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Environment Minister
St Andrew's House
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28 November 2012

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Dear Minister

Thank you for meeting the delegation from LINK on 14th November. We were very grateful for the opportunity to introduce ourselves and our work formally. We very much look forward to working with you at further such liaison meetings in the years ahead.

At the meeting we discussed progress towards reform of the CAP and the SRDP. LINK will continue to argue for sustainability to be at the heart of the programmes and, in particular, for the SRDP to be closely linked to the principles and practices of integrated land use, as laid out in the Scottish Land Use Strategy under the Climate Change (Scotland) Act. We discussed in some detail the planning being done by the Government for risks to and the maintenance of SRDP measures during any interim period within the overall reform of CAP. We stressed the need to ensure that Government's European and international commitments, on which there is already some underspend, are met. We also flagged the damage that might be done to long-term agri-environment schemes if there were a failure to keep the work going. We look forward to the imminent announcement and to further iterative dialogue with Government on these issues.

We discussed progress being made on the Scottish Biodiversity Strategy. We were pleased to hear the new strategy will be based on practicalities and asked that a top-level indicative list of the priorities be included within the final scheme. We offered our assistance in creating any such list which you agreed to consider and which we attach here. These proposals are for practical actions, with biological outcomes, that would move Scotland considerably towards halting the loss of Scotland's biodiversity. We look forward to Government's response to the review consultation and would be very pleased to meet with you and your officials early next year to discuss implementation of the review in 2013.

We told you of our very strong and longstanding support for the Government's proposals to withdraw permitted development rights for the creation of hilltracks and our hope that this issue might be finally settled when the announcement is made this year. We suggested that problems may arise from last-minute tracks being driven through before the announcement. We outlined our preparations for the announcement and our hope that we would be welcoming good news. It would be helpful to have your forewarning of the exact date of the announcement.

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The meeting went on to take an overview of the environmental elements of introduction of the Third National Planning Framework (NPF3) and the forthcoming review of the Scottish Planning Policy (SPP). We expressed the hope that the Minister would act as the active "champion" of the environment in the negotiations between economic, social and environmental interests within the Scottish Government, and you assured us that you would be pursuing these interests in the initial round of bi-lateral meetings you were commencing. You invited particular points on all these planning issues, and we attach our briefing here which we would be happy to support with further detail should you wish. We gave our view that the NPF and SPP are important vehicles for protecting our commitment to sustainability, for embedding these principles in land and marine use and for promoting positive development. We hope that the process and the final documents will encourage co-ownership this time round, so that we can all work towards the delivery of development and land use in Scotland that is truly sustainable.

We sought your assistance in addressing our concerns over representation of the sector on Government stakeholder and advisory groups. You and your officials agreed that clarity of terms of engagement, and around circulation of information by delegates, is needed, especially where an individual will be considered to have represented wider sector views. We reported that it is the preference of LINK's member bodies, collectively, that LINK is approached by Government in the first instance, as a broker, and to provide what the network considers to be the most appropriate environmental representation on these groups. We also indicated that there are occasions where more than one environment sector delegate is needed to ensure appropriate balance of environmental, alongside other, stakeholder interests. As invited by Mr Connal, we will provide examples of where this has been a problem for LINK, to facilitate Government in addressing the concerns.

We appreciated the opportunity to discuss conditions of Government and SNH grants to LINK for core civic purposes. It was clarified that there is currently acknowledgement in writing that SG's grant, while channelled via SNH, is specifically for our function as a civic sector intermediary, including recognition that the development of policy alternatives is one of our main functions, and that this required guarantees of our independence. We appreciate that specific funding commitment cannot be given beyond the period of any one Spending Review. However we asked you if written expression of Scottish Government's ongoing commitment to, and intention to support, the important civic intermediary role and independence of voice provided by LINK, could be given, and we look forward to hearing from Mr Connal on this, as indicated at the meeting. We believe that this will be important, as personnel in LINK and in Government and its agencies change over time.

We flagged members' concerns over Government's approach to implementation of MPAs and the slippage of the timeline on the National Marine Plan; we are concerned that the delay on the NMP needs to be matched by some kind of restraint on development of, for example, marine renewables strategy. Our colleagues will be discussing this with you next week.

We concluded the meeting with mutual agreement as to the value of the discussion and of ongoing dialogue. We flagged an interest in re-establishing dialogue with the Cabinet Secretary from early 2013, either as part of our next meeting with you, or separately.

With Best wishes,

A handwritten signature in cursive script that reads "Deborah Long". The letters are fluid and connected, with a prominent loop at the end of the word "Long".

Deborah Long
Chair

Briefing Paper on Planning Reform

The planning system is concerned with where development should and should not happen, in the long term public interest. It is therefore key to ensuring that development does not harm Scotland's environment. Over the last few years, the Scottish planning system has been undergoing what is, perhaps, the most significant reform and modernisation in the last 60 years. Scottish Environment LINK is broadly supportive of the reforms but has some significant concerns. In particular, we are concerned that if the modernised system focuses too much on short term economic growth, it could result in environmental protection and enhancement becoming neglected and result in longer term economic as well as environmental damage.

