

Response to Scottish Government Consultation on Developing an Environment Strategy for Scotland

Date: 24 August 2018



The following LINK members support this submission:

- Badenoch & Strathspey Conservation Group
- Buglife Scotland
- Friends of the Earth Scotland
- Marine Conservation Society
- Nourish Scotland
- Ramblers Scotland
- RSPB Scotland
- Scottish Wild Land Group
- Scottish Wildlife Trust
- Whale and Dolphin Conservation
- Woodland Trust Scotland
- WWF Scotland

1 What are your views on the following draft vision for Scotland's environment and climate change policies?

Scottish Environment LINK members welcome the Scottish Government's initiative to "develop a strategic approach on environmental policy to protect and enhance our environment, safeguard natural capital and continue Scotland's leading role in addressing environmental challenges".

LINK members have long argued that our success as a nation is predicated on our understanding and acting upon the fact that we need to operate within the carrying capacity of our environment and protect and enhance its rich biodiversity, both on land and in the sea. We therefore welcomed that the revised National Performance Framework outcomes recognise the need to protect and enhance our environment. Each year, the need to transition to a more environmentally sustainable nation becomes more pressing. We therefore fully agree with statements made in the Environment Strategy Discussion paper about the urgency of addressing those challenges. This needs to be reflected in the contents of the final Strategy.

However, a strategy is only effective if it contains clear review and implementation frameworks and it is itself action-oriented. Experience has shown that when such requirements are not in place or they are not legally binding, implementation lags and results are poor. We are therefore disappointed that the Discussion Paper does not provide any insight on those critical aspects.

LINK members consider that an effective Environment Strategy needs to:

- Define future goals and aspirations, including measurable targets and indicators for achieving them;
- Provide a science-based overview of the state of Scotland's environment, including past and current trends;
- Identify priority actions and provide timeframe for delivery of set actions;
- Set out a clear governance framework for the delivery of actions, including regular review of actions and the Strategy itself; and
- Identify clear funding streams for taking forward those actions.

We note and welcome the commitments repeated in the Discussion paper regarding a consultation on the purpose and function of the EU environmental principles in Scotland once the UK exits the EU, and a consultation on arrangements for environmental governance, after the UK exits the EU. LINK members support a

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robust discussion on these points but would like to highlight that both the environmental principles and governance solutions have a direct bearing on the ability of the Environment Strategy to realise its ambitions.

As such, LINK members believe that it is important to consider the three together and strongly recommend that aspects of the Environment Strategy, in terms of ambition, status and review are also set in legislation. LINK members believe that environmental principles and solutions to the environmental governance frameworks should also be legally binding.

We also believe that the Strategy should be developed and reflect international discussions taking place at the UN level with respect to the “right to healthy and clean environment”.

With respect to the suggested draft purpose, we support the emphasis on ‘one planet’ and living within the Earth’s carrying capacity. In this regard, LINK members have long supported the integration in Scottish policy of both the principles of sustainable development as agreed by all UK governments, including the Scottish Government, and the United Nations Sustainable Development Goals (UN SDGs).

However, we note that ‘prosperity’ is a term often associated with material and financial gain and expressed or measured in terms of GDP. In line with the Government’s commitment to sustainable development and as acknowledged by the First Minister there are “limitations [to] using economic output as a success measure” (Launch of National Performance Framework 2018, speech delivered by First Minister Nicola Sturgeon - 4 July 2018: <https://beta.gov.scot/publications/launch-of-national-performance-framework-2018/>). LINK members would therefore recommend reconsidering the use of the term “prosperity” or alternatively clarifying the scope of the term so it is clear it refers to a number of aspects.

While we welcome and very much support the Government’s intention to take a ‘whole of government approach to developing the Strategy’, we would appreciate greater clarity as to how the draft purpose for the Environment Strategy relates to the updated purpose of the National Performance Framework.

LINK members expressed disappointment that the recently updated National Performance Framework failed to mention ‘sustainable development’ in its purpose statement even though its review was aimed at aligning it with the UN SDGs and despite calls by civil society organisations. While supporting documents submitted to the Scottish Parliament acknowledged the need for the Scottish economy to operate within environmental limits, this wording was never considered as part of the NPF itself.

