

Main discussion points & actions from LINK meeting with Environment Minister Stewart Stevenson, held on 22 February 2012 at Holyrood

Present

Stewart Stevenson MSP, Environment Minister

Gareth Heavisides & Charles Stewart Roper, SG Natural Resources Division

LINK: Deborah Long (Chair), Helen Todd RS & LINK trustee, Calum Duncan MCS & MTF Convenor, Jen Anderson CO

Introductory

The meeting opened at 10.45. The Minister welcomed LINK.

1. Permitted Development Rights review & Hilltracks

HT indicated LINK's interest in the review – ie that hill tracks in generally be subject to scrutiny; since the summer 2011 consultation to which LINK had responded in brief, there had been no further news. The Minister indicated that this had been a general consultation and that a more specific consultation was due later this year. Government, and even some creators of tracks, he said, recognised that the status quo was not sustainable; although, as Planning Minister, he had thought that the PDR could continue with notification being required for tracks, he now recognised that things had gone well beyond that possibility - it wasn't even possible to know where all the tracks were – and he was aware of the need to clarify that tracks need to be consulted on, used for appropriate purposes, and their visual impacts minimised.

2. Active Travel

HT welcomed the recent announcement of a £13m increase to the active travel budget, though noted that spend for this heading had not increased as a proportion of the total budget for transport. The Minister too was pleased that his arguments for more spend had been successful. HT asked how the Minister anticipated the active travel component in the RPP to be progressed. The Minister replied that the RPP was not a funding document or description of what Govt does and pointed instead to the public engagement strategy for the year, which Govt would ensure read across to the RPP, by a quick review of the strategy and some tweaking. He thought LINK should be interested in the revised strategy, due later in the year. He also indicated plans for more descriptive information within the RPP on “the whys as well as the whats”. No, this would not include anything on private finance: in this respect he indicated that the power companies would continue to invest in renewables, and in moving to renewable energy, esp electricity initially, Scotland was making a huge contribution (albeit not Government, but others, and not simply because they are told to do so).

HT reported that the Active Travel Coalition, now the Active Travel Alliance (of which Ramblers Scotland was a member) had submitted a paper on priorities for implementation of the RPP and would be happy to discuss this. The Minister said that RPP2 would look backward and forward to 2027 and Government planned high levels of engagement with a lot of people in preparing this. When asked if a stakeholder group was planned the Minister indicated there would be stakeholder meetings; he recognised this was not the same thing and indicated that Government would think about a stakeholder group.

3. National Performance Framework

With reference to 2 submissions (bio indicators sub by LINK & joint briefing on wider issues with other NGOs including LINK LGTF and some members) to the refresh of the NPF last year, DL asked if LINK could expect formal feedback. The Minister replied that budget was affecting Government's ability to do a lot of things, including resources available to Ministers for bits of work.

With regard DL's enquiry about ongoing application of Indicators and Framework, he said LINK should remember that Government is being driven by sustainable economic growth as the key, although 'sustainable' was about links to making sure that as Scotland performs it also support a wide range of environmental issues; he observed that some of these issues stem from Scotland's EU commitments, noting as an aside that whether Scotland agrees with these is a different issue.

He went on to note that a lot is reflected in the NPF, and this must be measurable, or the process will not mean anything; the refresh itself had made no radical change, though he observed that the NPF itself had been a radical initiative within Europe, and Government was learning how useful it is. This was Government reporting to stakeholders, but also driving itself.

DL enquired how Government would respond if direction of travel on any heading were flat for too long, or negative, or on a positive trajectory but still short of what was needed, and about the intended structure for reviewing progress and identifying steps needing taken. The Minister reported that the Board of DGs is responsible, explaining the change in 2007 towards DGs being collectively responsible for delivering government's programme. They will look at where direction of travel is a cause for concern. He added that Government has refrained from including things which are not measurable and noted that some things are if necessity surrogates for others in this system.

