

Note of LINK network meeting. Assessing impact of Brexit for Scotland (re: environment, ENGOS), held at the Storytelling Centre, Edinburgh, 6 September 2016.

Attending: Helen Todd (Chair of LINK, Ramblers), Charles Dundas (Vice-Chair of LINK, WTS), Craig Macadam (LINK Trustee, Buglife), Deborah Long (Plantlife), Calum Duncan (MCS), Roger Downie (Froglife), Eilidh Nicolson (NTS), Tim Ambrose (LINK Treasurer, SWLG), Charles Strang (APRS), Richard Lockett (SAIFCA), Laura Stewart (SAS), Sam Collin (SWT), Paul Walton (RSPB), Lorna Scott (RSPB), Alex Kinninmonth (RSPB), Lloyd Austin (RSPB, Governance Group convener), Celia Nyssens (Nourish), Darryl Cox (BBCT), Joyce McMillan (LINK President), Dave Morris (LINK Honorary Fellow), Bob Aitken (LINK Honorary Fellow), Jen Anderson, Daphne Vlastari, Phoebe Cochrane, Nick Underdown, Charlotte Hopkin (Staff).

Apologies: Beryl Leatherland SWLG, Butterfly Conservation, Eddie Palmer Scottish Badgers, Robin Parker WWFS, Honorary Fellows: Simon Pepper, Jonathan Wordsworth, Andy Fairbairn.

1. Introduction

This meeting had been organised following initial discussions among the Governance Group to have a wider discussion for what Brexit means for LINK, the network, Groups. Since 24 June LINK issued its [press release](#). The Board discussed initial next steps which were communicated to all main representatives (this meeting included), and formation of a small Brexit subgroup to enable faster decisions. These are Lloyd Austin (RSPB), Jo Pike (SWT), Deborah Long (Plantlife), Mary Church (FoES), Robin Parker (WWFS), Charles Dundas (WTS), Others are welcome to join. **Contact Daphne**

2. How the sector is reacting.

The Governance Group has approved high level messages, since shared with the network. Daphne has been liaising with the EU Parliamentary Committee ([evidence](#) submitted), and with colleagues in the other Links. Daphne took part in several policy related meetings, funding is a big concern and SCVO has been liaising with Ministers and Cabinet Secretaries, encouraging LINK to feed in environmental and sustainability aspects. Scottish Government has appointed a Brexit Minister Michael Russell. Scottish Government has appointed a Standing Council on Europe, lacking in environmental/sustainable development expertise. At UK level the Prime Minister's recent statements offered little clarity.

Also a [Blog post](#) on the SaveScottishSeas website.

Governance Group is keen to get input from member organisations. Some have submitted evidence to the European and External Relations Committee (meeting 8 September). There may be a united statement from the Environment Links UK, to be taken forward at the October Cardiff conference.

What member organisations are doing/have done – verbal updates

Ramblers: in midst of recruiting new CEO, key concern CAP.

WTS: UK wide org, lead taken in England. Subgroup to gather information, monitoring what NFU, CLA, SLE are saying. Pleased CLA (including SLE) is pushing for restructuring of land management grants to deliver better outcomes, more trees. Fringe meeting at SNP conference 14 October (NATR – Nature without EU) with Roseanna Cunningham, Steve Gethins as Westminster EU spokesman, Alyn Smith MEP on the Standing Committee (potential deputy leader) and chaired by Clive Anderson for discussion of what is happening at each level and issues.

MCS: UK entity, registered charity in E&W and Scotland. Favoured remain publicly. Have done briefing and writing to MPs – Don't let Britain become the dirty man of Europe again –

Parliamentary team is setting up meetings, within the Brexit means Brexit scenario are looking at opportunities to make things better, no backsliding. Will be generating action for members to write to all MPS.

Froglife: small UK organisation, with significant activity in Scotland. Anxious about dilution of protections. SCVO and SWT papers useful. Not in receipt of big EU grants, see the way forward for species group through international means. No specific actions taken. Think its important that network is prepared for action when this is needed.

