

Respondent Information Form



Tackling the Nature Emergency - Consultation on Scotland's Strategic Framework for Biodiversity

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy: <https://www.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

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

- Publish response with name
 Publish response only (without name)
 Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

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

No

Tackling the Nature Emergency: Consultation on Scotland's Strategic Framework for Biodiversity

Questions

We are inviting responses to this consultation by **14 December 2023**.

You are not required to answer every question in the consultation. The consultation is set out in sections to help you identify matters in which you may have a particular interest.

Please note that Section 1 of the consultation document does not contain any questions, so question numbering starts from Section 2.

Section 2 – Scottish Biodiversity Delivery Plan

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

- No

Please explain the reasons for your response:

There is a lack of specificity in the actions, for example the Scottish rain forest needs specific actions on clearing invasive non-natives species, especially perhaps Rhododendron. Similar actions are needed for biodiversity across the country. We wholeheartedly support the work of the Alliance for Scotland's Rainforest and would like to see similar resources and support for other habitats including woodland and forestry across Scotland.

We support the intent to develop six landscape scale restoration areas with significant woodland components and recommend that they are entirely new projects, not already conceived or started and so build on and learn lessons from, the work already done in existing projects and expand the area under positive management.

These landscape scale restoration areas should be planned, managed, and implemented with active involvement of the community who have real agency in project oversight and management. There is opportunity here to lead the way in community engagement in large scale biodiversity projects, from conception to delivery.

Question 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:

A lot can happen in the period to 2030 with both positive and negative impacts on biodiversity. A great deal of positive impact is required to reverse current trends, a lot depends on long-term commitment, resourcing, activity and consistency of approach that goes beyond any one Parliamentary session.

Effective implementation will depend on the adoption and culture of agencies, including those not already committed to biodiversity goals. How well they buy-in to the strategy remains to be seen.

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

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

The framework for statutory nature restoration targets has potential to be impactful as long as the targets are meaningful and aspirational. They must be set at challenging yet achievable levels with real incentives toward achievement and real consequences for failure to reach them.

On the ground, the six areas (if new), additional resource to ASR work and ideally matching resources to other areas of woodland and forestry across Scotland will all see changes. It must be noted however, that 7 years is in ecological terms, no time at all and there is unlikely to be more than a start on the ground.

Question 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:

The 30 by 30 target is laudable but why only 30%? Is the intent to have nature positive works on just 30% of the land area of Scotland. Target should be at least 60%.

Missing throughout is engagement with community. A large contributor to the climate and biodiversity crises globally is the separation between people and environment. For work to be secured into the future there needs to be local engagement, ownership and/or management of biodiversity initiatives. The land and water of Scotland is already littered with remnants of projects that have been abandoned when the money ends. One way of addressing this is achieving real local attachment to outcomes and then, hopefully, the community will work to ensure outcomes persist even if the project ends.

Biodiversity initiatives need to be more than something done to communities. An overarching approach that ensures communities have real agency throughout this work is essential. This is analogous to the Community Wealth Building intent to “put the community at the heart of the economy.” The community, every community, should be at the heart of biodiversity work.

Question 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?

- No

Please explain the reasons for your response:

See answer 2b above.

We also believe that many of the targets lack ambition and don't bring sufficient pace to the issue. For example, the actions under identify, expand and enhance nature networks and ecological connectivity are mostly about mapping, supporting, developing and embedding networks into policy frameworks. Too much opportunity here not to deliver on the ground. Actions should focus on delivery and not the process of supporting, developing or embedding.

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

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

Potentially 30 by 30 albeit with the caveat about the lack of ambition inherent in that target.

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

- No

Please explain the reasons for your response:

From our perspective as an organisation of 20 years' experience working with communities to deliver benefits through management of land and woodland, there is not sufficient emphasis on community engagement, including community ownership and management of land. Rebuilding the connection between people and environment so that people initiate, manage, and sustain positive environmental works in all sectors of society is essential and largely missing throughout this consultation. As things stand community is tacked on toward the end, in our view working with community should be woven through all aspects.

Question 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?