DL asked if the Government intended to report to Parliament on Scotland's performance as measured by the NPF. The Minister replied that reports as such, are when Government updates the website, reporting to itself. Parliament had the right to ask for what it wants; he felt the NPF did not lend itself to a members' debate, was probably more relevant to individual committees which could offer the advice they chose to.

DL asked if there were plans for the Index of Natural Capital, in development, to feed in to the NPF. The Minister indicated not directly. He noted the Index was about identifying the economic value of the environment, and felt the more this can be easily understood the better, in terms of changing policy and getting communities on board with things that they don't see as useful. He was aware that there have been other previous estimates of the value of the environment though these had not been robust. He felt the total value was big, and needs to be counted. DL agreed that the more work is done, the better for Scotland. The Minister then noted that estimates are always criticised alluding to peatland policy where the range of estimates about the value or rewetting peatlands seems to be very big. DL noted the importance in this respect of having good science as a basis.

4. Biodiversity

DL asked about progress with the review of biodiversity. LINK had been pleased with the recent workshop and she also invited the Minister's thoughts on that. The Minister felt this was a fundamentally difficult agenda where the EU was changing the rules, and Scotland was doing better than most EU states even if not as well as the EU wished. He talked about the interesting second and third level effects using the example of reduction of sewage in Forth leading in part to decline in certain bird populations and noted how difficult it is to know what the effect of certain policy and action will be, until tested. What worried him most was invasive species; he mentioned several, including beavers, on which SG would be taking a very strong line about precedents being set around the Tay and impacts on the official reintroduction strategy.

DL reported LINK's welcomed for the decision to get sign-off for biodiversity strategy at Cabinet level, something which LINK had requested over the last 8 years. LINK was also pleased to see the list of actions and hoped there would be more work to come around these, as well as more on roles and responsibilities.

The Minister returned to invasives briefly, with reference to mink, beavers, and the additional issue of diseases which invasives can also bring.

DL indicated that LINK was keen to see the review identify leadership and deliver. WRT funding to underpin next steps the Minister implied there was no scope for discussion, laughingly noting that funding' and 'money' had been dropped from the SG's lexicon.

5. Marine Protected Areas & Sound of Barra

CD welcomed the Minister's recent acknowledgement that the progressing of proposals for Scotland would conform to EU rules; he sought the Minister's reassurance that when the decision is made on SNH's advice, this would be based solely on the Annex 3 criteria. The Minister replied to caution that SNH advises and the Minister decides; SNH was required to give environmental assessment; the Minister can consider economic issues in relation. In Barra there were some serious overriding issues where this test would apply, eg replacement of electricity supply cable. CD indicated that LINK was absolutely supportive of such management being in the overriding public interest and would consider it ridiculous to suggest that this could not happen. The Minister went on to say that SG wished to explore the MPAs as an opportunity for a different approach to management in these areas; they were unsure to what extent this was workable and felt a lot of work needs to be done. They were clear what the legal requirements would be if designation

went ahead, but felt the only way forward - in relation to a range of sites - is to get local interests more involved in management, and they wished to take reasonable time to explore how to achieve this. They knew they could not please everyone though had noted that even Angus McLeod had been “reasonably encouraged” recently, and were looking for a bit of goodwill. WRT to the community’s “falling out” with SNH, he did not feel this was SNH’s responsibility, would take a bit of control via officials and then look to get SNH re-involved. CD fully understood and noted that for such areas, effective engagement is crucial to the objectives of EU and Scottish legislation; LINK had noted a degree of misrepresentation, some unintentional, some wilful – around the MPA project. The Minister agreed, noting that he must disregard all that. CD advocated getting the science right and responding according to Annex 3 criteria and reported LINK’s interest in ongoing engagement, esp during this phase of ‘backwash’ from those who haven’t yet understood the detail.

The Minister felt there had been some progress, eg in getting understanding about scallops and dredging (as there was “no more damage that could be done” to the seabed Government might let dredging continue) and indicated Government wished to ensure protection of the important sea grass, haul-out sites and maerl beds. Issues were being dealt with, eg the area of the airport and harbour of refuge had now been excluded. Government was challenging the local communities who depend on the environment for their economic and social life to take a bigger role, and when these communities come forward looking for more protection still, Government will know it has succeeded. This depended on finding enough people to work with, within often quite small communities. CD thanked the Minister for this reassurance and indicated that LINK was taking the same lines in promoting the positives of the designation.

