

## **SCOTLAND'S STRATEGIC FRAMEWORK FOR BIODIVERSITY**

Ahead of next year's Natural Environment Bill, Scottish Land and Estates were pleased to submit their contribution to the Scottish Government's consultation on Scotland's Strategic Framework for Biodiversity. The Framework will form the basis of the Bill, which will aim to protect and restore Scotland's natural environment. SLE are optimistic that, should the Bill reflect their contribution to the consultation, it can strike a positive balance in delivering for nature, people and place. SLE members will be at the forefront of delivering on the Scottish Government's strategy, and it is clear from their contribution to the consultation that they take this responsibility seriously.

We were pleased to be able to host a round table event on Thursday 9th November for professional members. The meeting was well attended and there were presentations from both NatureScot and Scottish Government, followed by productive discussions and a Q&A session. Key talking points included lessons from previous frameworks, natural capital and biodiversity net gain, agriculture and planning, resolving technical and administrative processes (particularly for woodland and peatland), ensuring members access to future schemes, spatial strategies and balancing competing priorities. It is hugely important land managers are supported by policies that are well-designed, well-funded and well-implemented, and – crucially – enabling and empowering (rather than overly prescriptive). Striking a positive balance, and integrating management practices that meet all of these outcomes, is vital to future success.

While the draft plan should go some way to addressing the biodiversity crisis, there are a number of areas where the strategy could be improved and enhanced. For example, while the focus of the strategy is rightly on nature and landscape, there should also be a recognition that productive agriculture and forestry has a place and is indeed essential to those working and living in rural Scotland.

Furthermore, SLE has some concerns that implementation of the plan could have adverse consequences, particularly with regards the implementation of statutory targets for herbivore management, and also in relation to grouse moor management, where the introduction of the proposed licensing scheme may disincentivise investment, rather than support healthy biodiversity.

One of the key matters which requires to be addressed in more depth to ensure that the plan works is the need to work at scale. We recognise the important role nature restoration and nature networks can play in tackling biodiversity loss and would like to see the strategy do more to encourage this landscape-scale ecosystems-based approach. As NatureScot clearly and regularly state, landscape-scale is needed for nature restoration to be effective, so the strategy must acknowledge the need to work at scale and balance this with commitments to empowering community use/ownership of land and assets. Working with existing groups and clusters is a shortcut to many of these benefits and SLE is a willing and able partner to help facilitate these conversations.

SLE members are key delivery partners across the majority of actions contained in the strategy. Our detailed response highlights areas of agreement, and concern; and, where appropriate, suggests alternative approaches to achieving desired outcomes. Positive engagement with land managers is key to success.

## **Ch 2: Objective 1: ACCELERATE RESTORATION AND REGENERATION**

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SLE strongly supports an integrated approach to land management, and partnership working as a delivery mechanism of large-scale ecosystem restoration. Key points from our response include:

- We would like to see more overt reference being made to the importance of accelerating woodland, peatland and river restoration.
- More detail is required on the planned partnership projects across large scale landscapes.
- The strategy is right to recognise that invasive non-native species (INNS) are a major driver of biodiversity loss. SLE supports the principle of raising public awareness.
- It is important to recognise the considerable action being undertaken by land managers to enhance and restore habitats and species, however there is a joint responsibility on all parts of government, the economy and society to deliver the change required, and the strategy could be strengthened to better reflect this wider societal responsibility.
- Any regulations around land management for enhancing biodiversity must aim to strike the right balance between ensuring Scotland can maintain the levels of food production required to maintain both food security and the critical mass of the industry that underpins it, whilst taking steps towards doing this in a way that allows us to enhance biodiversity sustainably.
- There is concern about blanket/central targets for a complicated issue like deer management. The targets proposed are not unreasonable in broad terms. However, the lack of detail in how they would be calculated makes them effectively meaningless and there would be a real concern if they were then translated into the basis of statutory targets. It is support (e.g. venison market) rather than punitive legislation which is required here.
- The way in which some of the actions in respect of grouse moor management have been framed is misleading. For example, introducing the proposed licensing regime under the Wildlife Management and Muirburn Bill is more likely to disincentivise investment in grouse moor management than ensure it sustains healthy biodiversity.

