

Consultation Title	Environment Bill
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Introduction

Scottish Land & Estates is the voice of rural businesses throughout Scotland. We are a membership-based organisation representing a wide range of rural businesses, including farmers, foresters, tourism operators, housing providers, leisure companies, and renewable energy providers.

Rural businesses play an important role in delivering for the environment and are uniquely placed to deliver positive environmental benefits, including protecting and improving the natural capital for which they are responsible. Land managers will play a crucial role in delivering much of the ambition of the Environment Bill, contributing to the Governments environmental and climate targets.

We welcome the opportunity to provide written evidence to the Public Bill Committee on the Environment Bill hereafter referred to as the Bill and have the following comments to put forward for consideration. Please note our comments are restricted to those parts of the Bill which extend and apply to Scotland.

General Comments

SLE broadly welcomes the structure and ambition of the Bill which puts in place a system of long term legal environmental targets and plans to ensure success. This long-term approach is very much welcomed and is necessary in enabling businesses, farmers and land managers to plan and invest accordingly.

Devolved Administrations

Scotland recently published its Environment Strategy, which forms a key part of new arrangements for environmental protection, after Scotland leaves the EU. Like the Office for Environmental Protection (OEP), Scotland has announced a new environmental governance body will be created to ensure public authorities are held to account when applying environmental law and to ensure the continued effectiveness of delivery of environmental standards.

We would like to highlight the importance and essential need for strong collaboration between the UK Government and devolved administrations and believe it is important that the OEP and the new Scottish body - have strong provisions in each of the relevant pieces of legislation for the bodies to work together and liaise with one another. We believe, it would be useful if there was an amendment to the Bill which includes a clause to state how the OEP plans to work with similar bodies in Scotland and Wales.

Reserved Matters

As you will be aware the Scottish Government is bringing forward its own legislation in relation to the EU environmental principles, which will apply to devolved matters. As currently drafted in this Bill, it is unclear how environmental principles to reserved matters in Scotland will be applied. The Bill states that the OEP will be responsible for reserved matters, however it is not clear how reserved functions of the UK Ministers that apply in Scotland will be covered – greater transparency on this would be welcomed.

UK wide standards

While much of the Bill applies to England, many businesses operate across borders and it is important that there is a coordinated approach to environmental governance across the whole of the UK. It is vital there is strong coordination, cooperation and collaboration between Administrations and that there is consistency in dealing with matters that have a cross boundary effect to ensure that any differences in environmental standards and governance across the UK do not lead to negative unintended consequences.

We would like to see the Administrations work together to agree a statement about how these principles apply across the board and how they will operate with one another – it is important policies are developed holistically so that we have a coherent system.

SLE welcomed the agreement between the UK government and devolved administrations on the principles that will underpin the creation of common frameworks. The UK Governments updated [Frameworks Analysis Document](#) clearly shows the areas and level of action required in the development of common frameworks. Frameworks will be needed across a broad range of policy activity. Of the 21 policy areas where future legislation may be needed to implement common rules, 15 relate to agriculture, food production or the environment.

Policy Development

We have an opportunity to create new policy for land management which recognises the many positive things land management delivers for society, the environment, and the economy.

The Bill sets the framework and level of ambition, but much of the on-the-ground delivery will come through policy mechanisms. It is vital that stakeholders, including rural businesses, are consulted in the development of policies - a bottom up approach should be encouraged to ensure they are practical and proportionate.

Land managers need long-term support, advice and guidance and it will be important to ensure that new policies are both clear and enabling to ensure farmers and land managers can continue to fulfil the important roles they play; clarity and single messages are required. The wealth of historic knowledge on their land and the landscape in which farmers and land managers work should be utilised and there is an opportunity for local know-how to combine with national priorities that explicitly link to policies.

Policy is frequently designed in silos where farming, forestry, energy and rural development, for example are developed separately – we need to move beyond this siloed thinking and would welcome a mechanism that enables a more coherent approach to getting the most out of the land.

In light of the climate emergency, we believe any new policies need to recognise and match ambitious climate targets. With the right policies, support, advice and training in place, farmers and land managers can deliver a great deal in implementing the change that is



needed to deliver these ambitious targets. This will require strong leadership, support and long-term direction from Government.