SAIFCA: immediate concern is uncertainty generated for agri-environment support, whether there will be round of applications in 2017. NFUS keen to press for some action. In shorter term, opportunity to design support for better delivery of outcomes.

Buglife: concerns around protection, Water Framework Directive, CAP. Not doing anything individually, working with Links.

Nourish: campaigned to stay in, has published a blog post to get discussion going. Met 20 environment/farming organisations in London hosted by Sustain which sent a letter to UK Teresa May, Oliver Letwin, Andrea Leadsom. This group has been dormant over the summer, will meet in September. No action on Scottish level.

NTS: Movement of people also a big issue on the cultural side. Responded to the Scottish Parliament Committee's call for evidence.

Dave Morris: cautions against speaking as one voice throughout UK. Are any organisations saying the position in Scotland is different from E&W?

BBCT: Concerned, watching brief.

SWT: disappointed, has done internal risk assessment re staff workload and projects with SRDP funding, meeting MSPs to express concern.

Plantlife: concerned, small internal subgroup which Deborah is on, funding, impact on CAP, impact on Natura funding. Bid for project with RSPB now not going ahead. Dave's point is good. Plantlife input to WM, taking evidence from wider Plant Link.

SAS: Experience is different in Scotland so response needs to be different. Riding 2 horses, feeding into committees, briefings. Met Fergus Ewing on organic support, fearing loss of impetus. Lots of work ahead, are fundraising to increase policy capacity, takes time. Listening to businesses certified organic, how they are affected. Bigger picture issues are huge, so many scenarios; opportunities to make joined up food, farming and health policy going forward.

RSPB: Moved from neutral position to Remain on basis of nature. Jointly with WWF. Had a plan for each outcome. 3 big headlines, Regulations, Policy and Funding. Important to look at opportunities and threats. Longterm there may be benefits, though not necessarily outweighing the dis-benefits.

Timing – will be slow, no Government plan, will be a long negotiating period ahead and a long transition afterwards. Several decades timeframe. The Faculty of Advocates [submission](#) to the SP enquiry is worth reading, they say when Brexit comes we will pass a law saying all EU law stays in place until it is changed. Birdlife partners are on the other side of the table, encouraging partners to say 'no deal without retention of regulations'. At Scotland and UK level using the phrase "Whatever the outcome" whatever version of Brexit /Whatever the relationship wrt EU that Scotland seeks to achieve or does achieve..... it should deliver for the environment on regulations, policy and funding.

There could well be apparent weakening of environmental regulations. We need to bear in mind when there are calls to get rid of the Green crap, that of EU laws at least half pertain to EU's implementation of global or regional UN agreements. European Landscape Convention is not EU driven, not Aarhus. UK still has to comply in or out of the EU. We need to make

sure the UK keeps to global agreements. Lloyd is on the RSPB's Brexit group, lots of complexity. Policy and Funding are big. Land Use, Marine, Climate, nature protection etc. Lots of lobbying at UK level with ministers and civil servants at WM. Seeking meeting with Mike Russell.

Big short term issue is transitional arrangement for funding. Chancellor has been unclear on CAP for the devolved countries, especially Scotland. Paul noted as Deborah had mentioned earlier that the bid fell due to uncertainty. RSPB could not commit to a £5m shortfall. Through representing SE LINK on the ELUK Refit group, wrt poor performance of Natural Directives eg for invertebrates, and discussion of opportunities for improving them, warns it is a risky approach. There is a big body of evidence that they are incredibly effective and should be implemented better - a huge baby in that bathwater.

The extent they are incorporated into UK/Scottish law varies, primary and secondary legislation refers to directives, automatically fall unless underpinned by the Faculty of Advocates proposals. We need to talk up that argument.

Environmental Impact Assessment – a condition of the single market, elements may refer to other aspects.

