

### Summary

Scottish Environment LINK strongly supports the Scottish Government's commitment to introduce a Natural Environment Bill. LINK members welcome the ambition for Scotland to be nature positive by 2030 and to have restored and regenerated biodiversity across the country by 2045. We are in a nature emergency. Scotland has suffered a high historic level of nature loss, and we face even greater risks today. We have lost more of our natural biodiversity than the majority of other countries, and today average species abundance and distribution continue to decline, with 1 in 9 species at risk of national extinction<sup>1</sup>.

The recovery of nature is essential to safeguard the future of our societies and economies, as well as of wildlife itself, particularly in the face of climate change. As a network of environmental organisations, we believe that there is a fundamental and moral imperative to save nature and the diverse ecosystems that support all life.

Effective policy cohesion across different areas of government is crucial for the success of the Natural Environment Bill. Nature and biodiversity are interconnected with many different sectors including agriculture, forestry, fisheries, planning, and climate change.

This briefing outlines LINK's key asks for the Natural Environment Bill.

### Nature Restoration Targets

The Scottish Government has committed to introducing statutory nature recovery targets in the Natural Environment Bill.

There is an urgent need to take effective action to halt nature loss. Setting targets is one way to drive change and measure progress towards that goal.

LINK's recent report [Nature recovery targets: Statutory targets to drive the recovery of nature in Scotland](#) sets out robust proposals for nature targets to be included in the Natural Environment Bill. It highlights the need for strong, meaningful SMART targets to deliver real gains for nature, as well as statutory processes that will ensure we deliver on these targets. This would put nature recovery on the same legal basis as climate change, where the government is already required to meet legal targets for emissions reductions.

### Protected Areas

In Scotland there are over 1,800 protected areas, covering 18% of Scotland's land and targeted at protecting a range of species and habitats. Scotland's Protected Areas are fundamental to the journey towards restoring nature by 2045 and require specific action to help them deliver for threatened species and habitats.

Protecting at least 30% of Scotland's land for nature by 2030, in line with international targets and endorsed by the UK and Scottish governments, will be a vital part of nature recovery efforts. It is

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<sup>1</sup> State of Nature Report 2023: Scotland <https://stateofnature.org.uk/countries/scotland/>

critical that these places are effectively managed and protected, working for people and nature, and are not just lines on a map.

The Bill provides an opportunity to improve protected areas, ensuring that our best nature sites are effectively managed and protected:

- New targets for improving the condition of protected areas should be set, with a requirement for sites to be monitored at appropriate intervals.
- Identify, protect and effectively manage suitable areas as OECMs using the IUCN and CBD guidelines as a starting point.

LINK's report *Protecting 30% of Scotland's land for nature* is available [here](#).

### **National Park reform**

The Scottish Government has committed to introducing at least one new National Park in this parliamentary term. Scotland's National Parks already cover 7% of Scotland's land and they play a vital role in our efforts to tackle the nature and climate emergency. Almost 80% of the public want Scotland's National Parks to have a stronger focus on restoring nature and tackling climate change, according to an [opinion poll](#).

Scotland's two National Parks have delivered some significant and successful nature conservation projects, and recently have led the way in setting a progressive direction for scaling up nature restoration in the parks. However, despite this great action, nature still faces many challenges within the National Parks and more is needed to establish the entirety of our National Parks as examples of land managed well for nature, climate and people. For example, through demonstrating how deer management can deliver nature restoration at scale while providing local employment opportunities.

Crucially, we are convinced that in order to deliver on the National Park aims more effectively, stronger duties must be placed on all public bodies operating within National Parks to further National Park aims and to support and actively contribute to the implementation of the National Park Plan. The Scottish Government's own policies and programmes should do likewise.

### **Deer**

LINK welcomes the Scottish Government's proposals in the *Managing Deer for Climate and Nature* consultation to modernise deer management in Scotland to help tackle the climate and nature emergency. We support the proposals built on the recommendations of the independent Deer Working Group Report but also other measures to modernise deer management in Scotland.

We welcome steps that are being taken in parallel through the Deer Common Ground Forum to ensure a just transition, and to harness the essential skills and knowledge that will be needed for future sustainable deer management in Scotland.

## Peat in Horticulture

The Scottish Government first stated its commitment to phasing out sales of peat in horticulture in 2021, and in 2023 its consultation returned 74% in favour of banning the sale of peat-related gardening products.

The continued extraction of about 170,000 tonnes of ancient Scottish peat every year for use in horticulture undermines environmental gains from the Government's peatlands restoration programme, and makes it more difficult to meet Net Zero and biodiversity targets.

We are calling for:

- A clearly defined, fixed date for ending sales of peat in horticulture for a) bagged compost for amateur growers as soon as possible and b) professional growers within two seasons, with only limited exceptions for conservation purposes.
- An end to the sale of imported peat, both for growing media and for horticultural products grown in peat.

## Nature Networks

The Scottish Government has committed to delivering Nature Networks in every local authority. Nature Networks are a vital tool to restore and connect key habitats, allowing nature recovery across the landscape. Connectivity is crucial in reversing nature loss.