CD hoped the case LINK had made for including the isolated population of bottlenose dolphins had been noted. The Minister confirmed this, indicating that he was seeking advice on whether an intervention was appropriate or whether the non-mingling of the population might be a natural pattern. CD hoped that SAMS work to be published soon could be taken note of: LINK felt the population in question were a Grade B and that the case for its inclusion was strong.

6. Avenues for information-sharing within Scotland w.r.t. Europe

DL reported that as part of the network and Board’s effort to improve our relationship with Europe in which our new President was assisting, LINK had discussed whether there might be an option for Scotland House in Brussels to share reports, updates and knowledge of meetings in a way that would allow LINK to provide relevant information at timely opportunities. She asked if the Minister would endorse this. The Minister said he would do what he could; he indicated that whilst he was sure that SH civil servants would be happy to discuss this with LINK and could provide venues for meetings, he hoped LINK would not anticipate too much around what could be delivered; it was his view that in working with the EU from within a member state it is very hard to work out what one’s priority should be and how to be effective; NGOs which succeed tend to have a narrow focus. He suggested engagement with the Parliament’s Euro and External Affairs Cttee. DL acknowledged that LINK engaged through various avenues, could where necessary narrow down its focus, and hoped that a conduit via Scotland House could help. Gareth Heavisides indicated that LINK should contact Neil Ritchie.

7. AOB

7.1 SNH chair recruitment

The Minister indicated in response to LINK’s inquiry, that an announcement could be expected “very shortly” about this. Andrew Thin’s second term would end in July and Government was making moves to fill this. There was an option to not fill all the Board places this year: however, the Government wished to ensure continuity.

7.2 Water Resources Bill

On behalf of LINK’s Freshwater TF CD noted that Scottish Water was the biggest user of electricity in Scotland and welcomed the recognition that more needed to be done to reduce carbon emissions and hoped this could be via various sustainable routes. LINK saw a greater role for SW in catchment management to prevent pollution of rivers and lochs and for softer engineering. The Minister took the view that catchment management was more an SNH/SEPA issue; Scottish Water was not an environmental agency (even though actions in which SW engages have an environmental impact which should be positive

and, he was aware, SW are keen that this is the case); a greater role on catchment management for SW was not the direction in which Govt was thinking. The Minister referred to legal issues in using customers' money for the purposes for which they are raised, rather than others. He noted that while SW has commercial activity, it is small. A greater role on catchment management was not in SG's competence to secure, and can be done in other ways (ie., by others such as the agencies).

CD noted that whilst LINK recognised the need for the ICI Committee to lead, given the relevance to natural environment and climate change, LINK hoped the RACCE committee would take a close look at the proposed Bill. The Minister replied that it was not in his gift to determine which Committee did what, but in Parliament's. A parallel, he said, was the secondary legislation on electricity generation by FCS, just completed, which it has taken 2 years to achieve, on which SG had worked with Westminster (also passing secondary legislation); this was not dissimilar, he thought, to issues around Scottish Water.

7.3 Request to meet the Cabinet Secretary also, at the next meeting

JA indicated that two task forces had asked LINK to find out if the next meeting with the Minister could also involve the Cabinet Secretary (Mr Lochhead). The Minister felt this was unusual but agreed that the request could go forward. LINK reported that this had worked quite well on a couple of previous occasions. Gareth Heavisides indicated that he would check with Mr Lochhead's office for 16 May.

7.4 Scottish Environment Festival Constituency Visits

JA flagged up the menu of visits for MSPs which LINK members were offering on Friday 9 March. The Minister advised LINK to follow up email contacts with telephone calls to MSPs.

The meeting closed a little before the scheduled endpoint of 12.15.

LINK/JA/27.2.12