

Response ID ANON-JXVE-C7BY-J

Submitted to Tackling the Nature Emergency: Consultation on Scotland's Strategic Framework for Biodiversity
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Part A - Section Two: Scottish Biodiversity Delivery Plan - Chapter 2

2a Have we captured the key actions needed to deliver the objective: accelerate restoration and regeneration?

Yes

Please explain the reasons for your response:

Yes. We welcome all the key actions. In particular, because of the direct relevance to the repair and restoration of Scotland's wild places, we welcome the key actions (and the accompanying subset of actions) to:

- 'Substantially reduce deer densities .. to improve overall ecosystem health'.
- 'Implement a Programme of Ecosystem Restoration'. We would like to see this key action linked to reform of public payments whereby all landowners in receipt of public funds are required to deliver nature restoration. This action could also include best practice for land managers to regenerate peatlands and increase habitat heterogeneity. It could also include a national peatland monitoring framework, incorporating on-site and remotely sensed assessments of biodiversity indicators, climate resilience and associated peatland functions within the wider landscape, such as water quality and supply.
- 'Ensure Grouse-Moor management sustains healthy biodiversity.'

2b Are the key actions, to support the objective: accelerate restoration and regeneration, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

Unsure

Please explain the reasons for your response:

To know whether the actions will be sufficient or not rests on how successfully the actions are implemented and progressed. It also requires data and feedback whilst the actions are underway, to evaluate whether they are resulting in biodiversity recovery.

2c Which actions do you think will have most impact?

Please state the actions and explain the reasons for your response:

Actions that will directly influence the land management approaches of landowners and managers to reduce the pressures on ecosystems (on-going major pressures affecting the chances of recovery of biodiversity in Scotland's uplands and its rainforest zone include over-grazing in the uplands, high deer densities, out of control invasive species), plus actions that support and require land management for nature restoration and regeneration, will have a combined significant impact because the evidence exists to show that when the pressures are removed and attention and care is given to allowing nature to recover, nature is then able to take care of restoring and regenerating itself.

Part A - Section Two: Scottish Biodiversity Delivery Plan - Chapter 3

2d Have we captured the key actions needed to deliver the objective: protect nature on land and at sea across and beyond protected areas?

No

Please explain the reasons for your response:

We support the key actions listed but believe some key actions are missing. Those are:

- Planning Authorities are adequately resourced to enforce commitments made by developers to protect and enhance biodiversity.
- A new natural carbon designation for peatlands that are not protected already by a nature designation.
- Developers required to provide accurate carbon accounting when peatlands are excavated and disturbed. A revised carbon calculator to apply the precautionary principle to ensure emissions are not under-estimated.
- Every Planning Authority to ensure it has adequate processes in place for prioritising compliance with planning conditions.
- Remote sensing technology used to monitor offsite peatland restoration for carbon sequestration.
- Covenants are used to protect land from changes in the future that would undermine nature restoration.
- All developers to clearly evidence how they have applied the mitigation hierarchy.

2e Are the key actions, to support the objective: protect nature on land and at sea across and beyond protected areas, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

Unsure

Please explain the reasons for your response:

We welcome all the key actions listed but it is difficult to know whether they will be enough to protect nature on land and at sea across and beyond protected areas and end biodiversity loss. To protect nature on land and sea requires managing an area of land or sea in the long term in the interests of nature and people. Protection has to also mean restoration, with long term management planning by landowners, regulators, land managers, developers

and commercial industries, for nature's restoration within protected areas as well as outside protected areas.

2f Which actions do you think will have most impact?

Please state the actions and explain the reasons for your response:

It's probably the accumulation of all the policies proposed in this paper, in addition to those proposed by stakeholders pointing to increased ambition or missed opportunities, which will ensure there is impact, providing these are implemented successfully. Implementation and good governance will be what results in any impact. That said, land use change is one of the main drivers of biodiversity loss. The successful implementation of NPF4 will be critical to preventing future loss of biodiversity and enhancing biodiversity through land use change. Major developments, where the proposals will result in biodiversity loss, need to be refused. Planning authorities need to be provided with reliable and accurate data so that they can understand whether development will hinder or support nature recovery in Scotland.

Part A - Section Two: Scottish Biodiversity Delivery Plan - Chapter 4

2g Have we captured the key actions needed to deliver the objective: embed nature positive farming, fishing and forestry?

Not Answered

Please explain the reasons for your response:

2h Are the key actions, to support the objective: embed nature positive farming, fishing and forestry, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

Not Answered

Please explain the reasons for your response:

2i Which actions do you think will have most impact?

Please state the actions and explain the reasons for your response: :

Part B - Section Seven: National Parks

7a Purpose of National Park Authorities

Partially agree

Please explain the reasons for your response:

We see a leadership role for National Park Authorities in restoring nature and mitigating and adapting to climate change. However, we think there is some ambiguity about the amended purpose which needs to be clarified. The amended purpose needs to make sure that climate mitigation and adaptation is compatible with nature restoration and landscape protection within the Park. Natural carbon solutions within the National Park would be compatible but renewable energy generation would not. We do not see any justification for National Parks to approve large scale commercial renewable energy development to fulfil a climate leadership role. That doesn't prevent areas of Scotland with renewable energy bidding for National Park status. If they were successful, it would mean there would be no new renewable energy within the area.

7b Aims of National Parks - First National Park aim

Partially agree

Please explain the reasons for your response:

We welcome the use of bolder, more dynamic language in the first aim i.e. 'protect' and 'restore' alongside 'enhance'. We also welcome references to ecosystems alongside biodiversity. This revised wording reflects the intention that National Parks are areas where nature is expected to recover, dynamic systems where landscape change is expected from natural processes returning to a point they can sustain themselves. We would prefer 'natural heritage' is retained rather than be revised to 'natural assets'. Natural heritage is associated with the founding of Scotland's nature agency, it has a timeless quality that 'assets' does not have, and it is also the wording that is used in nature legislation. The word 'asset' by contrast to 'heritage' implies a commodity, something that exists for some at the exclusion of others. 'Heritage' is something that lasts, something that evolves, something that is shared and ought to be available to everyone.