- Unsure

Please explain the reasons for your response: See answer 2b above. And....

Whilst we welcome the move to increase biodiversity objectives through Woodland Management Plan guidance and plans, restructuring and restocking this intent to increase biodiversity also needs to be included in planting of new areas of trees where the driver is carbon and a return on investment. Instead of creating new single age, single species plantations planned and planted to maximise carbon sequestration, these new plantings should build in biodiversity objectives from conception and this approach is urgent.

As above we believe communities should be actively engaged and involved in all aspects of all planting schemes from an early stage.

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

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

unsure:

Impact will depend on support given both politically and financially.

Question 2m: Have we captured the key actions needed to deliver the objective: invest in nature?

- No

Please explain the reasons for your response:

Funding where mentioned, through the consultation document focusses on the short-term. Long-term strategic funding and commitment from Scottish Government is essential to this work.

Again, there is an absence of mention of community in these actions. While we welcome increased financial support for biodiversity objectives, we believe that community should be at the heart of this work and for example any private investment must be required to engage with the community of place and deliver benefits agreed and to large extent determined by, that community. This goes beyond investment in the workforce as described to investment in the community.

All communities are unique, there is no one size fits all solution, rather principles to work to. We would like to see community engagement as a principle behind all nature positive work.

Question 2n: Are the key actions, to support the objective: invest in nature, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

- No

Please explain the reasons for your response:

We support the development of the woodland carbon code. Many communities who have taken ownership or management of existing woodlands are in effect excluded from benefitting from carbon sequestration payments. We would like to see this code developed in such a way that communities managing existing woodlands may benefit.

The other groups excluded from receipt of carbon credits include tenant crofters, grazing committees and tenant hill farmers. If the woodland carbon code were developed so these groups may benefit then biodiversity benefits on these holdings would also follow.

Question 2o: Which actions do you think will have most impact?

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

Question 2p: Have we captured the key actions needed to deliver the objective: take action on the indirect drivers of biodiversity loss?

- Unsure

Please explain the reasons for your response:

We welcome the emphasis of community under this heading. However, this document would be the stronger if that drive to engage and strengthen the connection between people and communities were a thread through all other parts of the document. As things stand the document reads like a biodiversity focussed consultation with community tacked on, it could and should be more. As stated elsewhere there is opportunity to put community at the heart of nature positive efforts that is not reflected in the way this document is structured.

We support the concept of make space for nature campaigns, there needs to be equivalent emphasis given to inclusion of community by managers of nature positive

works from first inception through to delivery, including community having a say in management of such works.

We welcome the reference to helping to build capacity for communities to own local and other national nature reserves and other land managed for nature by 2030. However, promoting best practice alone is not sufficient. In a recent member survey, CWA members cited capacity at the biggest issue they face; too much to do and too little time. Material support to address that issue will go a long way to achieving the necessary community support to make many actions in this strategy achievable. This may take the form of enhanced support to existing community enabling organisations.

Question 2q: Are the key actions, to support the objective: take action on the indirect drivers of biodiversity loss, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

- Unsure

Please explain the reasons for your response:

It all depends on delivery and resourcing and long-term commitment.

Question 2r: Which actions do you think will have most impact?

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

True empowering engagement with community. Without this and in the absence of long-term commitments this is where the longevity of nature positive works lies.

Section Three – Nature Networks Policy Framework

Question 3a: Do you have any comments on the Nature Networks Framework?

Please provide any comments:

The vision is positive. We welcome the reference to meeting the “priorities of local communities” and believe this principle of community engagement with and determination of priorities should be built into all aspects of biodiversity work.

Section Four – 30 by 30 Policy Framework

Question 4a: Do you have any comments on the 30 by 30 Framework?

Please provide any comments:

As stated above, we believe that 30 by 30 lacks ambition, why only 30%?

It is notable that the framework has no mention of community, which should be a thread running through biodiversity work.

Section Five – Impact Assessments – Part A

No comment on questions in Section 5.

Section Six – Statutory Targets for Nature Restoration

Question 6a: Do you agree with this approach to placing targets on a statutory footing?

