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**LINK BOARD, 26 October 2017 Paper 4.1**

Political Strategy Report, Autumn 2017

**1. INTRODUCTION**

The sections of the PSR follow the usual pattern covering the different levels of government, and our involvement in the various branches at each level as appropriate. An additional section has been added which provides an overview of the Scottish political landscape given the emerging complexities of the post-EU referendum environment. Board members are invited to reflect to the points made below, comment and indicate agreement on planned LINK activities in *italics*.

**2. SCOTTISH POLITICAL LANDSCAPE AT A GLANCE**

The outcome of the EU referendum and UK negotiations for exiting the EU continue to dominate the political discourse. While this is partly due to Scottish Government continued efforts to raise awareness about the implications for Scotland and devolution, there has been a marked change in the government’s and SNP’s perspective following the UK General Elections result.

As a result of the UK General Elections, the SNP returned to Westminster with a substantially reduced number of MPs (lost 21 seats) even though it remains the largest Scottish party with 35 seats; the defeat was compounded by the fact that Alex Salmond (former First Minister) and Angus Robertson (Depute Leader of the SNP) were not re-elected. The clear winners of the elections were the Scottish Conservatives who managed to elect 13 Scottish MPs but both Scottish Labour and Liberal Democrats won further seats, returning with 7 and 4 seats, respectively.

Plans to hold a second independence referendum have been put on hold until there is greater clarity about the UK deal from exiting the EU. The Scottish Government position in seeking at minimum to stay part of the EU Single Market remains unchanged but there is now, at least in terms of rhetoric, a greater sense of the need to be pragmatic about the Brexit progress. Scottish Government is now showing greater willingness to discuss areas of collaboration at a UK level and the Joint Ministerial Council has signed up to common principles for UK policy frameworks. However, the fundamental divide between UK and Scottish Governments persists: Scottish Government believes EU powers should go directly to Scotland and then there can be discussion on UK frameworks; the UK Government believes EU powers come to Westminster and from there to the devolved governments allowing for a smoother introduction of UK frameworks. Scottish Parliament is gearing up for scrutinising the EU (Withdrawal) Bill as this goes through Westminster and preparing for the process of a legislative consent motion. Several committees of the Scottish Parliament have issued calls for evidence on implications of Article 50 in Scotland, implications of the Withdrawal Bill for the devolution settlement and powers conferred to Ministers. SEL has provided relevant input and been invited to provide oral evidence.

The UK General Elections result also had a ripple effect within Scotland. Following a period of reflection for the SNP and Scotland’s First Minister, the 2017/18 programme for government “A Nation With Ambition” included a number of commitments for transitioning low carbon economy, tackling climate change, improving air quality as well as some overarching points on managing our natural resources from a rural economy point of view. Aspects of Just Transition as well as follow-up actions to the Fairer Scotland strategy were also included. The programme for government also noted the government’s intention to establish a Scottish National Investment Bank. The publication of the programme for government was followed by an announcement to prolong indefinitely the moratorium on fracking. The programme for government reconfirmed the Scottish Government’s intentions with respect to the National Performance Framework and other commitments detailed in the sections below. It is important to highlight that the government announced plans for a strategic assessment of our environment which will look at how policies have been delivering on environmental protections and sustainability. *SEL groups and subgroups to consider KPIs for incorporating LINK asks in 2018/19 programme for government.*

At a UK level, the outcome of the UK General Elections resulted in a weakened Conservative government which now relies on the DUP to form a majority. The DUP has agreed to support the Conservative Party on all Brexit and security legislation. There has been a barrage of amendments to the Withdrawal bill which has led to the UK Government postponing the examination of the Bill at Committee stage. In addition, in a recent European Council meeting, EU heads of state concluded that substantial progress has not been made on Brexit talks and therefore they would re-examine this in December with a view to considering whether appropriate to move forward to the second phase of negotiations.

A substantial part of LINK resources continues being devoted to following and being active on “Brexit”. Progress is being made in terms of linking up the work of the Links with that of Greener UK. At the same time, groups and subgroups have become more active in terms of seeking to proactively shape and respond to the policy agenda.

