

Note of LINK Ministerial meeting, Tuesday 8<sup>th</sup> September 2015 - DRAFT

Present: Helen Todd, Andy Myles, Calum Duncan, Duncan Orr-Ewing, Matthew Crichton, Pete Ritchie, Clare Symonds

Aileen McLeod MSP, Keith Connal, Kate Thomson McDermott, Lorraine Gormley, Simon Bonsall, Susan Turpie, Judith ?, Sebastian ?

## **1. Land Reform**

### **a) Overview of LINK position**

ABM: We see this as an important bill, and we are in favour of it and the process of land reform. We support the approach being centred around rights and responsibilities. Generally there needs to be an improved focus on the responsibilities needed but we are concerned with land use, not a debate on ownership. Sustainable development is what LINK is concerned with, and we want to help the government in this respect. There have been many voluntary approaches to land use management up to now which have not always been effective. There seems to be a focus on rights by the landowning interests, rather than them having any constraints on their land use in terms of their responsibilities and the public interest. We believe the Land Use Strategy should be tied to the Land Reform legislation. We hope to take part in the process of drawing up the rights and responsibilities statement.

Min: Hope we can work together, Stage 2 amendments can help strengthen some of the positions within the bill.

ABM: In terms of the governance of the Land Reform Commission (LRC), we favour the Scottish Law Commission model of an independent body giving advice but the legislation looks very prescriptive.

Min: This was discussed yesterday.

PR: There was discussion around the need for policy coherence around the rights and responsibilities statement and the LRC process (at the RACCE hearings on the Bill). This policy needs to underpin other public policies, and the role of local authorities should be strengthened. The issue of EU registered companies owning land was covered, and access to land for farming for young people is a concern.

KTM: We can sympathise with the view regarding legal entities and will set out a clear rationale for why we are not going forward with this aspect. This will be given to RACCE and they can make it public. There is little difference in terms of transparency between EU and non/EU regulation. Money laundering and tax evasion are reserved matters.

ABM: We appreciate the difficulties in the drive towards transparency but this issue is not a major concern for LINK.

Min: Your submission relates to land reform in urban settings, allotments.

ABM: Rights and responsibilities arguments relate to urban land too. Our members SAGS are following through from the Community Empowerment Act in terms of the right to grow food and the

need to manage land responsibly. We are not seeking major amendments to the Bill but want to ensure the principles underlying the bill apply to both urban and rural land.

PR: There was discussion of Common Good land yesterday, which it was felt should be retained, developed, enhanced and added to, eg, allotments, use of vacant & derelict land by CPOs – the new test of sustainable development may make this easier.

ABM: Poorer members of society have to live with the most problems regarding land and environmental justice.

Min: I have visited many projects such as Shettleston which demonstrate this.

ABM: You should visit RSPB's urban wildlife projects.

## **b) Deer**

DOE: High red deer population is having a major impact on the uplands – ecological status is a significant issue and conflicts are arising. The public interest is not being upheld – damage to peatlands, designated sites, woodlands, etc. We're pleased RACCE is taking an interest and support the measures in the bill, but the LRRG recommendations for progress are not being taken forward quickly enough. We're concerned these measures will not be implemented until 2017.

KC: The Government agreed with the RACCE deadline. The measures are in the bill in case progress is not made, they pre-empt the need for legislation at a later date, but we have to honour the commitment which was made to DMGs.

DOE: This approach is too cautious. Statutory intervention, as happens elsewhere in Europe is needed with setting of cull levels, compulsory cull returns, etc.

KTM: There are mixed views on RACCE and the 30<sup>th</sup> Sept evidence session will be useful.

ABM: Can see that powers to bring forward a statutory system will be within the Bill but you must understand how frustrating it is for ourselves. There is a collective responsibility to manage deer.

DoE: Biodiversity targets are being missed. SNH is late in its report on progress on DMPs.

PR: Do you receive many representations from the public over deer?

KC: it's not a bit issue for the public, only in urban areas but we are acutely aware of deer management issues.

DOE: The Atholl/Glen Feshie case is one example. We need transparency in the deer management process – there is public money involved from SNH/SRDP but unlike forestry there is no public register. We would like to see a public register for forestry and deer management.

ABM: The lack of defined responsibilities re shooting and hunting rights may also need consideration.

## **c) Hill tracks**

HT: As another example to illustrate the need for rights and responsibilities, and as an update on the hill tracks campaign, we have seen some real progress with the new prior notification system. The

forestry industry has taken this on board and is streamlining its procedures. We have been monitoring planning authorities and there are some cases where greater detail of the plans has been requested by planning authorities, others where tracks have gone straight to a planning application, presumably because the landowner realised that they could not prove use would be covered by PDRs, and yet still some landowners are ignoring the regulations. However, there is still little opportunity for the public to comment or object to new tracks, but we recognise that standards of construction are likely to improve.

[DOE: Millden estate example of bad practice – KTM: we need examples like this for our guidance]

KC: the LINK campaign was successful in that the Minister heard all the views and policy is now in place.

#### **d) Hares**

DOE: As another example of how some estates act with impunity and having disregard for the public interest, the culling of hares on grouse moor estates is a great concern. In May a number of NGOs wrote to the government expressing our concerns over infringements of the Habitats Directive but we still haven't received a response.

Min: [to KC] Please make sure a response is sent.

#### **e) Wildlife crime**

DoE: And finally, our concerns around levels of wildlife crime remain, particularly on grouse moors. Our report was published and intended as a constructive contribution to the debate. We've had good discussions with the police. We suggest it's time to revisit progress on the Natural Justice report recommendations.

