

Natural Environment Bill - Briefing

The John Muir Trust believes that the Natural Environment Bill is an important piece of legislation in Scotland's journey towards meeting its climate and nature commitments. There are many aspects of the Bill that we welcome, some which raises concerns, and we also have some suggestions for improvements to make the Bill meet its stated objectives.

Part 1: Targets for improving biodiversity

We welcome the proposals for targets and target setting in the Bill. The targets, while binding, are changeable, similarly to the climate targets. We still believe they serve a function, both as a means to hold the government accountable, as well as being a tool to chart a clear path forward across departments.

Part 2: Power to modify or restate EIA legislation and habitats regulations

The climate and nature crises are inexorably bound together. Nature is our carbon sink, so destroying it in the name of reducing emissions is both damaging and counterproductive. We are therefore wary of some of the proposed changes to powers to modify or restate EIA legislation and habitats regulation. We would like to see:

- Duty to take independent advice
- Duty to act in manner consistent with biodiversity targets
- Delivering climate targets consistently with nature targets
- Ensuring that consistency with other legal regimes does not lead to lower standards
- Clarifying purpose in relation to changes in technology and science
- Deleting unnecessarily broad purposes

Part 3: National Parks

We see this part as a broadly positive if modest updating on the existing legislation governing National Parks.

However, we struggle to see the need to further give non-exhaustive examples of what the overall aims of National Parks could include. We are especially worried that 2f, *“promoting sustainable development activity which improves the health, wellbeing and prosperity of individuals and communities within the area”* is so broad that it could undermine the already clear overarching goals stated in the legislation. **We would therefore suggest removing section 2 in its entirety, but especially 2f.**

Part 4: Deer Management

We welcome the inclusion of nature restoration as grounds for intervention by NatureScot. This will allow nature a fighting chance to not only be shielded from further degradation, but to recover.

However, we are disappointed to see Deer Management Nature Restoration Orders (DMNRO's) not included in the Bill, and while we welcome the changes to section 6-10 of the 1996 Deer Act, we are concerned that they do not go far enough to achieve the level of landscape scale nature restoration Scotland needs.

There are some simple changes to the Bill that can help facilitate this landscape scale nature restoration:

- Allow NatureScot to apply section 6-8 control schemes to multiple landowners at once.
- Switch the order section 7-8, so that NatureScot has to justify why the control scheme moves from mandatory to voluntary.

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