7c Second National Park aim

Partially agree

Please explain the reasons for your response:

We have said we partially agree because we don't think this aim reads well as written. To make 'sustainable' more meaningful we suggest adding wording about future generations. The aim could be re-worded as 'to promote the sustainable management and use of the natural resources of the area and ensure that they are left to future generations in a better condition'. We are not sure about the word 'maximise' being deliverable for all four 'environment, climate, economy and people'. There is inherent tension between each of these based on present day lifestyles and economies which

makes an aim to 'maximise' each of these unrealistic. We suggest replacing with 'promote the sustainable management of the area's natural resources for the benefit of future generations.' The wellbeing of future generations relies on public health, climate change, nature recovery, a robust economy so the aspiration to invest in each of these is incorporated in the meaning.

7d Third National Park aim

Partially agree

Please explain the reasons for your response:

We support an aim that supports sustainable tourism, where this means more visitors can travel into National Parks by public transport and travel around Parks on foot, bike or bus. These options are more environmentally friendly than travelling into and around National Parks by car. Better public transport links into National Parks could also support inclusion and improved accessibility. We have said we partially support the proposed reworded aim because we are not convinced changing 'heritage' to 'assets' is justified. These words have different associations and meanings. The word 'asset' by contrast to 'heritage' implies a commodity, something that exists for some at the exclusion of others. 'Heritage' is something that lasts, something that evolves, something that is shared and ought to be available to everyone.

7e Fourth National Park aim

Partially agree

Please explain the reasons for your response:

We support this aim in theory. As an aim it could also support a just transition. In practice, we would expect this aim to help justify affordable housing for people who live and work in National Parks, support investment in new employment, training and educational opportunities for people living within National Parks, and support affordable, low-carbon transport options to and around the National Parks. However, this aim, unless interpreted and implemented in a way that protects the natural environment, might undermine the other aims of a National Park. By way of example, National Park Planning Authorities can come under undue pressure to approve planning developments that are predicted to have a significant impact on the natural environment but are considered justified based on job creation and assurances about how harm to nature will be limited. This aim needs to ensure land uses within National Parks give back more to nature and future generations than they extract.

7f The National Park 'principle'

Agree

Please explain the reasons for your response:

This sounds helpful to retain because in practice, whilst the aims could align in some circumstances, they may not in others. If this is supported by the National Park Authorities, then we support it too.

7g Relevance of the National Park aims and the National Park principle to other public bodies operating within National Parks

Partially agree

Please explain the reasons for your response:

The aims are far-reaching in the sense that to achieve each one will require a multi-sector, multi-agency response. We have said 'partially agree' because we would go further and recommend that public bodies operating within the National Park must further the National Park aims, which places an emphasis on action, rather than the less onerous, and more passive 'have regard to'. We would go even further, still, and ask that all companies (private and public) as well as all community groups and landowners operating in the Park, should further the proposed National Park aims. We would also argue that an active commitment to the National Park aims is needed to successfully implement the National Park Partnership plans.

7h Do you agree that public bodies operating within the National Park should have regard to the National Park principle?

Partially agree

Please explain the reasons for your response:

Selected 'partially agree' for the same reasons as those given in response to Question 7g: we would like the wording to change from the passive 'have regard to', to the more active and committed 'further the aims of'.

7i Duty on public bodies to support implementation of National Park Plans

Agree

Please explain the reasons for your response:

Successful implementation of a National Park Partnership Plan relies on landowners, public bodies and others operating within a National Park to contribute towards its implementation. The plans are only as good as the partnership, cooperation and buy-in from private, public and community operations within the Park. We therefore support strengthening the duty on public bodies operating in the National Park and recommend that this duty is extended to companies and all landowners operating in the National Park.

7j General powers of National Park Authorities

Agree

Please explain the reasons for your response:

The Trust believes in public awareness campaigns and promoting the Scottish Outdoor Access Code as a way to encourage respectful behaviours that enable all visitors to fully enjoy and benefit from National Parks and other wild places. However, we recognise there is a need for byelaws and enforcement powers to sit with National Park Authorities for use in more exceptional cases, including to manage visitor pressures. We expect these powers to be used sparingly, as a last resort, where a problem is recurring, and public awareness is not offering a solution.

7k Do you think that any other changes should be made to the general powers of National Park authorities?

Don't know

Please explain the reasons for your response:

The National Park Authorities are best placed to recommend changes to their general powers but any changes proposed should be subject to public review and scrutiny.

7l Governance of National Parks

Partially agree

Please explain the reasons for your response:

We support a reduction in Board membership as reducing Board size to a manageable number should help a Board to function and fulfil their obligations more efficiently. To aid the effectiveness of the Boards we suggest members undertake continuous training and under-performing members are removed. We support the recruitment onto the Board of people with the skillsets and knowledge needed to lead a National Park Authority. We also support approaches to recruitment that diversify the Board membership. The present proposals could achieve more diversity, in representation and thought, by stipulating that the Board should have representation from the different types of landowner present in the National Park (e.g. community, eNGO, private and public), representation from different Park 'user' groups e.g. visitor management, recreation and access representation and local community representation.

7m Do you have any other comments that you would like to make about the aims, powers and governance of National Parks?

Other comments about the aims, powers and governance of National Parks:

About you

What is your name?

Name:

Rosemary Simpson

What is your email address?

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Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

John Muir Trust

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent