

National Ecological Network/Protected Areas workshop - Hermiston Quay- 02-07-2018**Workshop Notes-**

Attendees- Stuart Brooks, Zoe Clelland, James Curran, Emilie Devenport , Sheila George , Tessa Jones, Beryl Leatherland , Craig Macadam, Isobel Mercer, Eddie Palmer, James Stead, Daphne Vlastari , Paul Walton, Dilraj Watson, Bruce Wilson

Background-

This workshop was set up as the two issues – protected areas and the NEN - are strongly connected, and need a collective voice. The objectives of the day were to agree on a draft LINK position statement on Protected Areas and, put some ‘flesh on the bones’ of what the NEN looks like on the ground.

Before the workshop a background paper on Protected Areas was shared by Isobel Mercer (RSPB), with the attendees. The paper is informed by the vision/objectives of the Scottish Biodiversity Strategy (SBS) Protected Area Working Group. The SBS working group is a SNH working group chaired by Robbie Kernhan, and some of the members are Sally Thomas, Dess Thomson Stuart Brook, Isobel Mercer, Martin Pryce (UHI), members from Forestry Commission and SEPA. The previous SBS group did not have NGO members, and related LINK members have joined this group only recently. It was indicated that the terms of reference, for this group are not finalised yet. However, Brexit brings with it the open arms review of PA, and this likely to change PAs, within that context the working group will therefore provide a mechanism for influencing that change.

SESSION 1: DEVELOPING A LINK VISION FOR PROTECTED AREAS**a. Status update and concerns-**

SNH and LINK's position: The starting point of the discussion on PA's was that LINK members want a strategic joint shared discussion on 2020 with SNH. The proportion of features currently assessed as being in favourable condition is much lower than what has been reported, and that should be used as a starting point for discussions with SNH. However, the challenge is the difference between LINK's position and SNH's position on the 'evidence base', and as a number of LINK members pointed out in the workshop that shifting baseline was quite characteristic in SNH reporting.

Another point of difference between LINK's and SNH position is monitoring. There has been a fair amount of discussion on site monitoring and associated costs, and SNH has indicated that site monitoring strategy will change as of 2019. With monitoring outlay being reduced and sites under exceeding pressure to be monitored it seems that SNH, and by extension the SBS group are implicitly reducing monitoring costs rather than looking at efficacy of monitoring systems.

It was also pointed out that LINKs position till date has been necessarily reactive in relation to PA's, and there were possibilities of getting across more nuanced questions on themes LINK hasn't come up with a coherent position. An example given was potential for LINK members to work proactively on climate change discussions.

Actions-

1. LINK group to lodge PQs on cost of site condition monitoring over past 5 years
2. LINK group to seek more transparency on engagement.

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Discussions on the LINK vision of PA's were drawn from the background paper. The outcomes and actions have been thematically laid out in line with the format of the background paper.

Global context : Within the Global Context, CBD's call for 50% of the world becoming more nature friendly by 2050 was discussed at length, and while the concept was recognised as a good concept, few challenges were identified on the advocacy front.

First was that the 50% concept could be misconstrued as designating the whole country, and this needed to be made explicit within the NEN. Suggestions to make it more clear demarcated the overall percentage versus the PA's. Eg: 50% of Scotland more nature friendly, x% on PAs.

The second challenge identified was whether LINK should be looking to expand the PAs at this point in time, or should we just seek better management of the PAs. Some LINK members indicated that there needed to be better management of what we have, while other stated that the reason CBD have called for a high target is to push PA targets in that direction.

The third point was using the 50% narrative in advocacy would be challenging, and in order for it to be acknowledged and considered by policy makers it needed to be backed by evidence. While it is difficult to be conclusive, the way forward could be by looking at trends. The 2016 SPA review was signposted as one such resource. In terms of evidence LINK members were also asked information on list of species, habitats, which could be better managed, what is that we are doing well, how are we faring in relation to global trends, which groups/species are not faring well. Summary of recommendations made within the global context are-

- SNH have included NSA (National Scenic Areas), descriptors of SNA, which do not even follow the IUCN guidelines. Landscape descriptors help improve biodiversity, we can look at NSA through the NEN (NTS point of view) to see how we can include NSA's.
- Within the global context we need clarity on what we are calling for, the 50% argument needs to be grounded, SDG's should also be a point of reference.
- While currently working inline with CBD is there any other global context we can link to, from monitoring point of view?

