



Notes of LINK meeting with Environment Minister, 23 Feb 2010

Attending

Roseanna Cunningham, Environment Minister
John Mason, Director Environmental Quality, Climate Change and Water Industry Directorates
Ian Hooper, Depute Director, Landscapes and Habitats
Fiona Page, Business Manger, Environmental Quality, Climate Change and Water Industry Directorates
Hugh Clayden, Policy Adviser, Forestry Commission Scotland
Ian McCall, LINK Chair
Robin Turner, National Trust Scotland / LINK Landscape TF
Hebe Carus, Mountaineering Council Scotland, LINK Landscape TF
Jamie Ribbens, Galloway Fisheries Trust for Rivers and Fisheries Trust Scotland
Keith Irving, Living Streets
Jen Anderson, LINK Chief Officer

1. Actions update

1.1 Single Outcome Agreement (SOA) stakeholder involvement – LINK had enquired about this in December. John Mason (JM) indicated that the Concordat overview group is simply government and local government (SG, IS, CoSLA) but the new high level Sustainable Scotland Group set up by the Permanent Secretary is relevant; R Dixon (WWFS) is on this group and can report back; this group has recently discussed need for work of all Community Planning Partnerships to relate to key issues and to the relevant communications. The Minister observed that ‘we need to be careful how we report’ (cf. recent press coverage of only 4 LAs with biodiversity commitments) as there is a lot of work below the water line irrespective of what is in the SOAs. Ian McCall (IM) & Jen Anderson (JA) noted the ambiguity over what is and is not being covered and hoped there was a chance to address this as things go forward. JM reported that IS and SOLACE agreed that consistency issues need to be addressed.

1.2 Health and Environment Debate – Following the December discussion with LINK the Minister had put up two bids of which Aquaculture had been accepted (10/3) leaving H&E uncertain, though SNH too was interested in this issue.

1.3 NPs Strategy Group – LINK had enquired about this by letter and in discussion in December. Ian Hooper (IH) reported that given the recent focus round changes to NPs structure and (for CNP) boundary, strategy group thinking had not been progressed and officials were due to advise the Minister.

2. Wild Land

Hebe Carus (HCarus) introduced this item, noting the overlap with planning but seeking on LTF's behalf the Minister's views given its part in her portfolio. Referring to WL definition in the SPP and concerns over the attrition to areas unaffected by development, she asked about progress with the proposed review of permitted development rights, noting the Heriot Watt review recommendations published some time ago. She cited the importance of the resource for business, tourism, field sports as well as recreation and invited the Minister's views on its value and whether there were mechanisms for its protection other than planning.

The Minister referred to SNH's 'definition' with which she had concerns; her view was that most people would feel wild land is extremely important but that we need to be aware of the history (cleared for sheep should not mean cannot be re-populated or re-used) and the potential needs of communities and populations to use again; she felt the issue is that of 'what is appropriate'.

HC noted the attrition affected not just 'core areas' but places more widely. IM observed that the permitted development rights issue is an 'easy fix' and was recommended several years earlier.

The Minister said there was active discussion in the context of aquaculture though no decisions yet about permitted development rights; she encouraged eNGOs to engage at every chance in the debate over use of land, observing that planning decisions were not in her gift. JM had been on the steering group for the Heriot Watt research; he reported that this informs ongoing decisions, some of which are needed more quickly (eg re climate change & SIs). This had been a huge piece of work, with some recommendations for tightening and others for loosening, and



SG would 'get to it'. The Minister indicated this would be subject to parliamentary scrutiny though encouraged LINK not to delay action till that point and to get in touch with planning officials to make views known. She observed that climate change introduces new factors and new pressure to 'allow' developments to press ahead in order to achieve new targets; balancing different interests would bring tensions, including she surmised within LINK.

With respect to definitions HCarus indicated concern was very much with areas above the natural tree line. Hugh Clayden (HC) observed that Scotland had once been forested and that today's wild land was not always as we see it. Robin Turner (RT) noted that the historic qualities of landscapes as a further important dimension in people's perception – involving what they can intuit and understand, and not simply what they see. The Minister commented that people experience land differently and that communities in / near these areas may have their own views of their future. RT observed that the lack of a proper definition is not assisting the debate over decisions, where recognition of the values would help inform decisions.

HCarus referred to CNP mapping work where areas could be weighted acc to certain values. The Minister maintained that decisions have to consider what is appropriate. She felt the SPP bestows an obligation on the country's planners to safeguard what is on their patch; though there is variety in how they do this, to an extent we need to hold them to that. In her experience the greater amount of criticism was of planners being anti-development, not pro. To HC's view that more detail could protect nuances of wildness, the Minister noted the land use strategy debate as another useful forum. Taking the various types of development into account - including housing, forestry, climate, renewables - she urged LINK to engage in the planning and land use debates, noting this is a big challenge for all involved.

3. Scottish Landscape Charter

RT reported LINK had been heartened by the meeting the previous year and preparation of the Charter, had concerns at the subsequent hiatus, and wondered where the Forum had gone wrong in not managing to secure the aspired for Ministerial foreword and endorsement.