- Unsure

Please explain the reasons for your response:

We agree that targets need to be meaningful and have weight, but we are less interested in targets than positive outcomes. It may be that a suite of statutory targets is the best way to ensure activity on the part of agencies and organisations.

However, positive engagement may well achieve at least equal levels of buy-in and activity in other sectors, so in our view it is important that the right levers are applied to the right places and statutory targets are just part of the picture. Delivery should not be reliant on targets alone.

Question 6b: Do you agree with the criteria set out for the selection of targets?

- No

Please explain the reasons for your response:

Where is the aspiration? Perhaps taking goals and objectives in mentioned strategy and frameworks as minima and stating that would be a starting point.

Question 6c: Do you agree statutory targets should include a combination of outcome targets and output targets?

- No

Please explain the reasons for your response:

We would like to see an input target of resources into nature positive work, perhaps expressed as a percentage of gross GDP and that to be a long-term commitment that future governments are obliged to meet.

Question 6d: Is the list of potential target topics sufficiently comprehensive in terms of the focus of proposed target areas and overall scope?

- No

Please explain the reasons for your response. If you answered “No”, please provide details of any target topics which you think are missing from the list.

It follows from our comment elsewhere that there should in our opinion be an objective related to community engagement and inclusion.

Question 6e: Do you have any other comments on the list of potential target topics?

- No

Question 6f: Do you agree with the proposal to have the smallest feasible number of targets which reflects the complexity of nature restoration?

- Unsure

Please explain the reasons for your response:

As stated, targets may not be the best way to achieve desired outcomes.

Question 6g: Do you agree statutory targets should align with the 2030 and 2045 timescales set out in the Strategy?

- Unsure

Please explain the reasons for your response:

Neither of these time frames is long term in ecological terms. Early emphasis must be on project initiation.

Question 6h: Do you agree the Bill should allow for the review of statutory targets?

- Yes

Please explain the reasons for your response:

Seems logical, however we would only want to see targets amended or particularly reduced on scientific advice not on other reasons.

Question 6i: Do you agree that reporting on targets should align with existing Biodiversity reporting requirements?

- Unsure

Please explain the reasons for your response:

There is enough bureaucracy in the world, whatever reporting should not get in the way of action on the ground.

Question 6j: Do you agree that an Independent Review Body is needed to report on Government's progress in meeting the statutory targets?

- Unsure

Please explain the reasons for your response:

In principle it is a good idea that performance, including that of government is reviewed. However, we have reservations about whether an existing agency would be truly independent of Ministers and are loath to argue for a new body, per our comment on bureaucracy above. Perhaps an organisation such as Scottish Wildlife Trust may take on this role if adequately resourced.

Section Seven – National Parks

Question 7a: Do you agree that the purpose of National Park authorities should be amended in order to emphasise the important leadership role that National Park authorities need to play in restoring nature and in mitigating and adapting to climate change?

Partially agree

What is stopping the National Park from doing this currently?

Although National Park should be the front runner in demonstrating good practice and leadership relating to improving biodiversity and mitigating climate change, they should not be the only ones expected to demonstrate these roles. For meaningful change to happen every sector/statutory body, not only national parks, must have these values embedded in their purpose and part of their culture.

Our National Parks could do the best job possible, but without a government who is willing to address the climate and biodiversity crisis in a real and meaningful way, the impact is minimal.

Question 7b: Do you agree with these suggested changes to the first National Park aim?

Agree

Separating natural assets and cultural heritage is important as, at times, they can clash. The first aim must take priority. Acknowledging ecosystem here is a better approach.

Question 7c: do you agree with the suggested change to the second National Park aim?

Agree.

The amended aim has better wording. Natural resources can be managed without being consumables so to speak. National Park Authorities should do more to ensure communities have a say in how these natural resources are managed on their behalf.

Question 7d: Do you agree with the suggested change to the third National Park aim?