LINK members are therefore keen to receive further assurances that the NPF purpose statement is to be seen in the light of the Environment Strategy’s support for ‘living within the Earth’s sustainable limits’. It would be helpful if this was explicitly expressed in the Environment or Economic Strategy.

In terms of the second sentence of the draft purpose, LINK members strongly agree that the importance of our environment needs to be acknowledged in terms of Scotland’s socio-economic goals.

LINK members have long argued that our success as a nation is predicated on our protecting and enhancing our natural environment. While it is positive that the draft purpose refers to socio-economic ambitions it would be critical to convey the point that these can only be achieved and sustained in the long-term if they are pursued in a way that is environmentally sustainable.

However, as currently drafted, the purpose seems to suggest that “protecting nature and living within the Earth’s sustainable limits” is a process that will take place in parallel to “building a more prosperous, innovative and successful nation”. LINK members are keen to emphasise that these are not separate or unrelated goals.

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In other words, the draft purpose needs to explicitly acknowledge how protecting and enhancing our environment / living within the Earth's carrying capacity is the way to achieve those socio-economic goals. Highlighting how the health of our environment is intimately linked with the achievement of socio-economic ambitions is critical to understanding the critical role of the environment and support the 'whole of government approach' that the Government is keen to take. LINK members also highlight that the goal of sustainable development captures all these aspects by arguing for nations to follow policies that are sustainable in terms of the environment, the economy and society.

In this respect, we would also be keen to better understand how the Government intends to take this 'whole of government approach' forward and what this means in practice in terms of the development and re-alignment of policies.

While LINK members welcome the discussion paper's references to the need for "a collective statement of ambition for all those working to protect Scotland's environment", we believe that key to the success of the Strategy and realisation of ambitions will be to engage and secure commitments from stakeholders or parts of Government that are not seen as directly engaging on environmental issues.

For example, it is well established that some of the main drivers of environmental degradation are related to:

- over exploitation – i.e. unsustainable consumption of resources;
- conversion of land to agriculture, forestry, building, infrastructure;
- pollution of natural resources such as air, water and soil

As such, economic policy, planning policy and transport policy, amongst others, heavily affect these areas. It often feels as if environmental policy tinkers at the edge of environmental problems, whilst other policy areas are often the underlying causes of much environmental harm. We would like to see the Environment Strategy making these connections and clearly stating what it expects other policy areas to deliver in terms of the environment.

Given the above comments, LINK members would suggest amending the purpose to reflect any of the below amendments:

- Consider an amended draft purpose that reads:
 - "Living within environmental limits. Respecting the limits of the planet's environment, improving our environment and ensuring that the natural resources needed for life are unimpaired and remain so for future generations"¹.
 - "One planet prosperity. This means living within natural limits and creating a happier/successful/flourishing nation".
 - "One planet prosperity, this means maintaining, enhancing and restoring ecosystems and living sustainably within earths limits without limiting the ability of future generations to do the same".

¹ As reflected in the agreed Sustainable Development principles:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/323193/Guiding_principles_for_SD.pdf

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- The wording should reflect the NPF outcome on ‘protecting and enhancing nature’ since there is indisputably work needing to be done to restore and enhance Scotland’s natural environment, as well as protecting it for the future.

2 What are your views on the following draft outcomes that will help to achieve this vision?

LINK members are in principle supportive of the suggested outcomes and welcome the links with the relevant outcomes in the NPF. However, the outcome on climate leadership should additionally reflect the ambition of the Paris Agreement, and Scottish Government commitments, to pursuing efforts to limit global warming to 1.5oC.

As with the NPF, the outcomes of the Environment Strategy will need to be supported by a number of indicators / measurable goals to track progress and a clear path of action with adequate financial support.

LINK members consider that an effective Environment Strategy needs to:

- Define future goals and aspirations, including measurable targets and indicators for achieving them (the draft outcomes are a good starting point for this);
- Provide a science-based overview of the state of Scotland’s environment, including past and current trends (similarly the knowledge accounts can be further developed to function as this common evidence base; see our response to Q3);
- Identify priority actions and provide timeframe for delivery of set actions;
- Set out a clear governance framework for the delivery of actions, including regular review of actions and the Strategy itself; and
- Identify clear funding streams for taking forward those actions.