National Context: Following recommendations to changes in the background paper were made.

- Changes needed to be made around the messaging, species specific organisations should be included. More clarity is needed on summary conditions and unfavourable conditions.
- Via the SBS if LINK could reach to an agreement on the baseline with the SNH.
- Clarification on the terminology used by SNH
- Take into consideration monitoring and linking it to the feature.
- Climate change needs to be addressed head on, especially as SNH line on PAs is not really contextual to climate change. This cannot be done without monitoring.
- Take into consideration ecological context.
- Evidence should be drawn from peer reviewed literature.

The Role and purpose of protected areas: Following recommendations for changes within this section.

- Content- The commentary needs to be succinct and less descriptive.

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- We need to be explicit that Natural Capital is not a proxy for biodiversity, and remove the 'traditional' connotation within biodiversity conservation. The question therefore arises how do we reconcile natural capital or ecosystem approaches with a 'feature-based' (traditional biodiversity conservation) approach to protected areas? There was general agreement that there was no divergent views within LINK on this point. Protected areas core role is to conserve biodiversity. Knock social, cultural and economic benefits are generated by protected areas and these benefits should be better acknowledged and promoted, however the core purpose should remain to be biodiversity conservation. Group suggested adding a para to this effect as overarching LINK vision.
- Setting limits- There was discussion on what should be counted as PAs. Whether landscapes designations (NSAs, National Parks) feature in in the vision. There is a need to acknowledge NSA can contribute to Biodiversity, where NSA and National Parks should be exemplars for connectivity of biological outcomes.
- Consistency in message- Not only the connection between PAs and NEN needs to be explicit, the message on PA's needs to be consistent with the wider areas, NEN and climate change.

Action-

3. The consistency on the message to be revisited at the drafting stage by LINK members.

c. 'Straw Man' LINK position statement on protected areas

- It was recommended that the vision statement should be in line with SNH and connections between points 2 and 3 needed to be more explicit.
- There was discussion around the current situation on Coul Links, and in that context how can we make our position on PA's more effective? Discussion around Scottish Government applying balancing of duty, with ecological impact. PA's to advocate the backstop that government failing should be relied on environmental courts. In addition there needs to be clarity at what stage should the case be referred to environmental courts.
- On point 6 of the strawman position there was discussion on connectivity issues, carbon sequestration, resilience (throwing the argument back to SG that they need to be well managed). This gave rise to the question-'How do we maintain sites that can adapt, and then also have these sites as a buffer?' It was recommended point 3-4 moved to the top, and split the CC into two.
- Next point was data. There was discussion around employing GIS connectivity for monitoring and having a data run to maintain data time series, data transparency and to ensure that monitoring tools have been used over a period of time. Mention was made on whether monitoring was audited, how much of the data is self-generated and how much is external. With SNH being currently resource strapped, Citizen Science as a potential strand of capturing data was explored. Concerns were raised on the sanctity of data acquired through Citizen Science , however it was suggested this method is a good way of raising red-flags. It was recommended that if we are looking at legislative requirements we have to take into consideration how this is worded, so that the M&E element stays robust. It was also recommended in terms of measuring impact, reports on site monitoring should be sought and compared with objectives of managing of the site.
- Recommendations on point 7 was that this document should only focus on biodiversity and an advocacy document for other strands (health and wellbeing) should be produced

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separately. Also there is a gap on independent ecological advice and governance, and that needs to be addressed.

- Recommendations on point 8 was include maximising collaboration with ENGO's, a lot of opportunity missed if we use a prioritisation method, promote connectivity.

