



Scottish
Environment
LINK

Dolphin House
4 Hunter Square
Edinburgh
EH1 1QW

T: 0131 225 4345
E: information@scotlink.org
W: www.scotlink.org

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Lorna Slater MSP
Minister for Green Skills, Circular Economy and Biodiversity
Scottish Government

Dear Ms Slater,

Thank you very much for your time on 16th January and for the discussions on upland management, the Managing Deer for Nature and Climate consultation, peatland protection and the Natural Environment Bill.

Upland Management

LINK welcomes the Wildlife Management and Muirburn Bill. We discussed the areas where we are proposing amendments:

- With regards to the release of pheasants and red-legged partridges to circumvent any grouse shooting ban for a grouse moor estate, we have made a proposal which is more targeted and which relates to the area of land where a grouse moor licence is revoked or suspended.
- We discussed the issue of invasive non-native species legislation in relation to pheasant and red-legged partridge releases and the potential for reform in the Natural Environment Bill. We are convinced that there is a case for environmental harm arising from large scale releases of non-native gamebirds.
- We would like to see a full cost recovery for licensing services by NatureScot. This is to ensure NatureScot's budget is protected for wider conservation functions.
- Currently it is proposed to have a 40cm peat depth criterion with regards to burning on peatlands. We would ideally like to see no burning on peatlands however, we are proposing a definition of 30cm which is an international standard and follows the Peatland Code.

Managing Deer for Nature and Climate consultation

LINK welcomes this consultation and strongly supports the Deer Management Nature Restoration Orders focused on environmental enhancement and meeting climate and nature targets. However, we discussed how it is unclear from the consultation whether roughly 21 of the independent Deer Working Group (DWG) recommendations accepted by Scottish Government are included in the proposed legislation. We seek reassurance that all recommendations of the independent DWG Report accepted by Scottish Government are implemented in full.

Recommendation 97 refers to Scottish Government developing proposals for a planned cull approval system. However, we can see no mention of this in the consultation. We understand you're looking at targeted cull approval systems for selected DMNRO areas, however we would like to see a uniform approach across all of Scotland as deer do not respect geographical boundaries. We also question why all of NatureScot's deer management enforcement powers, which are currently based on

proving damage and which are to be retained, are not also being shifted towards enhancement. It was agreed that Duncan Orr-Ewing would write to you specifically on this issue.

Whilst these legislative proposals for deer are welcome they must go hand in hand with an effective and well-targeted incentives system to facilitate sustainable deer management. Deer management incentives should be integrated into the future agriculture support mechanisms which are in development. It should be noted that sustainable deer management prevents agricultural damage and is therefore of significant benefit to producers.

Recommendations 55-59 include establishment by NatureScot of a publicly accessible national cull database. However, we suggest you use the Forestry and Land Scotland Wildlife Management dashboard that is already in place. This will allow for better access to information on deer populations and cull data.

We are pleased to hear you have been in contact with the Scottish Game Group on improving deer management in the lowlands.

We note that Scottish venison dealers are moving towards a phase out of accepting carcasses shot with lead ammunition and this is welcome. We are also hearing that the Scottish Quality Wild Venison standard is also moving in this direction. This will improve the marketability of venison as a safe and healthy product for human consumption. We ask Scottish Government to consider whether a full ban on the use of lead ammunition for all game shooting purposes can be taken in Scotland unilaterally and without awaiting the outcome of the UK REACH process led by Health and Safety Executive?

Peatland Protection

We discussed how Scotland's National Peatland Plan communicates a vision for Scotland's peatlands and the many benefits they provide. However, it was published 8 years ago. Aspects of the plan including part of the vision, references to national planning policy and funding for restoration. It was agreed that your team would look into whether NatureScot plans to update this.

An updated plan could cover partnerships, funding, restoration standards, remote sensing data, and crucially it could set out milestones and delivery partners for how the peatland restoration target – (250,000 hectares of restored peatland by 2030) – will be achieved.

We are aware that the Scottish Government has commissioned a report to explore options to meet peatland restoration targets and [published a report in April last year](#) on mobilising private finance into peatland restoration. We understand your focus is in the Natural Capital programme, a pilot specific investment model on projects to find out how a blended finance solution could work. We agreed to get back in touch once the LINK Green Finance Group has developed their thinking on how to utilise green finance in tackling the nature crisis. You agreed to write to LINK on what the Scottish Government's Green Finance team are currently working on.

Natural Environment Bill

LINK is preparing a list of asks for the Natural Environment Bill which can be shared with the Scottish Government's Bill Team once ready.

We discussed how the Scottish Biodiversity Strategy's first Delivery Plan refers to actions committed to other strategies and legislation. We strongly believe in the need to mainstream biodiversity across government. During the process of developing the Scottish Biodiversity Strategy draft, NatureScot

mainstreamed the content across the whole of Government. We believe there is an opportunity for successful mainstreaming via the legally binding nature targets.

We flagged that LINK's [Nature Targets report](#), published last summer, was picked up online by a Professor at the Faculty of Environment, University of Waterloo (Ottawa). Canadian eNGOs have been advocating for statutory nature targets in Canada (at Federal level) and have been doing research into nature targets and lessons learnt around the world. Canadian eNGOs, lawyers and scientists have been working on a draft paper which sets out core provisions for a proposed federal Nature and Biodiversity Act. This a pitch to their Government for statutory nature targets. The LINK report is being used as an example to develop this paper.

30x30

We discussed how LINK has recently met with the Protected Areas team at NatureScot and Brian Eardley from Scottish Government to discuss the development of the 30x30 framework. Overall, we welcome the framework, from what we saw in the biodiversity delivery plan consultation. It's positive to see the focus is on the outcomes of the target as opposed to the numbers as well as strong alignment with international criteria.

We will be publishing an updated version of our [report on LINK's vision of 30x30](#) that we published in 2022. We can share this with your team once it is ready.

We've discussed our concerns with the communications side of 30x30 and how we can ensure the 30x30 consultation in February lands with minimal backlash from the public and relevant stakeholders. We see 30x30 to be a key risk point, similar to Highly Protected Marine Areas. We expressed concern as we haven't seen any dialogue on 30x30 from Scottish Government in the public sphere. We encourage Scottish Government to maintain community engagement throughout the development of the 30x30 framework, to ensure all voices are heard and engaged.

We are keen to support Scottish Government in making sure we don't see the same kind of public backlash as we did with HPMAs. You agreed to set up a meeting with LINK and key colleagues from Scottish Government to discuss this further.

Once again, thank you for your time. If you require further information on any of the issues we have raised, we would be delighted to supply that.

Yours sincerely,

Deborah Long, Chief Officer, LINK

Dan Paris, Advocacy Manager, LINK

Juliet Caldwell, Advocacy Officer, LINK

Duncan Orr-Ewing, Convenor of LINK's Deer Group and Head of Species and Land Management, RSPB Scotland

Rosie Simpson, Senior Policy Officer, John Muir Trust



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