**3. SCOTTISH GOVERNMENT POLICY OUTLOOK**

Relationships with key cabinet members from the party in government as well as senior government officials have continued:

* There is regular dialogue with the team of Roseanna Cunningham Cabinet Secretary for the Environment, Climate Change and Land Reform; a meeting request has been sent to the Cabinet Secretary, as well;
* There is increased coordination with recently appointed Environment Advisor Ian Jardine, particularly in the context of the upcoming EEB conference;
* A meeting with Mike Russell Minister for UK Negotiations on Scotland's Place in Europe has not materialised, but exchanges with him have taken place in various meetings and conferences;
* It has not been possible to meet with Fergus Ewing Cabinet Secretary for the Rural Economy and Connectivity; efforts are ongoing to set a date for a meeting;
* It has not been possible to set up a meeting with Annabelle Ewing Minister for Community Safety and Legal Affairs with respect to the issue of environmental justice.

In the Scottish Parliament, LINK continues to enjoy good links with MSPs primarily from the Environment, Climate Change and Land Reform and Rural Economy and Connectivity Committees. Further progress has been made in terms of reaching out to members and committees working on Brexit related matters (e.g. Finance and Constitution Committee) as well as post-legislative scrutiny (e.g. Public Audit and Post-Legislative Scrutiny Committee). There is continued input to calls for evidence by the Economy, Jobs and Fair Work Committee but engagement with MSPs has not taken off due to limited resources.

In addition to the activities outlined above, the work of different groups and subgroups can be summarised as follows:

- Food and farming subgroup continue to seek to influence post-CAP rural development framework; stakeholder workshop held in June and potential for further collaboration with SLE expected;

- Landscape and land reform subgroup have liaised with Land Commission and now considering joint work with SLE (coordinated with food and farming colleagues) to promote holistic approach to land management policies;

- Wildlife subgroup has supported the recruitment of further Species Champions (94 MSPs currently signed up), continued work on a National Ecological Network also with SNH, seeking to support Scottish Parliament Committee in post-legislative scrutiny of the biodiversity duty;

- Forestry subgroup is now active on the Forestry Bill;

- Aquaculture subgroup developing its views on the topic ahead of Parliamentary inquiry;

- Marine group focusing efforts on second tranche of MPAs and delays on the publication of other measures;

- Planning group gearing for publication of Planning Bill and developing strategy for this.

In addition, it is worth mentioning that LINK provided a submission to the consultation on a climate change bill. Work is currently ongoing to scope out next steps for potential LINK advocacy and wider activities in this field.

On Brexit, LINK members and LINK continue to be engaged in the Standing Council on Europe and to coordinate with other stakeholders (through SCVO, ELUK and Greener UK). LINK will be providing interim support for the secretariat of the ELUK Brexit group. LINK members have also proposed to ELUK a project around the review of the Birds and Habitats Directives looking at their implementation post-Brexit. This would enable us to illustrate how key concerns regarding the Brexit process are reflected in specific legislation. It would also be an opportunity to develop ways to improve the legislation (“bank and build”).

**4. PARTY RELATIONSHIPS**

LINK continues to pursue contacts with key members of the Scottish Parliament. LINK continues to participate as an observer in Scottish party conferences.

* **SNP**: ongoing positive contacts with ECCLR Committee Convenor Graeme Dey and REC Deputy Convenor Gail Ross among other SNP MSPs. Discussion regarding potential reshuffle has subsided though there is an expectation that cabinet changes will occur by the end of the year.
* **Conservatives**: Maurice Golden MSP is now responsible for issues related to a low carbon economy and party whip. Donald Cameron has become ECCRL spokesperson; a meeting is scheduled with him on 25 October.
* **Labour:** there is a good relationship with Claudia Beamish, Rhoda Grant and David Stewart. A meeting with the Head of Policy took place in late summer where LINK raised key concerns regarding Brexit, climate change and environmental courts. Focus is now on the leadership contest.
* **Greens**: good contacts continue with Mark Ruskell and other Green MSPs.
* **Liberal Democrats:** good contacts continue with the Liberal Democrats and particularly MSP Mike Rumbles.