Agree

Interpreting nature for visitors is an important role of National Parks and Rangers everywhere. The disconnect people have with nature is a leading factor in their apathy towards protecting it. Making nature accessible and valued by as many people as possible is vital to reversing biodiversity decline and reducing the impacts of climate change. With this said, people often disturb wildlife and ecosystems. The first aim must always take priority above recreation and accessibility.

Question 7e: Do you agree with the suggested change to the fourth National Park aim?

Agree

Acknowledging how wellbeing is intertwined with nature is important here. Social and cultural development implies long term change within communities who are invested in this change.

Question 7f: Do you agree that the National Park ‘principle’ set out in section 9(6) of the 2000 Act should be retained? This would mean that, if there is a conflict between the National Park aims, greater weight should be given to the first aim which would seek to protect, restore and enhance the natural assets, biodiversity and ecosystems within the National Park.

Agree

At times it can seem as if the best course of action for the environment can conflict with people as they may endure a short-term undesirable impact. However, in the long term, the best outcome for the environment will always have an overall positive impact for people. The climate and biodiversity crisis, if not addressed, will have devastating consequences on more lives than it already has. The amended first aim should take priority.

Question 7g: Do you agree that public bodies operating within the National Park should have regard to the proposed National Park aims?

Agree

It is fundamental to the implementation of these aims that they are given genuine attention and thought by every public body operating in the National Park.

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

Agree

Yes, restoring ecosystems, protecting, and restoring natural assets and improving biodiversity must be the priority for all operations within the national park.

Question 7i: Do you agree that the duty on public bodies operating within National Parks should be strengthened so they have an obligation to support and contribute to the implementation of National Park Plans rather than having regard to these plans?

Don't know

Yes, the National Park plans need buy in from all stakeholders. But how would this be implemented and who would have oversight? How would public bodies who did not cooperate be held to account and what would the consequences be?

Question 7j: Do you agree with the proposal that National Park Authorities should be able to enforce byelaw breaches within National Parks by issuing fixed penalty notices rather than referring them to local Procurators Fiscal?

Partially agree –

Wildlife crime and damage to our natural heritage via anti-social behaviour or intentional removal of resources have long gone unpunished. These crimes need more policing and harsher consequences which act as a deterrent. However, is the National Park authority equipped to do this? This would most likely require new roles within the National Parks, which will require more resources. Adding this additional power to Rangers may become a deterrent to working in the sector for those who are passionate about our natural heritage.

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

Could there be a process for holding public bodies accountable if they show insufficient regard to the aims of the National Park?

Question 7l: Do you agree with the proposed changes to the governance of National Parks?

The comparison with other agencies is misleading; those are national bodies, national park authorities have an obligation to be more responsive to local communities of place and therefore need to be of sufficient size to allow communities to be adequately represented.

- (i) National parks are diverse places where nature and people should symbiotically coexist, with equally diverse communities, in the case of the Cairngorms for example divided geographically by a sub-arctic plateau and consequently look out from the plateau, away from each other for their connections. We do not believe that just 15 individuals, of which some at least will not be representing community interests can adequately represent the views of all.
- (ii) In theory these proportions seem fair. In reality as few as 4 people could be representing those who live and work in the park. This is not enough.
- (iii) See above
- (iv) Agree
- (v) Disagree: the Convenor, their deputy and convenor of planning committee if that is a different person, should all be elected by the board. The duty to address biodiversity and climate crises comes from elsewhere, not the power of appointment.
- (vi) Don't know.

We believe the communities of the national parks should have a direct say in the structure of this body and answer these questions. Not as part of a national consultation that many or most will not be interested in, especially when this topic is reduced to a footnote. A local consultation ran and effectively promoted by each national park authority, a consultation which crucially has influence in the outcome is the preferred way of determining the structure of each national park. If

that leads to different structures in different parks as a result of community preference then so be it. In the case of new national park or parks the governance structure could be included in pre-designation consultations.

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

Communities need to be involved at every stage of this process. A top-down approach will be less successful than having meaningful community engagement and commitment at each stage with the community having real agency in the process.

It follows from our comment in other parts of this response, we believe communities should be at the heart of national park management. One marker of success in this would be a target of significantly increased voting numbers in board elections.