Alex: RSPB at WM been involved in work of the Green Alliance, keeping the bar high with the phrase 'as good as'. A loose coalition is forming with WWF, MCS, WTS on positions on WM work.

Roger: university research is under threat, involves consortia across the EU, so UK universities fear dropping off the radar.

SWOT analysis (circulated) – discussion.

Strengths: Links partner bodies deliver a lot, particularly of what SNH is tasked with, for good value for money. No longer access to EU programme funding so need to argue for SNH grants to be bigger to bridge the gap, deliver the Route Map and more. Danger of the Ghastly Gap between drop of funding and any replacement of it.

MPS and MEPs a strength.

Shared concern about funding with universities eg MASTs programme (marine). Natural allies.

SGov interest in Scandinavia is potentially a plus. We should look at how Norway in particular works it (though got a poorer deal than it should through complacency), that ScotGov wants that 'at least'.

Other Links - SGov will want a different approach. How do we ensure that balance works for E&W colleagues. The Links have different remits, leading to difficulty with high level statement pre Referendum.

Question of value of UK statements re their influence on ScotGov.

Politics of it – uncertain situation. If Scotland stays in the UK lobbying ScotGov may be a waste of time so campaigning at UK level may be more important, rather than less. We must influence the negotiators, even for good outcomes in Scotland. We need to:

- keep good relationships with ScotGov
- lobby UK Government for best possible outcome
- keep pressure up for a UK wide federal approach.

ScotGov will be responsible for dealing with whatever changes happen as a result of negotiations agreed by the UK. There is a commitment to maintaining environmental legislation, ie SPA designations. When Brexit is thrust upon them, we need to ensure they maintain their commitments. SNP longterm plan to get back into EU, the only way to do it is

for them to stick to the legislation. At the moment they are not wholeheartedly making that commitment (R Cunningham yes, F Ewing not as warm). How SGov exercises its devolved responsibilities – we need to keep on the case. Need to be agile with arguments and aware of audiences – a tricky maze, with our focus on the environment.

Opportunities:

Common Fisheries Policy – just been through a large process to get to a new policy. The reform of CFP set a bar which we must stay above. Unclear how many fishery interests supported Brexit (thinking we can be like Iceland). View is generally that it is pro Brexit, the opps for other parts of the fleet are not explored. Coverage by media is unhelpful. We will focus on holding Government to CFP.

Doggerbank sandeel fishery could be banned.

Agriculture – CAP is ringfenced, so opportunity now to bring in health and food to address issues in a more joined up way. Potential for an enlightened 21st century localism, reducing energy inputs, though this government is all about increasing food exports. Our challenge is to join these up for the Good Food Nation bill, in mid-term of this Parliament. Threat is that there is even more focus on food production, rather than public money for public goods.

EEB conference in late 2017 is an opportunity for us to get our voice heard in the Brexit process. This will be as high level as possible, concept note was altered to incorporate Brexit.

Opportunities from Land Reform? Though may be more of a threat. We need to fortify the Scottish approach in the Land Rights and Responsibilities statement. In short term it is very dependent on how ScotGov acts in next couple of years. Alison Elliot's report is much broader than transference of ownership, environment is a common good, not there yet in the Statement.

Regional ties – can we make more links with Scandinavia, Iceland and the Faroes, open channels to North and Northwest to give an independence to Scottish environmental thinking. Wild Land and Wilderness, EU initiatives where Scottish Government has been supportive, take that dimension forward. Need to discern between good and bad approaches. Some initiatives stem from Council of Europe, no one has suggested we pull out of that.

Nordic Horizons group events, on environmental regulation and land reform, used to dealing with EU and non-EU.

Threats:

Ever decreasing capacity of the civil service – all the fundamental shifts and competence to do the routine jobs too.

3. Looking Ahead

Timetable envisaged -policy timeline at UK and Scottish Government level and LINK's action plan.

The European and External Relations Committee would meet the following week (w/b 12 September). Evidence deadline had passed.