The overview below does not provide an account of the interactions that have been occurring in the context of the relaunch of Species Champions. However, it is important to note that Species Champions MSPs sitting on the Post-Legislative Committee were mobilised to support taking forward LINK asks; as a result the Committee will look into the biodiversity duty in greater detail as of early 2018.

**5. LOCAL GOVERNMENT LEVEL**

The local elections were held on but were largely overshadowed by the UK General Elections. In Scotland, the Scottish Conservative party saw an increase of 164 seats. The only other party to increase its number of councillors were the Scottish Greens winning 5 more seats. The SNP lost 7 seats and the Liberal Democrats 3. But Scottish Labour saw a collapse of voter share losing 133 seats. Most notably, Labour lost control of the Glasgow Council for the first time in 40 years.

Next steps with the LINK Local database will be reviewed this winter, to assess its value compared with others such as Flora and Fauna International, Scottish Community Alliance and Highland Environmental Network and explore online channels for capacity-building with local groups. Meantime, LINK staff continue to support the LINK Local website and relevant social media channels.

**6. ELECTIONS**

The cycle of elections is set to run as follows:

* The next European Parliament elections are to be held in May/June, 2019, though by that point is it likely that the UK’s exit from the EU will have been negotiated.
* The next Scottish Parliament election is due to be held on Thursday 6 May 2021.

**7. UNITED KINGDOM LEVEL**

At a UK level, LINK activities are focusing on engaging with the UK Links and Greener UK to ensure a consistent approach to Brexit and in particular the Great Repeal Bill. There are now two different groups set up to monitor UK-wide developments from a devolution points of view: the ELUK Brexit Nature Group (SEL reps: Paul Walton and Daphne Vlastari) and the ELUK/GUK devolution group (SEL reps: Lloyd Austin and Daphne Vlastari). Progress is being made in mainstreaming devolution and the ELUK/GUK detailed paper on Brexit and devolution will be published shortly. In addition, SEL (Daphne Vlastari) has been invited to participate in GUK advocacy calls to update colleagues on Scottish developments and ensure consistent messages and approaches.

It is important to note that the Joint Ministerial Committee issues a joint communique on principles for UK frameworks. This paper notes that:

* A framework will set out a common UK, or GB, approach and how it will be operated and governed. This may consist of common goals, minimum or maximum standards, harmonisation, limits on action, or mutual recognition, depending on the policy area and the objectives being pursued.
* Frameworks may be implemented by legislation, by executive action, by memorandums of understanding, or by other means depending on the context in which the framework is intended to operate.
* Common frameworks will be established where they are necessary in order to, among other things, enable the management of common resources and administer and provide access to justice in cases with a cross-border element.
* The competence of the devolved institutions will not normally be adjusted without their consent.

While reading it what struck me most was the absence of any reference to stakeholder engagement and consultation and transparency. References to Parliaments in devolved nations did not get a specific mention either though their involvement is implied when the document mentions democratic accountability and consent. In addition, there is no explicit mention of the need to maintain high environmental standards. The use of the word “normally” with reference to the competence of the devolved institutions could be clarified. ELUK and GUK are considering responding to a House of Commons consultation on devolution where these points could be raised.

A meeting was held on 13 October with Minister Ian Duncan; this was a productive session with the key outcomes being that the Minister wishes to continue engaging with our sector (as well as others) as Brexit negotiations gather pace.

**8. EUROPEAN AND INTERNATIONAL LEVELS**

LINK will be hosting the annual EEB conference in Edinburgh on 6 November 2017. Preparations are ongoing in terms of agenda, speakers’ briefings and logistics.

At an EU level, the recent meeting of the European Council concluded that while progress has been made over the last five rounds of negotiations, more needs to be done. More progress needs to be made on the three critical issues of citizens’ rights, the Irish border and the UK’s financial settlement towards the EU, so that the European Council can reassess progress in December and determine whether the second phase of negotiations can start.

*LINK staff proposes to review engagement within IUCN and other international avenues later this year.*

**9. CONCLUSION**

Brexit and implications for Scotland are at the focus of political discussions and as negotiations progress this will become increasingly more demanding from a resources point of view. At the same time, Scottish Government is starting to push its domestic agenda which means that attention needs to be paid to the important forthcoming policy decisions. The next PSR report is due in Spring 2018.

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