Min: We will consider that.

DOE: Good legislation exists but it's not effective. High intensity game birds and deer but weak regulation re hunting.

Min: SG is considering a review of game bird licensing. Also considering review of 2002 Protection of Wild Mammals Act

ABM: This review would be appreciated. It may be time to look at hunting again – what is the definition of hunting? It's not driven shooting but should be a Scandinavian community approach.

## **2. Planning**

CS: The FM has announced a review of the planning system especially re housing but we wonder what the scope is. Housing puts pressure on greenspace/env/habitats, and 'removing unnecessary blockages in the system' may mean environmental safeguards are lowered. (although we do want housing to be built - in a fair and sustainable way). In 2006 Act, the impact of community involvement in the system has not been reviewed. Could ERA be considered?

Min: Opportunity within the planning review to look at these, but I don't know the scope yet, nor if there will be consultation within the government before review published.

Simon: I can take back LINK's views, a letter would be helpful.

**AP: Letter to Planning Dept re LINK's concerns.**

CS: We are learning from the Irish system of TPRA which has improved the standards of decisions and applications, strengthening sustainable development.

Min: We already have good community engagement.

CS: Yes, at the beginning of the process, but not at the end. ERA would give confidence to people, especially with decisions which are contrary to the local plan which they have spent years engaging in.

**3. Food**

PR: ATF is looking beyond CAP and connecting to the food agenda. Trying to join up social and environmental agendas. Coalition statement of principles – the right to food and to eating well, the rights of people who work in the food industry and sustainable production including short food chains. We're producing a food atlas to show the changes in farming required.

Min: That's a useful overview, appreciate the support which you gave to the government on GM issue. Encourage LINK submission to the Future of Agriculture discussion paper. We're going to publish a review at the end of the year to reflect on the discussions.

CD: These principles apply to local fish and shellfish too.

Susan: The food coalition principles chime strongly with discussions we're having with SNH and others. We're looking at the tools under SRDP, recognise wider changes to farming systems for climate change, biodiversity, water quality, etc, and looking at marketing/branding.

ABM: This approach is also relevant to the circular economy and may be useful to look at principles with reference to agro-ecology?

**4. Marine**

CD: The MPA process has been a welcome opportunity to highlight fisheries management. Very pleased to meet Cab Sec tomorrow, and will support him to get MPA proposals through RACCE. MPAs support sustainable, resilient coastal communities as well as fisheries. We're also mindful of the biodiversity duty, and how to better spatially manage inshore fishing. It's good that SG recognised the value of the Wester Ross scallop protection and took conservation measures.

Min: Thanks from Cab Sec and myself for the support of LINK through the MPA process, and for making the case to RACCE.

ABM: Another situation where the balance of rights/responsibilities needs to be recalibrated.

Min: we also have a duty of conservation objectives.

Sebastian: Update on Fair Isle – proposal for a research/demonstration MPA for climate change, prey species, bird numbers, etc, has now had independent assessment which shows it fulfils requirements and is ready for consultation. Shetland community is also supportive.

CD: Pleased that a constructive debate on seabed use is taking place.

## 5. Economics

MC: ETF has a wide degree of acceptance across LINK of the need to consider economic solutions for environmental issues. We're supportive of the NPF approach, silos need breaking down. In terms of climate change objectives, a cross-govt approach needed and there is a significant gap between intention and delivery, eg, RPP2 is inadequate. SG, LAs and private sector all have a role in the transition. Regarding the Green Alliance report, there is a gap in Scottish investment in low carbon measures. Can we explore innovative ways of bridging that gap?

Min: RPP3 is underway. Climate Change is embedded in this autumn's budget process. However we're under tight spending constraints. The UK budget report will be on 25<sup>th</sup> Nov so we'll know block grant then. Reductions in public spending are coming and the CC target is a huge challenge, we have lots to do and are looking at, eg, reduction in school run emissions.

Judith: SG analysts are doing preliminary work around RPP2 and the cost per tonne of carbon. We need to spend wisely and effectively and quantify multiple benefits (eg, equality). Andy Kerr (ECCI) has offered to get involved. We're evidence gathering, embedding CC into the infrastructure investment plan as well as the budget is an important step. Support of WWF and LINK is valued.

MC: Multiple benefits are important. We would like to mobilise opinion to make SG's life easier if there is support from civil society. Recognise SG progress ahead of Westminster but more to be done. FoES talking to pension funds re divestment in pursuit of positive outcomes for climate.

Judith: Scottish Futures Trust could be talked to as well.

PR: Agriculture is part of climate change action too – reduction in nitrogen fertiliser, food waste.

**KC: *Perhaps we could have the Circular Economy as a topic for a future meeting?***

**ABM: *We're in discussion with Gaby Pieraccini regarding a LINK seminar later this year.***

## 6. Social justice/fairness

HT: LINK broadening approach first to economics agenda, and now to social justice. Currently mapping what we do and we're keen to work on communication of benefits of environment, and why it matters to social justice. What engagement has the Minister had with the Fairness debate?

Min: None yet. Welcome LINK's contribution to the FairerScotland debate, can see it is relevant to the regeneration agenda, eg, through CSGN, equal access to the environment.

**ABM: *We are working on a LINK submission and will send it to you as soon as it's finished.***

HT: We're also encouraging our members to send own contributions from their perspectives.

KC: SG is working on its approach to SD Goals. These include goals on biodiversity, Sustainable Economic Growth, our thinking will be emerging in coming months.

ABM: Overlap with NPF outcomes, and LINK has been involved in round table through Deborah Long. ***Happy to contribute on SD goals.***