



## LINK Governance Group Meeting Note

**Monday 23 July 2018**  
**Friends Meeting House, Edinburgh**

Present: Lloyd Austin (RSPB Scotland and Group Convenor), Sarah Dolman (WDC), Charles Dundas (Woodland Trust Scotland), Bruce Wilson (SWT), Jen Anderson (LINK), Dilraj Watson (LINK), Daphne Vlastari (LINK), Lisa Webb (LINK), Isobel Mercer (RSPB Scotland), Lorna Scott (NTS), Rory Syme (SWT - present for first half of meeting), Mary Church (present for second half of meeting), Frances Rayner (WWF Scotland - for first item by phone)

Apologies: Robin Parker (WWF Scotland); Ramblers Scotland

### 1. Brexit Communications Campaign

Charles gave an overview of the Brexit Comms campaign summit with member CEOs that preceded this meeting. While we have financial contributions from members in the region of £30k, we need commitment from members in terms of resource and help to develop and publicise the campaign.

It was agreed that Daphne should circulate a campaign timeline (now included below).

More detailed information on the campaign and messaging had been circulated to the Brexit Comms campaign subgroup on 11 July, inviting feedback on campaign headline. Agreed to use campaign headline "Fight for Scotland's nature". Discussion followed about whether the headline and messaging is relevant for all LINK members. Agreed it's important to have a phrase that resonates with the public since the aim is to engage them.

Daphne asked for thoughts on how we do the launch event eg Edinburgh or Glasgow. Considering the launch to take place outside Parliament with large map cutouts of Scotland filled with images of species and habitats. Should make for good visuals.

**Action:** Lisa to ask members for suggestions of species and habitats (and images) ideally linked to Birds and Habitats Directives. Suggestions from this group include machair, Caledonian pinewood, blanket big, capercaillie, golden eagle, whales and dolphins, flameshell beds.

**Action:** Lisa to set up Dropbox folder where members can save high res images.

We are currently exploring options for the e-action, which will be aimed at Scottish Government, and the aim is to have 'neutral' hosting ie not visibly attached to anyone LINK member organisation.

**Action:** Lisa to circulate latest version of 'call for Scottish Environment Act' advocacy plan to the Governance Group.

#### Timeline

Date	Action
July	LINK letter to ScotGov on the 2018/2019 Programme for Government, including key ask for an Environment Act
Early September (before principles/governance consultation)	Official launch of "Fight for Scotland's Nature" campaign with <ul style="list-style-type: none"><li>○ At minimum: open letter from LINK CEOs on why we need an Environment Act</li><li>○ Working scenario: open letter with photo opportunity in front of Arthur's Seat (exact date tbc asap)</li></ul>

September (once consultation launches)	Launch of e-action
October/November	Launch of weekly series of articles on agreed topics: 1. principles & governance 2. biodiversity & funding 3. rural development framework (post-CAP) 4. fisheries management (post-CFP)

Further actions to take place as of October are being developed with LINK Groups and Subgroups. The lead is the Brexit Comms Subgroup with support on advocacy from the Brexit Subgroup.

Our ambition would be:

- *Best case scenario:*
  - o Commitment for an Environment Strategy (already going to happen) and Environment Act in 2018/2019 Programme for Government
  - o Consultation on an Environment Act: Q1 2019
  - o Introduction of an Environment Act: Q3 2019
- *Worst case scenario:*
  - o Building case for an Environment Act: Q4 2018 / Q1 2019
  - o Commitment for an Environment Act in 2019 [OR] 2019/2020 Programme for Government
  - o Consultation on an Environment Act: Q4 2019
  - o Introduction of an Environment Act: Q2 2020

*\* Timings for the best case and worst case scenarios are based on reaching a deal on a future UK/EU relationship and a transition period to 2020 at least. Interim measures to address environmental governance gaps may be needed.*

## 2. Other Brexit issues

- The group recapped on recent developments on Brexit including the 'Chequers plan' which lasted only a few days before the resignations of key Ministers. Theresa May announced last week that an Environment Bill would be brought forward.
- Greener UK Devolution Group asked IUCN to write to each of the four administrations to invite them to a Chatham house rules meeting on environment and governance gap. Hopefully this will happen in September. Defra and ScotGov responded positively, still awaiting response from Wales and NI.
- The Fisheries White Paper was published in early July and the consultation is open until 12 September. Ongoing discussion among marine groups about whether there should be an ELUK and/ or a GUK response.
- The RSPB put a paper to their Council about how to respond to whatever deal is announced in October.
- The Green 10 met with Bridget Campbell and Katriona Carmichael of ScotGov. More of an information exchange rather than anything significant being decided. ScotGov talked up Scotland's high environmental standards...so Birdlife reminded them about the Coul Links application.
- Defra has consultation open until 2 August on environmental principles and governance post-Brexit. GUK will do a substantive response to this and ELUK will respond on the devolution aspects.