## **Ch 3: Obj. 2: PROTECT NATURE ON LAND & AT SEA ACROSS & BEYOND PROTECTED AREAS**

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The previous Strategy failed to galvanise the required efforts needed to protect and restore biodiversity. To ensure this Strategy's success, a whole society approach is needed. Key points include:

- Land managers continue to play a crucial role in delivering nature networks, 30x30, National Parks and NNRs – it is important they are viewed as key delivery partners throughout.
- It is important to recognise the variations which occur across landscapes. There is not a one size fits all approach; tackling the biodiversity crisis is going to require multiple approaches depending on the target outcome and circumstances on the ground.
- We must see the mainstreaming of biodiversity into all areas of policy, including the effective integration of the Strategy with Climate, Agriculture, Forestry, economic, planning and development policy making.
- Landscape scale conservation is a scale at which natural systems tend to work best. Land managers are well placed and central to achieving this, with demonstrable experience and success of working together at scale and over time, e.g. Deer Management Groups.

## **Ch 4: Obj. 3: EMBED NATURE POSITIVE FARMING, FISHING AND FORESTRY**

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Almost 90% of Scotland's land is classified as agricultural (70%) or forest/woodland (19%). Both have significant potential to help halt Scotland's biodiversity loss by 2030 and reverse it with large-scale restoration by 2045, but there must be fully integrated thinking across all land use types and outcomes:

- SLE is pleased to see improving the quality of existing woodland recognised alongside ambitions for woodland expansion, and improved species and habitat diversity, age and mixes.
- We support improved advice to strengthen the resilience of trees to climate change, pests and disease – important to ensure current and future forested areas become more resilient and adapted to future climactic conditions, through research and management.
- There's a risk that by focusing solely on planting to address climate crisis we lose sight of the other benefits trees deliver (e.g. timber (and food) production, biodiversity and habitat gain).
- Likewise, while natural regen brings many benefits, establishment takes longer and not necessarily in desired areas, so there needs to be a balance – and a realisation it's not the answer in all areas, nor can it be the only answer.
- SLE members have some valid concerns around the viability of increasing woodland extent, and delivering timber and carbon outcomes, with the means outlined, and without more specific reference to the role that productive forestry can play.
- The Scottish Government aims to create enough woodland to cover 21% of Scotland's total area by 2032. At current rates of delivery, it would take almost 48 years to reach this target through only small-scale projects (-100ha). New woodland creation needs to at least double to meet targets, and there is a pressing need to work at scale.
- More thought and support is needed to encourage regenerative practices within agriculture and land sharing, such as agroforestry. Both require a major change in management systems and can lead to a loss of production, so support is needed to encourage widespread uptake.

#### **Ch 5:Obj 4: PROTECT/SUPPORT RECOVERY OF VULNERABLE SPECIES & HABITATS**

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Scotland has approximately 90,000 species often of international importance. Many are vulnerable to habitat loss and climate change impacts. Key points from our response to this section include:

- While we are fully supportive of the ambition to increase ecosystem restoration, and protect vulnerable species and habitats, it is important that a balanced approach is taken, and socio-economic sustainability is considered alongside ecological objectives.
- A Better Biodiversity Data project and Species at Risk database (mapping genetic diversity across Scotland) should allow for evidence-led decisions and targeted conservation action.
- Important new projects that look to reinforce existing species and/or reintroduce lost species are considered in a balanced way and local views and the needs of others are fully considered.
- We need more effective local feedback mechanisms when things are not working – local evidence should be sufficient when a national evidence-base is lacking – and a clear plan to control species which are illegally released (as this continues to be a source of tension and stress for land managers who are left to deal with the negative consequences).
- While SLE is not directly engaged in marine matters, we support the Scottish Seabird Conservation Strategy, however it's important that conservation efforts to protect and support the recovery of other vulnerable bird species are not overlooked at the expense of seabirds.