As mentioned in the introduction, LINK members believe that key components of the Environment Strategy need to be set in law and work in conjunction with the Scottish Government’s commitments towards the EU environmental principles and solutions for addressing the environmental governance gap. LINK members views on the role of EU environmental principles and solutions to the governance gap are summarised here: http://www.scotlink.org/wp/files/LINK-Continuity-Bill-Scotland-Briefing_March2018v.pdf. Provisions for these three aspects can be made through an Environment (Scotland) Act.

LINK members recommend that the Environment Strategy is built around the following policy commitments:

a) Secure the future of protected areas as the key component for recovering and maintaining Scotland’s biodiversity:

Protected areas are critical for tackling biodiversity loss and this is supported by robust evidence. While the wider socio-economic benefits of these areas must be better recognised and valued, the primary purpose of protected areas is, and must continue to be, conservation of species and habitats.

The Scottish Government must take action to complete the existing network of SPA, SAC, SSSI and Ramsar sites, and bring Scotland’s protected areas into favourable condition. The Scottish Government must set a target to bring 100% of designated features with an on-site remedy into favourable condition by 2025. A review of the necessary actions and barriers to deliver must be carried out, including analysis of the external pressures for features assessed as having ‘no on-site remedy’. As the discussion document makes reference to Scotland’s landscapes, there should be some aspiration to protect this resource, to enhance what exists and to manage them well for future generations. This could be done by using the full suite of landscape designations that exists

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by including both statutory and non-statutory ones such as Wild Land Areas (WLA) as defined on the SNH map of WLAs.

b) Introduce a National Ecological Network and use it to guide policy-decisions for an environmentally sustainable Scotland:

Whilst protected areas are absolutely vital for conserving biodiversity they are at the same time entirely insufficient on their own. That is why we need a National Ecological Network for Scotland, with protected areas at its heart, in line with Scottish Government commitments in Scotland's Biodiversity - a Route Map to 2020 and the National Planning Framework (NPF) 3. As noted in NPF 3, such a Network could significantly contribute to biodiversity and landscape enhancement and increase resilience to climate change.

A National Ecological Network (NEN) would help protect and restore Scotland's nature, so that it continues to provide the life support systems we all depend on, particularly in terms of our health, wellbeing and economic prosperity. It could do this by providing an overriding, holistic policy approach that integrates the enhancement and protection of nature into policies, proposals and funding streams, so that they can deliver multiple public benefits more effectively.

Many of the policy approaches suggested below can be taken as key components of an NEN for Scotland and are very much complementary. LINK's views regarding the importance and function of an NEN are outlined here: http://www.scotlink.org/wp/files/SEL_A-Roadmap-for-Adopting-a-National-Ecological-Network-in-Scotland.pdf.

c) Support actions for a healthy marine environment:

Scotland's Seas are increasingly busy and as a result face tremendous challenges. In order to overcome these and ensure much needed ecosystem enhancement, effective conservation and sustainable management of Scotland's marine environment is essential.

Enhancing the health of Scotland's seas requires:

- Ecosystem-based management framework for all of Scotland's seas
- Mechanisms to ensure legal accountability
- Effective legislation that builds upon existing environmental protections
- Effective monitoring of marine activities and compliance
- Management based on sound science, including the precautionary principle where evidence is lacking and maintenance of burden of proof upon proposed plans/projects within Natura designations
- Co-ordination and compatible management approaches across boundaries
- Adequate investment in the health of Scotland's seas to 2020 and beyond

LINK's consolidated views on the future of our seas can be found here: http://www.scotlink.org/wp/files/documents/ScotLINK_Vision_Scot_Seas_1017.pdf.

d) Promote an integrated approach to land use, including landscapes:

Scotland has potential to be world-leading on multi-benefit, sustainable land use. Land is a valuable asset but conflicting ambitions and goals regarding land use mean that a strategic approach is required to minimise trade-offs and maximise benefits. This concept is not new and, through various work streams, Scottish Government has already built a strong foundation upon which strategical land use frameworks can be built and delivered.