- The group noted the current ScotGov consultation on agriculture and rural economy post-Brexit. Food & Farming subgroup are managing the response to this.
- In June, Isobel Mercer and Daphne met Kate Thomson-McDermott (ScotGov) and Louise Montgomery (Marine Scotland) to discuss SIs. ScotGov is undertaking a lot of prioritisation exercises, identifying those that simply don't work outside of the EU, eg Emissions Trading Scheme. They will work on these first and address the other SIs further down the line. Powers in both the Withdrawal Bill and the Continuity Bill will continue to exist until 2 years post exit day which means lower priority areas can be amended after March 2019. Noted that existing transposition shortfalls and gaps won't be addressed by this SI process. The group discussed whether there is resource to get into the technical details of the SI process. Also how we can keep track of all the SIs.

**Action:** Daphne to speak to Dan at WCL and to SPICe to ask how they are tracking SIs.

**Action:** Daphne and Isobel to arrange meeting with ScotGov in October about SIs.

### **3. Scottish Government**

#### *Reshuffle*

The Group discussed changes following the cabinet reshuffle in June. Noted that Mike Russell's remit is now larger as Cabinet Secretary for Government Business and Constitutional Relations. Roseanna Cunningham and Fergus Ewing retained their posts albeit Fergus' title is now Cabinet Secretary for the Rural Economy. Mairi Gougeon (hen harrier Species Champion) takes the newly created role of Minister for Rural Affairs and the Natural Environment.

LINK has invited Mairi Gougeon to Congress on 30 August and we await a response. Graeme Dey was given a Ministerial role so no longer ECCLR Convenor. We expect changes afoot on that Committee, particularly for reasons of gender balance as Claudia Beamish is currently the only female on ECCLR.

#### *Programme for Government*

Daphne has prepared a letter to go to Government about our asks for next Programme for Government. This will also serve as a bit of a 'warm up' for our campaign since a Scottish Environment Act is one of our asks.

**Action:** Daphne to circulate this letter to the Group.

#### *SNH*

LINK met with SNH CEO, Francesca Osowska, recently. She would like to follow up to discuss how LINK and SNH can work better together. There was a feeling from the meeting that we aren't getting much traction on landscape issues. SNH increasingly seem to be taking the remit of a marketing agency for Scotland, more aligned to Visit Scotland.

### **4. Current consultations and Calls for Views**

LINK will submit a response to the [Developing an Environment Strategy for Scotland](#) consultation. Daphne asked for views from members to consolidate into a response. The consultation document is asking for views on vision and outcomes and, as a result, is quite superficial. The emphasis on environmental limits and economic growth is wrong. Agreed we need to submit a robust response to this. Daphne encouraging others to respond if possible eg SCCS, Oxfam.

ScotGov is trying to (i) organise a roundtable to discuss this consultation ahead of the consultation deadline on 24 August, and (ii) create a reference group to guide the strategy and ensure it is fit for purpose. Daphne has circulated an email to group and subgroup convenors and reps to ask for interest.

**Action:** Daphne to speak to Pete Ritchie about his previous conversation with David Barnes and how this strategy ranks with others.

We are expecting draft Forestry Strategy in September.

LINK will respond to the Finance and Constitution Committee's call for evidence on [Common Frameworks](#), due 31 August.

## **5. Legal Strategy Subgroup**

A number of working groups from this subgroup had been set up to explore and take forward aspects of the Environmental Rights Centre work area. These included constitution, trustees and delivery of a workshop. It is becoming clear that this is a huge area of work and that subgroup members don't have the time necessary to take this forward.

Plans had been to deliver a workshop in the autumn but now the Subgroup is thinking more about an internal workshop rather than external facing. It was suggested that the workshop might be a useful indicator of people's interest and willingness to invest time into its development.

It was also suggested that we give thought to how we can use Hon Fellows for fundraising contacts. Furthermore, it was noted that the context for an ERC has changed because environmental courts are back on the agenda as a result of Brexit. We could ask for Aarhus and envtl courts to be included in the governance parts of a Scottish Environment Act. The next Legal Strategy Subgroup is on 17 August and this will be discussed further then.

Discussion followed about remit of an environmental court and whether this should be civil or criminal. Some feel criminal should stay as is otherwise it could be viewed as less important.

**Action:** Daphne/ Dilraj to take this to Wildlife Crime subgroup for consideration once the ideas have been developed.

Discussed who else is calling for an environmental watchdog, in addition to Client Earth. Noted we could aim to get CIEEM and UKELA involved in this. Also SCVO.

**Action:** Daphne to discuss this with SCVO

## **6. Autumn Party Conferences**

The next round of conferences could be a good opportunity to promote the Brexit comms campaign ask relating to a Scottish Environment Act. Dates known are: LibDem, 8 September in Dunfermline; Greens, 20-21 Oct in Strathclyde; SNP, 7-9 Oct in Glasgow.

Group members discussed whether their organisations have existing plans for events at conferences as we want to avoid any clashes with what others are doing eg on climate bill, food and farming. FOES may do something on just transition.

**Action:** Daphne to start email discussion with parliamentary staff about plans for autumn conferences.

## **7. DONM**

**Action:** Lisa to send Doodles for Brexit telecalls in August and September and a face to face Governance Group meeting in October.