LINK members are calling for statutory underpinning to Scotland's Nature Networks through the Natural Environment Bill. We propose:

- A target to develop a Nature Network (as part of our [suite of proposed targets](#)).
- A duty on Ministers to provide guidance to planning authorities on integrating local Nature Networks within regional and national ecological contexts.
- A duty on Ministers to report progress on delivering Nature Networks a) before 2030 [e.g. 2027] b) in 2030, and at a regular basis afterwards [e.g. every three/five years].
- A duty on planning authorities to report progress to Ministers on delivering local Nature Networks on similar timescales.

## Invasive Non-Native Species

Invasive Non-Native Species (INNS) are a significant driver of biodiversity loss. INNS control should be embedded in the operations of all organisations that own and manage land, particularly the statutory agencies and local authorities. Additional access powers for NatureScot and/or specified bodies should be considered with regard to INNS eradications and control of national importance for biodiversity, in a framework that balances the rights and responsibilities of landowners or occupiers and those of the relevant government agencies.

Recognition and emphasis on the rapidly growing problem of non-native commercial tree species seeding out and becoming invasive in important ecosystems like peatlands and native woodlands is needed, or much of the good work above will be undermined. There are significant costs attached to

the removal of trees which have self-seeded and grown into such areas. Solutions to this issue should be explored, including any legislative mechanisms that could be introduced through the Bill to mitigate growing pressures on limited conservation budgets.

The Bill is an opportunity to allow the Scottish Government to design a proportionate system of licensing for non-native gamebird release. Scottish Ministers should be given adequate powers to regulate the release of non-native gamebirds in specific circumstances where environmental damage is occurring or likely, and/or in order to mitigate potential risks around the spread of diseases to wildlife, such as Highly Pathogenic Avian Influenza (HPAI).

### **Native Woodland**

Given the sheer scale of the climate and nature emergency, Scotland should adopt a target of making at least 50% of new woodlands native, managed primarily for nature with a minimum of 9000ha new native woodland to be created per year until 2045, in line with established Scottish Government goals.

It is critical that all forms of woodland and forestry expansion are sited appropriately to avoid impacts on priority habitats and species and maintain a balance between faster-growing species for short term carbon sequestration and woodlands that will support nature's recovery and form the larger long-term carbon stores we need for beyond 2045. Natural colonisation should be the default woodland establishment approach in buffer zones around Ancient Woodlands and should comprise at least half of the native woodland created henceforth.

### **Land Use Strategy**

The Climate Change Act 2009 requires Ministers to produce a Land Use Strategy every five years. This strategy must set out the Scottish Government's objectives on sustainable land use, climate adaptation, and sustainable development. LINK members believe the statutory basis of the Land Use Strategy must now be updated to integrate nature recovery.

We propose that the Climate Change (Scotland) Act 2009 is amended after section 57(3c) to include:

- achievement of the Scottish Ministers' duties on targets under the Natural Environment Bill
- achievement of the Scottish Ministers' objectives in relation to improved ecological connectivity through Nature Networks

### **Community participation in decision-making**

Communities of place and wider stakeholders have a vital role to play in the delivery of nature recovery. Communities possess invaluable knowledge about their local environments and how the environment interacts with social and economic factors. Other stakeholders, including communities of interest such as environmental NGOs, also have key insights into effective delivery and barriers to progress. Inclusive decision-making processes promote parity of participation and community empowerment by ensuring that the voices of all stakeholders are heard and considered and should lead to more effective policy-making.

LINK members believe that the Bill should require Ministers to review the effectiveness of community and stakeholder participation in decision-making relating to land use, sea use, and the natural environment, and to make recommendations for improvement. This is modelled on the review of effectiveness of governance arrangements in the [Continuity Act](#), with a duty to consult, and a timeline within this Parliament.

## Marine

Scotland's marine environment is a crucial part of our biodiversity, encompassing coastal habitats, deep-sea ecosystems, and some of the world's most productive fishing grounds. They are a vital resource that supports a diverse range of marine industries and deliver crucial ecosystem services including the sequestration of 'blue carbon.'

The Scottish Government has existing powers to designate Marine Protected Areas (MPAs) for conservation reasons. LINK members believe that the statutory basis of these powers, as well as powers under the Inshore Fishing Act, should be updated to include issues such as climate adaptation as matters for consideration. Alongside these changes, LINK members also believe the Bill should require Ministers to review the existing site selection guidance for MPA designations.

We propose that:

- The Bill introduces a duty to review MPA site selection guidance, as required by [Marine \(Scotland\) Act 2010](#), and to publish updated guidance by April 2026
- Section 68(7) of the Marine Act is amended to add climate adaptation as a matter for consideration
- Section 68(9) of the Marine Act is amended to add essential fish spawning habitats and juvenile congregation areas as matters for consideration
- Section 68 of the Marine Act is amended to introduce a duty to support ecosystem recovery in the development of a network of conservation sites
- Section 2A(3) of the [Inshore Fishing \(Scotland\) Act 1984](#) is amended to add the below purposes to the definition of "marine environmental purposes"
  - of mitigation of climate change
  - of adaptation to climate change
  - of supporting ecosystem recovery.

**This briefing is supported by:**

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