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The expertise exists to carry forward the valuable lessons that have already been learned through planning, the regional pilots and other projects. Furthermore, the Scottish Land Use Strategy (LUS), with adequate political support and funding, has the potential to drive and secure sustainable land use in Scotland, delivering benefits for the environment, society and the economy and informing better targeting of public money. However, this high level national Strategy would need to be delivered at a regional and local level, taking account of regional priorities and contexts, to secure buy-in and long term embedding of the LUS Principles.

e) Set up an agriculture and rural development policy that supports integrated land use and the delivery of public goods

Despite current policies, we continue to see declines in wildlife, significant greenhouse gas emissions from agriculture and land management, problems with soil and water quality, deterioration in Scotland's lowland and upland landscapes, and competing pressures on land.

To tackle this, policy should mainstream nature-friendly land management, whereby land managers are supported to help native wildlife, restore habitat connectivity and ecosystems, and maintain and enhance the beauty of Scotland's landscapes, which will also help people to connect with and enjoy nature.

In addition to our broad obligation to nature we also recognise the role of 'ecosystem services', including those provided by biodiversity, that are essential to the future of food security as well as to a thriving natural environment and rural sector. Adopting the principle of agroecology as in other parts of Europe, would indicate a direction of travel towards a much more integrated approach to farming, land use and the environment. Innovative ideas to direct public funding towards land and land use should be geared towards delivering public goods. More detail on the sorts of policy and funding structure we would like to see in the post-2024 period can be found here: http://www.scotlink.org/wp/files/LINK-Future-of-Farming-and-Rural-Land-Management_March2017.pdf.

LINK's further reflections are outlined in our response to the Scottish Government consultation on Stability, Certainty and Simplicity in Rural Support available here: <http://www.scotlink.org/public-documents/response-to-the-consultation-on-stability-certainty-and-simplicity-in-rural-support-by-scottish-environment-link-food-farming-subgroup/>.

f) Promote an environmentally sustainable approach to fisheries and aquaculture

On fisheries management, LINK believes that for effective environmental management, new fisheries legislation should be applied to all fisheries activities within Scottish waters, with provisions to ensure adequate fleet and impact monitoring and enforcement. Collaborative working with other maritime nations, to manage straddling fish stocks and migratory species will be essential.

Effective legislation that builds upon recent reforms to the Common Fisheries Policy (CFP) to achieve coherent, ecosystem based-management of Scotland's fisheries, is urgently required. Key reforms achieved to date include the important principle in Article 17 of setting "transparent and objective criteria including those of an environmental, social and economic nature" and keeping recent deep-sea regulations⁵ to protect fragile deep-sea ecosystems from damaging fishing gear.

We welcome Scottish Government's commitment to update the existing fragmented and outdated inshore fishing legislation through a proposed Inshore Fisheries Bill. The opportunity must be taken to reform fisheries management throughout Scotland's seas to ensure consistency of approach, without losing momentum on

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urgently needed modernisation of inshore fisheries management. Any future fisheries policy should also be in line with the MSFD, the EU Nature Directives and other relevant EU Directives, Scotland's National Marine Plan, the Marine Nature Conservation Strategy and Scotland's 2020 Biodiversity Challenge. The opportunity should be taken to make further improvements to ensure sustainability, such as on the issues of discards, bycatch, and the management of low trophic level fisheries (i.e. sandeel). LINK's more detailed views can be found here: http://www.scotlink.org/wp/files/documents/ScotLINK_Vision_Scot_Seas_1017.pdf.

On aquaculture, LINK believes that there must be no new marine fish farms using current 'open cage' practices or any expansion of existing fish farm sites, including any increases in farmed fish biomass at existing sites until the current failings in the regulation of the salmon farming industry and the environmental problems the industry causes, as both identified by ECCLR Committee, are understood and resolved.

