has particular importance with regard to CO2 emissions).
- Increasing attention is being paid to the negotiation of new trade agreement between the EU and the USA (TTIP).
- Attention is continuing to be focussed on the possibility of the Commission introducing a legislation for Sustainable Procurement and Non-Native Invasive Species. A joint Links response is in preparation.
- Joint Links work is ongoing with regard to the 'refit' of the Birds and Habitats Directives.

There are plans to assess the potential for LINK, together with WCL and WEL to maximise inputs to the EEB, within our limited resources. The UK representative on the EEB Board attended the last LINK Network meeting.

## 8. THE POLITICAL HORIZON

The immediate political horizon is overcast by continuing constitutional debate – about both Scotland and the EU. LINK continues to adopt a neutral stance on these issues, and to concentrate on our core agenda. It must be noted though, that the new Scotland Bill will require considerable attention as its significant devolution of further powers over tax and welfare will probably affect Scottish political discourse to a



considerable extent. Departure from the EU, or re-negotiated terms of UK membership, will require considerable attention also over the next few years.

A close eye should be kept on the dynamics of party politics – both in Scotland and at Westminster – following the emergence of the SNP as a dominant force in the Scottish political landscape. Care should be taken to remember that this is likely to be a temporary phenomenon, and that it is important to maintain good relationships with all the parties.

As the Paris 2015 climate change summit approaches and as the inexorable process of limiting emissions continues, tensions between the application of the precautionary principle at the local and global levels continue to arise – with a particular focus on matters of energy generation. The emerging LINK review of climate and energy positions should provide a satisfactory way forward in terms of a LINK position on mitigation, to add to work being done on adaptation.

Localism is an item which has received little attention in Scotland in recent years. It is quite possible, however, that a head of steam is building up behind moves to decentralise decision making. LINK should strive to be in a position to work effectively with any development in this area and to strengthen its networking with local environmental groups within communities of place.

## 8. CONCLUSION

Many important areas are covered in this PSR and large strategic issues are discussed. Further discussion will take place at Strategic Planning in November. ***The new Advocacy Officer will prepare a Spring PSR as one of their priorities.***

ABM/AO 04.11.15