Permitted Development Rights for Tracks

LINK is very pleased with the Scottish Government's proposals to remove tracks for forestry and agriculture purposes from the General Permitted Development Order and require these to first have planning permission (as with tracks associated with other land uses). We have long campaigned for this because of the damage that badly sited or designed tracks can cause to the environment. The planning process would provide an opportunity for proper assessment and public comment on proposals. It would also simplify the current system whereby, depending on the exact location and purpose of the track, planning permission may or may not be required. This is confusing for the public, for planning authorities and for land managers.

National Planning Framework 3

LINK has long supported the concept of a national spatial strategy to help guide the long term development of Scotland. We therefore support the continuing development of the National Planning Framework (NPF). If the NPF is to set out a vision of how we really want Scotland to be in 20-30 years, it must continue to identify the importance of Scotland's environment and the need to protect and enhance it. This will be essential to allow us to meet our long-term duties to improve quality of life and our commitments to sustainability as well as making Scotland a better place to live, work and invest in.

The Land Use Strategy and the National Marine Plan are also important national spatial strategies and it is important that these three strategies link together and compliment each other to provide an overview of all land and marine uses.

In addition to the spatial strategy, the NPF also identifies nationally important infrastructure projects as National Developments. NPF2 identified a number of projects which would result in environmental damage, either through direct habitat loss or through increased carbon emissions. The highly controversial proposal for a new coal fired power station is perhaps the

highest profile example. In order to maintain public confidence and trust in the NPF it must not be used as a vehicle to push forward unpopular, environmentally damaging development. The NPF should seek out favoured proposals for environmentally positive national developments. For example, the Central Scotland Green Network is beginning to make real progress and should be carried forward and developed further through NPF3. But NPF3 should include others; LINK members are considering ideas and will input in response to the call for proposals; we strongly believe the environment can be positive in relation to economic growth and a Scotland in which people want to invest is one with a genuinely good quality environment.

Scottish Planning Policy

LINK was surprised at the announcement that Scottish Planning Policy (SPP) would be reviewed given that it is only 2 years since a very thorough review and consolidation exercise was undertaken. We are not convinced that the review is necessary. However, there are number of parts of the SPP which are of critical importance to the protection of the environment. For example, the SPP restates EU law for the protection of European sites and species and is critical to protecting SSSIs etc. If these statements were not carried forward, there would be a real risk not only of damage to important wildlife sites but of breaches of European environmental law. There are also a range of other policies which provide protection for the natural and cultural environment which must be retained. The SPP also needs to continue to articulate how development can enhance sustainability. The current SPP provides very useful guidance on sustainable development and the planning system. This needs to be retained. There is real opportunity for jobs and economic growth and stability in taking the environment seriously and we are keen to see Scottish Government take this.

28 November 2012

For further information on this subject contact:

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Briefing Paper

Proposed priorities for action, for inclusion in the review of the Scottish Biodiversity Strategy for completion by 2020

For Scotland's Biodiversity Strategy to deliver, to halt the loss of biodiversity and to achieve the 2020 Aichi targets, it needs to bring clear vision, leadership and clarity to delivery. A vital tool is to have a list of priority actions, to which all stakeholders can work to achieve by 2020. This list specifically should not include any priority action that should be achieved under other strategies or legislation, including for example, Scotland's Marine Act or the Water Framework Directive. Actions suggested below aim to achieve biological outcomes by 2020, which would take us a significant step towards halting the loss of Scotland's biodiversity.

1. Restore 100,000 hectares of peatland to favourable condition, using carbon offsetting by public bodies as a funding mechanism where appropriate.
2. Restore 5,000 hectares of coastal dune and heath.
3. Restore 500 km of natural treeline and 1,000 ha of montane scrub.
4. Achieve favourable condition of all protected sites for all priority species and habitats that occur there.
5. Eradicate rhododendron from Natura sites and prevent invasion by known damaging non native invasive species into any uninvaded catchments.
6. Reverse the decline in vascular plant diversity in all broad habitats assessed in the UK Countryside Survey.
7. Reverse the decline in wild pollinators and establish a monitoring programme, which includes the butterfly biodiversity indicator, to track progress.
8. Reduce peat use by public bodies by 100% by 2015.
9. Annul all extant peat extraction rights by 2020 (either by revocation, management agreement or outright purchase).
10. Reverse decline in extent and quality of Arctostaphylos heath.
11. Maintain the extent and biodiversity value of High Nature Value Farming and forestry, as measured by the status of Scottish indicator species, as required for reporting purposes to the European Commission.

12. Develop the National Ecological Network on land and at sea to restore health and connectivity to Scotland's ecosystems.
13. Improve 5,000 hectares of urban greenspace and hospital ground, through managing publically owned land for biodiversity.
14. Reduce the amount of diffuse nitrogen pollution on Annex 1 habitats of the Habitats Directive.
15. Restore 45,000 ha of PAWS using active management to secure and enhance Ancient Woodland ecological communities.

27 November 2012

For further information on this subject contact:

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