- 40% of Scotland's rivers and lochs are not in good condition, yet freshwater bodies need to be resilient to climate change. The Strategy's freshwater focus seems weak compared to the ambitions for uplands, lowlands and marine.
- It's important the actions set out in the Wild Salmon Strategy Implementation Plan are delivered, as specified. Atlantic Salmon has moved from *Least Concern* to *Near Threatened* on IUCN's Red List, with new evidence showing the global population decreased by 23% between 2006-2020. The conservation of wild Atlantic salmon is a critical priority for SLE and efforts should now be directed towards tackling the wide range of specific pressures facing this species (climate change affecting food availability; weirs and obstructions in rivers; predation by seal populations; sea lice; bycatch by trawlers at sea and poor river quality).

## **Ch 6: Obj. 5: INVEST IN NATURE**

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Scottish Government has increased public investment in nature restoration in recent years (Peatland ACTION, Nature Restoration Fund, FIRNS) and there has been significant increase in interest from private investors. To meet the pace and scale of delivering these targets, more investment is required:

- The Green Finance Institute estimates between £15 billion and £30 billion is needed over the next 10 years – much of this will have to come from the private sector.
- A blended finance approach will be important in ensuring there are increasing financial flows invested in nature-based solutions but there are complexities which need to be addressed.
- It's landowners that are being asked to take the risks. How income generated by the emerging carbon markets is treated from a taxation perspective could act as a disincentive.
- SLE and WES are currently supporting the CivTech CreditNature partnership with NatureScot to expand its nature fintech platform, to develop and pilot 'a progressive biodiversity credit market in Scotland'. They estimate this market could reach £12-£35 billion by 2050.
- SLE members have a positive willingness to pursue peatland restoration, but there remain frustrations at the difficulties of delivery (e.g. contractor availability, short-term nature of funding, flexibility over timescales, bad winter weather).
- The Scottish Government is targeting restoring at least 250,000ha of degraded peatland by 2030. This would require 20,833ha of peatland to be restored each year. At the current rate of delivery, targets for peatland restoration will not be met – in fact, the rate of delivery of peatland restoration would need to increase by 300% to meet targets.
- The greatest enabling factor for biodiversity change will be a motivated rural sector. We need to upskill the rural sector to address things like contractor availability, machinery, and skilled labour shortages. These challenges also present an opportunity to build capacity.

## **Ch 7: Obj. 6: TAKE ACTION ON THE INDIRECT DRIVERS OF BIODIVERSITY LOSS**

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This section deals with the key underlying drivers of biodiversity loss (demography, economy, governance, technology, culture and behaviour) and acknowledges attempts to fix the direct drivers without addressing the underlying indirect causes will likely fail. Key points from our response include:

- Wellbeing Economy Research by BiGGAR Economics has highlighted the range of ways in which land managers contribute benefits to rural Scotland – the strategy can help to consolidate this.
- We need to ensure a Just Transition and not demonise current practices and people working within land management. Community empowerment rhetoric emerging from Government

agencies (while important) may also be contributing to unrealistic expectations. Forestry particularly in southern Scotland, is a very live example – there's a disconnect between clear government support for forestry, and community understanding.

- As a member of the Alliance for Scotland's Rainforest, SLE supports landscape-scale rainforest restoration, and management of invasive non-native species such as rhododendron. This has included hosting several ongoing events and webinars, and campaigning in partnership with WTS for the establishment of a Rainforest Restoration Fund (like the Peatland ACTION Fund).
- Edinburgh University research has shown the benefit of outdoor education across all age ranges. These findings should be the drivers to progress delivery of the outdoor learning elements of the Learning for Sustainability Action Plan and the associated new portal by 2027.

### **SECTION 3: 3a: DO YOU HAVE ANY COMMENTS ON THE NATURE NETWORKS FRAMEWORK**

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- Nature Networks offer an opportunity for targeted action and could be a useful mechanism to align government support and funding. Bottom-up, democratic and transparent governance is to be welcomed. The Framework will also need to integrate with existing and expanding land use policy landscape and have sufficient flexible delivery mechanisms in place to be successful.
- Wildlife Estates Scotland (WES) clearly demonstrates how a national ecological network can work on the ground; it recognises the greater impact contiguous land areas managed to similar principles and values can have.