The Minister said this was simply replied that it was a question of where this best fits, so as to prevent 'proliferation of action', and that SNH is the lead agency. SNH would publish in March (probably) and promote the Charter. She understood a small steering group of the former Forum might be invited to support this work; RT noted that there is great scope for that kind of participative approach as Forum members were keen to regain the position Scotland had achieved in implementing the spirit of the EU Landscape Convention.

The Minister undertook to establish where things stand and assured delegates that the matter would be resolved within a month or two. IM confirmed the enthusiasm of the LINK NGOs for the initiative.

4. Air Quality

Keith Irving (KI) introduced this noting the regrettable increase in harmful emissions in AQMAS and the lack of progress noted in the Audit Scotland 2010 report. He asked what action is being considered separate from the Climate Minister remit to address this, whether powers for SEPA were being explored, how the imminent review of national transport strategy related, what process the Environment Directorate plans, and how the public can contribute.

The Minister said it was not in her gift to deliver on the transport aspects though Environment and Transport obviously work closely on AQ issues. As Transport Scotland are not responsible for non trunk roads - ie for the roads at issue in relation to much current concern - the focus is on local authorities. She would like to see more low emission zones (LEZs) put in place by LAs and would support LAs in this; she flagged the Concordat leads as the appropriate contacts. While Glasgow Council has LEZs planned for the Commonwealth Games, she regretted that these were temporary and not in the current 'hotspots'. However, this was an initiative worth discussing with other LAs in her view. SEPA was the principal agency to which SG looks for delivery of a consistent message to LAs. Scotland is a victim of its own strict standards (stricter than some of the EU countries). There was funding available for various schemes - all ways of not ignoring the problem and SG was working hard to address it. She felt there was a long way to go, and personally saw the major issue as encouraging people out of their cars.



JM reported on current work with UK Govt reviewing effectiveness of current arrangements, to which some LA reactions had been disappointing (n and s of Border). This was also looking at AQ issues in relation to climate change, going beyond the Directive, taking potential warmer summers and higher pollution levels into account; the work will report at UK and Scottish levels within a month or two (election permitting) proposing how initiatives can be more effective. He noted that this might require a revisit to current legislation and guidance to make people take action more, but sought to reassure that there is quite considerable action on the government agenda to get things moving faster.

The Minister noted that AQ issues relate closely to the health agenda; she would encourage her health colleagues to consider how to minimise impacts (health costs) of poor AQ. IM noted that this was further reason to encourage people out of car use and into walking for work, school as well as pleasure. JM reported that the Health Commission had identified this as a top priority with action to be taken by Sustainable Glasgow in various ways including 20mph, 'homestream' and more.

KI suggested the buses and lorries are the sectors which most need to benefit from advice and development so as to avoid restrictions on/removal of buses. In this respect SEPA's guidance needs to be consistent with SG's strategic approach. The Minister indicated that work was moving quickly forward on retro-fitting and JM said Brian Soutar's group was working to introduce low emission vehicles a.s.a.p. The Minister felt this came back to balancing benefits above disbenefits. KI felt legislation was in this respect a blunt tool; the Minister agreed. She confirmed that the duty flowing from the 2010 regulations would apply to all Ministers and not just Transport. JM thought SIs for the transposed AQ Directive could be ready by late 2010.

5. Acidification

Jamie Ribbens (JR) outlined the situation in D&G with regard to acidification impacts on a number of running water courses – some within an EU SAC - and RAFT/GFT concerns that the Forests and Water Guidelines – the only route by which FCS could influence the issue – whilst excellent in other respects, provided inadequate protection. Their particular concern was with use of 'critical load' and they propose that instead of Yes/No decisions, a traffic light system be established to introduce precaution.

HC reported that FCS accepted that levels of acidification were high as result of 1970s practices but felt there were signs of reduction of acidification, both in D&G and in other affected parts of UK, though with chemical recovery coming ahead of biological recovery. FCS advised that this needs time and he noted the RBMP identifies the time factor. He proposed that this was not just a conifer issue and applied to areas of deciduous woodland with significant height, too. He accepted that Yes/No is a blunt approach and indicated that he was happy to discuss with RAFTS how to introduce more subtlety to the criteria along lines of an 'amber' approach. He said FCS were aware of the additional factor that in future nitrogen could become as significant an influence and wanted to avoid applying the wrong solution now.

John Mason advised that in terms of achieving water courses of good quality by the target date of 2027, if there was an issue around key criteria such as biology, discussion should be happening to ensure achievement of the desired outcome, and not just process.

JR reiterated the wide dissatisfaction with the status quo; GFT did not agree that biological recovery was coming just behind chemical recovery and were aware that, using a different model, SEPA was coming up with different answers.

The Minister proposed that SEPA and FCS collaborate over a briefing for her on the issue and the appropriate approach after which there could be further discussion with GFT.

6. AOB

The Minister reminded LINK of her invitation for nominations of stakeholders interested in GM, for a meeting fairly soon. JA indicated that LINK was pulling together names and would forward these shortly.