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**Cabinet Secretary for Net Zero and Energy
Scottish Government**

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Dear Cabinet Secretary,

Thank you very much for your time on 28th November and for the discussions on the Natural Environment Bill, the Scottish Biodiversity Framework, biodiversity enhancement and Scotland's Nitrogen Action Plan. We ran out of time to discuss the delayed Human Rights Bill, which we have provided key points on.

Natural Environment Bill

LINK members welcome the Scottish Government's commitment to a Natural Environment Bill with statutory nature recovery targets. We discussed what approach LINK thinks the Bill should take.

The nature targets will need to be more complex than the current climate targets due to the multifaceted nature of biodiversity. LINK has published a report which has been discussed with your officials on how targets should be designed, which recommends setting a framework for targets in the Bill with specific metrics in secondary legislation.

The Bill itself must have a clear structure and clear objectives for halting biodiversity loss by 2030 and restoring it by 2045, in line with the Kunming-Montreal Global Biodiversity Framework.

The Bill needs an action planning cycle that links the nature targets to delivery, monitoring and accountability. The Nature Conservation (Scotland) Act 2004 already has provisions for the Biodiversity Strategy which should be amended to provide clear link between this action planning, reporting, and delivery of the targets as established by the Natural Environment Bill.

The Bill must also designate an advisory body to provide expert advice on target setting and to ensure accountability by appropriate monitoring and reporting. This would mirror the Climate Change Committee's role in relation to climate targets. [LINK's report on nature targets](#) advises that Environmental Standards Scotland should be the advisory body responsible for nature targets, subject to ESS being adequately resourced to undertake this additional function.

LINK looks forward to continuing engagement with the Scottish Government's Natural Environment Bill team and we would welcome another meeting with you once the draft Bill has been introduced to the Scottish Parliament.

Scottish Biodiversity Framework

LINK members welcome the publication of the Scottish Biodiversity Strategy and Delivery Plan. It is an ambitious plan for nature that will require strong leadership. Stakeholder engagement as well as a cross-Government approach will be vital for the adoption of the actions. LINK sees the Scottish Biodiversity Framework as a litmus test for how society will respond to meeting key milestones to restoring nature. LINK looks forward to being part of the National Forum workshops in the early part of next year.

Biodiversity Enhancement

LINK welcomes the centrality of the nature and climate crises to the National Planning Framework 4 (NPF4) and noted its role as set out within the Scottish Biodiversity Delivery Plan. There are significant opportunities for Scotland's planning system to support the enhancement of biodiversity and help deliver the commitments set out in the Scottish Biodiversity Strategy, including to protect and manage land for nature, enhance biodiversity and deliver nature networks across Scotland.

However, LINK advocates for clearer, more detailed guidance on the implementation of biodiversity enhancement effectively. While there is a genuine desire among local authorities to help the delivery of biodiversity enhancements through planning, a lack of ecological expertise and resources poses a significant barrier to success. Developers also require certainty and clarity to allow them to comply with policy requirements in a meaningful way, and LINK members have experience of developers reaching out to the eNGO sector in an effort to deliver enhancement. Government-led guidance is needed to ensure that biodiversity measures are not only understood but also actionable.

LINK stresses the importance of planning decisions that ensure developments proceed in a manner that is nature-positive. For these approaches to be carried out, training for councillors involved in local area planning is essential. These decision-makers need the skills and knowledge to make decisions which reflect the biodiversity priorities of NPF4, into the development plan process and to make informed choices that benefit the environment and communities.

Nitrogen Action Plan

LINK welcomes how Scotland is managing nitrogen use via the establishment of a Nitrogen Balance Sheet included in the 2019 Climate Change Act.

We discussed Scottish Government's research on Nitrogen Use Efficiency targets, and recognised that the recommendation was not to progress with a NUE target at this time. LINK recommends that implementing a Nitrogen Action Plan would be a step forward to reducing nitrogen use in agriculture. This would be in line with the Global Biodiversity Target 7, which focuses on reducing harmful nutrient pollution including nitrogen, as part of the Kunming- Montreal Global Biodiversity Framework. LINK would like to see a shift to low input farming which is in line with Scottish Government's agricultural strategy which focuses on sustainability, resilience and transition to lower input systems.

Human Right to a Healthy Environment

There is disappointment amongst the LINK network regarding the delay of the Human Rights Bill, especially in the context of its potential to solidify the human right to a healthy environment. This right is seen as crucial for communities, the government, and broader society because it connects environmental health with fundamental human rights. Such a right would not only benefit individuals but also contribute to the long-term sustainability of communities.

Cross-portfolio collaboration should be key to ensuring that this right becomes an integral part of government policy and practice, helping to drive environmental and social improvements in a more cohesive way.

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,

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