To approve any expansion of the industry now will be unsustainable and may cause irrecoverable damage to the environment. LINK would like to see the immediate introduction of incentives for salmon farm operators to adopt and innovate new designs, practices and technologies that aim to reduce their environmental impacts to acceptable levels. It is essential that both Government and industry growth targets are subject to independent environmental assessment and are in line with the environmental carrying capacity of Scotland's marine environment.

g) Support Scotland's transition to a Circular economy which goes beyond waste:

Our suggestions for future policy include:

- Targets for reducing resource consumption.
- Incentives to design and manufacture products which are easy to repair and are designed for longevity.
- Build on current initiatives in re-use, refurbishment and remanufacture to incentivise supply and demand.
- Strengthen Extended Producer Responsibility to include modulation of fees, whereby the packaging designed for single use, incineration and landfill have higher fees than packaging designed for a circular economy.
- Require manufacturers to use plastics that are readily recyclable.
- Minimum recycled content legislation to require plastic manufacturers to shift from virgin to recycle.
- Incentives to close loops in agriculture in order to minimise waste and harmful pollution.
- Specific interventions in oil and gas decommissioning and windfarm repowering to ensure the vast quantities of materials are kept in as high a value use as possible.
- Harnessing of public procurement to increase demand for refurbished and remanufactured goods.

The above aspects need to be supported by an ambitious approach to climate change. As indicated in LINK's views to the Environment, Climate Change and Land Reform Committee, LINK members support call for legislating a 77% reduction of climate emissions by 2030 and achieving net zero emissions by 2050; these targets need to be supported by concrete actions via the Climate Change Plan.

The Environment Strategy as a whole needs to be well-funded to ensure its success. Given that the recent SNH report on the Aichi targets highlighted that Scotland as a whole is moving away from the target which provides an overview of financial resources available for realising biodiversity policy aims, this is a crucial issue. The SNH report highlights that "total funding figures for most of the Scottish organisations that have some biodiversity remit have also declined in the last 5 years". This is a worrying trend as the availability of financial resources underpins the realisation of environmental ambitions.

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3 What are your views on the draft knowledge accounts which will be used to help identify priorities for action in the coming years? What additional sources of key evidence can you add?

The development of the knowledge accounts is a welcome step and illustrates the Government's commitment to evidence-based policy making which LINK members fully support. LINK members support the creation of such databases that can provide an accurate account of the status quo and existing evidence as well as analysis of drivers and impacts. Marine status and trends are also integral to the Strategy and its implementation, so there should be close integration with the best-available evidence for Scotland's seas as provided in 'Scotland's Marine Atlas', updated on National Marine Plan interactive, and kept under review.

We hope the final knowledge accounts can serve as a catalyst for targeted and effective action under the Environment Strategy and therefore see a direct relationship between the two. A well-developed set of knowledge accounts will provide invaluable insights to the actions that should be prioritised under an Environment Strategy.

As such, LINK would like to see the knowledge accounts further developed. At the moment, LINK members have identified a number of gaps in terms of:

- The issues that the knowledge accounts cover (for example, no knowledge account was developed for the marine environment);
- The level of detail and information they contain (the information is summarised extensively and often omits critical issues), and
- The consistency of information across knowledge accounts.

Individual LINK members will be responding to specific knowledge accounts in their own submissions.

For the purposes of the present submission LINK members would like to note the following:

In terms of the knowledge accounts on business and household efficiency:

- To achieve a sustainable footprint for our production and consumption, we need to aim for reduced consumption of finite resources to sustainable levels. We strongly recommend that reduced consumption, rather than increased efficiency, is the top line for these knowledge accounts.
- Most of the data relates to waste. It would be good if information was generated regarding the market share of refurbished and remanufactured goods, trends, and barriers.
- There are some waste streams that enter the environment as pollution. For example, approximately 75% of nitrogen applied to agricultural land is lost in this way. Other agro-chemical inputs also have harmful side effects, for example pesticide impacts on pollinators. A more resource efficient and closed loop system would result in reduced applications of these inputs and alternative sustainable solutions.

In terms of the knowledge account on valuing the environment:

- We would like to see a broader lens to this knowledge account. There are many areas in which our environment is undervalued and this is one of the root causes of its degradation.
- In particular, the elevation of GDP, which is often equated with 'success', is problematic for the environment. GDP does not differentiate between economic activity that is commensurate with environmental limits and that which isn't. As such it is a blunt measure, only conveying how busy the economy is, and, therefore, does not equate to societal progress or success.

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For more information contact:

Daphne Vlastari, LINK Advocacy Manager
Email: daphne@scotlink.org | Tel: 0131 225 4345
www.scotlink.org
www.savescottishseas.org

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