### **SECTION 4: 4a: DO YOU HAVE ANY COMMENTS ON THE 30 BY 30 FRAMEWORK**

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- If protection of existing sites has failed (and many would argue it has) how is a 30% designated site area going to be protected? Currently very few communities and individuals know where designated sites are or why they are important. The designations 'landscape' is becoming increasingly complex, and there is a danger of designations 'fatigue', or worse a backlash amongst land managers and the wider public. Efforts should be made to streamline and simplify terminology to improve public understanding and stewardship of our protected areas.

### **SECTION 5: IMPACT ASSESSMENTS**

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- Regular monitoring and publication of data is necessary. The importance of data from the private sector should not be dismissed. WES is happy to share our data with Scot Gov officials.
- We agree with the key finding of the SEA: *"the use of a single species approach... (may) undermine a focus on the key interdependencies which support healthy ecosystems."*
- Highly unlikely that any of the provisions in the SBS or Delivery Plan will not impact business, however this can be mitigated through targeted support.

### **STATUTORY TARGETS: 6a: DO YOU AGREE WITH THIS APPROACH TO PLACING TARGETS ON A STATUTORY FOOTING?**

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Scotland has a 'biodiversity intactness' rating of only 56% which means we rank 28th from bottom but it's important to recognise action being taken by land managers to restore habitats and species:

- Statutory targets poorly formulated can undermine actions, and we will be keeping a close eye on this aspect of the Framework as it goes through further consultation and legislative scrutiny.

- Our 1<sup>st</sup> draft response noted targets were broad, lacked detail and would be better constructed as SMART outcomes. We're pleased the selection criteria now includes SMART targets.
- We welcome the recognition that climate and biodiversity are intrinsically linked but we feel the Strategy needs to bring biodiversity up to same level as climate and focus people to act.
- Analysis of responses to the first draft highlights the following key priorities: mainstreaming, species loss and species recovery, tackling key drivers of biodiversity loss (habitat degradation, fragmentation, INNS and disease & pollution), and promoting positive, nature-based solutions.
- The Strategy acknowledges that targets which focus on achieving high-level outcomes are less prescriptive about how to reach the desired goals and have been shown to produce the best results – they are also likely to be more workable amongst the land management community.
- Potential target topics are not sufficiently comprehensive – e.g. there is no specific mention of tree species diversity, adaptation and resilience, which is surprising in the current climate.
- It's not possible to identify a single quantifiable apex target for biodiversity, but we should avoid the risk of setting statutory targets for 'everything' (disproportionately bureaucratic and burdensome). SLE therefore agree with proposal to have smallest possible number of targets.
- We support the proposal that targets align with 2030 and 2045 timescales. The alternatives outlined (3 yearly, or aligned with 5 year delivery plans) are disproportionately bureaucratic.

## **NATIONAL PARKS**

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SLE is aware of recent public opinion polls in Scotland which indicate that 89% of people support the creation of new National Parks and that 74% of people want to see more nature restoration.

- Value of responsible outdoor access to physical/mental health and wellbeing is acknowledged more widely now than ever before, it's right that this is a key aim of Scotland's National Parks.
- Programmes like Estates that Educate, Pathways to Rural Workforce and Countryside Learning Scotland have huge potential and should be included in any skills development framework.
- Community benefit is delivered in many ways, and commercially viable businesses, which create jobs, housing and wider amenity value, help deliver a thriving rural economy, especially in our National Parks. Data collection is very important in the transition to a greener economy. Important not to lose sight of existing or traditional skills and associated labour shortages, whilst focusing on opportunities and demand for new green skills (renewables) & jobs growth.
- While nature restoration is rightly a priority, National Parks cannot simply be protected and visited with no thought for those who already live and work in the area. There needs to be a focus on sustainable development and an enabling approach to allow individuals and businesses to thrive. Biodiversity efforts shouldn't be over-ridden by carbon sequestration.
- Any new governance model must consider local residents needs and be developed with strategic partners, including land managers, not just agencies. We would challenge any changes that result in the governance of National Parks becoming less democratic.