Actions-

4. LINK organisations, particularly species specific groups, all to look at what data we have on how sufficient/representative the existing network of sites (Natura, SSSI, Ramsar) is and whether we have any data on how much additionally designated land/sea we need.
5. IM and SB to redraft LINK background paper and position statement and circulate with a wider LINK group for comment by end July
6. IM and SB to draft response to PAWG terms of reference and vision statement, informed by today's discussion, and share with PAWG

SESSION 2 TAKING FORWARD THE COMMITMENT OF A NATIONAL ECOLOGICAL NETWORK**a. Status Update and Concerns**

Discussions started on the framing of the NEN with primary concern being that the SG stance could be misdirected as seen from the misunderstanding that arose from 'material consideration' and 'land has multiple purposes' positions. In terms of political traction on the NEN, there is interest from Conservatives, Greens and the SG, however it is important that we find a way of making people understand, what we mean. We need to prioritise 4-5 areas and then look at the narrative for those strands. In the Marine environment, steps towards an NEN could be enacted through the National and Regional Marine Plans, and other measures (PMF review, Dolphin and Porpoise Strategy, inshore fisheries reform etc). the case of land use strategy conversations on LUS, we need clarity on how the regional LUS would look at the NEN. JC gave an example of organisations collaborating with in the water sector, within the water framework and recommended learning from the success of that for the NEN.

b. Fleshing out the NEN: Looking at implications for specific policy areas

A number of questions were then put out to the workshop members. Below is a snapshot of the questions and key responses to those questions.

- 'What does the NEN look like for planning?'

Got a concept, advocate it, share it. What can we do with it? Making story maps (animated infographics). We are doing to end up with a map, with different scales, different case studies. There seems to be a conceptual issue.

- What is NEN?

Proper integration of conservation into wider land use maximise spend, delivering biodiversity, securing connectivity.

- What does NEN look on the ground?

Develop regional biodiversity priorities. This is where the advocacy gap in Scotland comes to the fore. Is it kind of NPF for Natural Environment. Is there a case for putting it back in the NPF? Linking this with the NPF gets this out of the silo. Spatial expression of economic strategy which links to the NPF informs the national planning framework (NPF1). SNH are in agreement with us

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on the strategy. We need to get the NEN as the delivery of framework for BD, we could get the SNH on board. Regional directives would have to be aligned with the NEN, and if isn't then the resources should not be allocated.

- How narrowly do we redefine the priorities?

Tiered level of principles- Where we think the ambitions are and how we direct the resources. This needs to be followed by an example to test the articulation of the NEN. There were discussions around using Woodlands as an example. Concerns were raised that Woodlands would not include everything, and this is not just an ecological network, it needs to be mapped by habitat, has to be a composite map. Number of criteria for the NEN were suggested, namely- it should have broad and shallow type specifications, or specific interventions; should map the end point; it needs to be used as a vehicle for mainstreaming and what it needs for biodiversity; it needs to be connected to the site physically as well as functionally; it needs to exemplify the rough sketch- points based system; should be able to demonstrate to the SG how its objectives can be achieved by putting the land use strategy regional priority lens to this.

DV indicated that the governance structure is clear, as the NEN captures national ambitions and identifies the delivery mechanisms. It is what we want and what are the policy mechanisms. DV further stated that what we are seeking are what the NEN means with case studies? How does it fit with other priorities? What the structures will be? Doing priming work, work with politicians in making them understand, similar amendments in the climate bill, LUS.

A couple of examples were mentioned as templates. One was the SNH had done for peatland. Another was the National Marine Plan requirement that activities can't significantly impact the national status of Priority Marine Features (PMFs) in Scottish waters, this has resulted in an ongoing review of protection for 11 highly sensitive PMFs in areas that are not covered by PAs. The National Marine Plan has an overall vision for sustainably using the seas and provides detail of guiding policies for different marine sectors. There was consensus that LINK members need to agree on how the maps are being made. One suggestion made was that areas on the map were circled, and on the next level you would then use data to drive that. There was of course the challenges that some actions are not restricted to geography. It was therefore agreed that this approach needed to be tested.