At UK level events may happen very fast, so we need to be prepared for this in the rest of 2016, essential if we wish to have an impact.

Governance Group's advocacy strategy has been circulated. Some high level messages have been drawn up. Daphne tasked with the messaging. The Group need confirmation from members that the objectives are as set out, and clarifying our approach, re IndyRef 2, a second EU referendum etc. These are sensitive areas and we need to be able to respond to questions. The steering group on Brexit is a subgroup of the Governance Group. Any member with an interest can sign up for information. They will keep the wider membership informed. Discussions have been mainly internal, with some very limited discussion with externals. This may need to change if the pace quickens. **The meeting endorsed this approach.**

Celia asked if there would there be consideration of social impacts, and will we be looking at public engagement. Social impacts are very wide and we have limited expertise beyond the capacity we have to link Social Justice and environmental issues at national level (via the SJ Group processes and collaboration with allies eg on Economics). On public engagement we will be looking communication of policy led positions, not mobilisations or petitions.

Calum asked if the aim could be amended to 'integrate environmental impacts' rather than inform. Dave asked if the opportunities can be added.

Charles suggested on the funding side incorporating that the same level or more.

Nick - sustainable development incorporates more than just environment and could provide a catch-all;

Bob – separate aims from operational matters, keep it highly defined.

Sam – Develop study on Brexit impacts. WCL is developing a legal analysis, concerned we do not provide a boon for lawyers and management consultants.

The proposal for commissioned research is needed to give us a more robust approach beyond high level messages. Other sectors are doing this. We need to know what is happening in our own sector and be able to communicate it. WCL's legal document was put together very quickly and refers mainly to England and Wales. We can incorporate and add to what others are doing, *as long as we know about it*. So we need to be in the loop of UK member bodies and sharing information.

All member bodies have been asked to provide their issues to inform where the sector is most active, to have experts to flesh out these areas, which when collated will give a clearer picture. A draft will be prepared for end October. This is a big job. Staff are doing it pro tem and will need external support to cover the gaps.

Dave suggested that the study could examine the situation in other countries, (such intelligence was very useful on Access) for talking to politicians later, citing larger evidence base. We hope to be able to reference others' research on models though capacity and expertise is an issue.

Phoebe raised the issue of infrastructure spend increase as a recession avoidance method – good or bad depending on what it funds.

Outdoor recreation and wild land should be included in the list.

Advocacy Strategy: Useful for all members to link to good resources through the LINK website. There may be several areas to be accessible to the public generally and to member bodies, and potentially the media. **Note:** This has begun, see under Work Areas/Brexit information.

LINK has met Fergus Ewing who is willing to meet us every 6 months. We are also keeping up with what other ministerial departments are doing. A meeting with M Russell as Brexit Minister is sought (**Note:** happening 5 October). We will be selling the potential support we can give if Scottish Government is asking for the right things – the NGOs are the only organisations with Scottish UK and E@U networks talking together cooperatively.

What will IUCN UK be doing?

Potentially the research could attract external funding. **Note:** Dave is exploring with some contacts.

Capacity: The additional burden on Groups and staff was recognised and was felt to be manageable at the moment.

The work outlined in the circulated documentation pertains to Scottish LINK only. Liaison is ongoing with the Links and there will be discussions at the conference in October. Scottish MPs should also be on our list for actions.

Lloyd noted we will be approached by Green Alliance about a pledge, which all can likely support.

Congress: this was to be originally on a social justice theme. There was some concern here that the situation would be as opaque in November. It will be an opportunity to bring in externals (as we tried to do for part of today). The PM? We still have a lot of work to do on SJ too. There could be a way to link them.

Next year's event will be subsumed within the EEB conference. Members were reminded that 2017 would be LINK's **30th birthday** and there were plans hatching to celebrate this.

Action for all: If members have expert contacts that are useful to the research or to come to congress, send details to Alice (for Congress) and Daphne (for the research).