Actions-

7. CM to develop a template stick in on google drive, BW then will fill it, back to the group, Case studies on- Peatland, Woodland, Pollinators.
8. Land group meeting should have the NEN on the agenda

c. Developing and advocacy plan, including an advocacy toolkit

Queries were made on which advocacy approach is likely to have more of an impact, whether it should be role leading or getting across gently. DV pointed out that the second approach would be more effective.

With the biodiversity strategy falling short of delivering on its outcomes, the NEN has in that sense evolved with an ecological lens, and should be used as a tool external to LINK to become part of the

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advocacy. The NEN can be spoken about as a key framework of 2020 ambitions. For this we need to work with SNH closely. Concerns were however raised that SNH really don't have much ambition on the NEN. and we will not be effective if we work with SNH on this. It is because SNH do not have the capacity to conceptualise this, we will be running this in parallel. It was recommended that this should be taken to different agencies in meetings albeit through informal settings.

Action-

9. DV to work on ongoing advocacy hooks for the parliament, briefings, part of discussions with minister, with SNH. Go back to key people within relevant directorates.

SESSION 3 UPDATE ON BREXIT COMMS CAMPAIGN

DV delivered an update on Brexit and querying how we can incorporate biodiversity with in the Brexit campaign. There is a need for an Environment Act- based on environmental principles, right to clean and healthy environment. Different strands of work have been pulled together based on key challenges through Brexit. The strands which the Brexit argument is being drawn from are listed below-

- Principles and Governance Gap
- Principles (Precautionary)/Polluter pays
- Agriculture/Fisheries what will come after CFP
- Funding supporting BD Outcomes
- ELUK level- Birds and Habitat directive (What is that we are doing in Scotland? National and international importance – what is that we are doing well what can we improve)

DV then put a question out to workshop members- In the context of BD- Brexit what is LINK members want to do? Working With comms person/ open letter by students- academics). What can we do in addition to this? Any specific activity to garner public attention.

Key responses are listed below-

- HNV Agriculture in Scotland need targeted support, Biosecurity- EU wide systems, how that will be impacted, Trading- As UK develops new trading relationships we are at risk, Scottish team have had cut backs, for SBS invasive species can be an in.

Action-

10. PW to work on this (no time frame agreed).
- Brexit will impact the divergence of frameworks, and public policy, and people need to be made aware of the substantive threats is part of the Brexit comms. Threats to funding as well, where funding needs to be characterised (top 5- sea birds, geese, machair, individual species (mussels), crofting, land management, flame shell beds, fresh water pearl, Merle beds, deep water, Atlantic woodlands). Threats can also be assigned as per habitats, unique assemblage. The bottom line is that EU legislation is targeted on areas, which are of international importance, and with Brexit on the horizon the SG needs to be held to account through a suite of measures. An example of piece of effective legislation is the Nature directive, very few bits of legislation around the world which we know is effective. As a precedent concerns are what will happen post Brexit. Concerns were raised on not just the backstop, but the nature of legislation, the funding that goes into it, focussing on the SRDP. We therefore need to

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summarise the position we can take on Brexit- linking with agri-forestry, maintaining and improving existing legislation.

Action-

11. DV to speak to freelancer to come up with different infographics/visuals, pitch these stories on social media/newsprint, get the stories around the priorities. RSPB to provide support.
- Work on pesticides/neonicotinoids was queried. DV responded that SG has already said that we will have a UK framework. We are not working on Reach, there is no a specific angle on it, and we have discussed this in terms of trade.
- On query of governance, DV responded that when the consultation on governance comes out we are looking to do an eaction. There will be some work on that but will not be going into the details of the water framework directive. Not sure how much capacity do we have to produce specific position papers.

Action-

12. CM to have a meeting with SEPA, will speak to them about what's working and what is not.
13. DV to look into SG consultation on the environment strategy for Scotland. Strategy document sets out, and sets out a broad spectrum of environmental issues.