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CONSERVATION

FAVOURABLE CONDITION

Scottish Natural Heritage (SNH) has released the latest figures tracking the proportion of Scottish protected natural features in favourable condition. Features protected are species, habitats and earth science features considered to be important at the national (Sites of Special Scientific Interest [SSSI], European (Special Area of Conservation and Special Protection Area) and international (Ramsar) levels. 78.1% of Scottish natural features on protected nature sites are in favourable condition. This figure represents a 0.9% rise in the proportion of natural features in favourable condition between 2012 and 2013. There has been a 6.7% increase between 2005 and 2013.

There are three broad types of protected features: earth science (97.4% in favourable condition), species (75.4% in favourable condition) and habitats (75.3% in favourable condition). Over-grazing and invasive species are the main challenges to conditions improving from unfavourable to favourable. There are other pressures on particular features which are beyond local management control. This is most commonly seen with seabird populations where the reasons for unfavourable condition are most likely to be related to a combination of influences, including climate change and interaction with fisheries.

The Scottish Government said 248 of the 957 SSIs are in poor condition due to over-grazing and trampling by herbivores. A spokesman said: "Where deer are the cause, SNH and partner bodies are negotiating with land managers to agree grazing management plans to reduce the pressure to a level at which habitats can recover. It is important to ensure appropriate management as they represent the best examples of semi-natural habitat, host significant species populations or important geological features."

The Scottish Gamekeepers Association said: "Before considering excessive culls, government agencies have to do accurate counts of the grazing animals."

See: www.snh.gov.uk/publications-data-and-research/official-statistics/officialstats/sites-favourable/

An exclusive in the *Sunday Herald* reported that the proportion of poor natural features has been more or less the same since 2009, and is very slightly worse than in 2009. SNH highlighted a 0.9% improvement since 2012, and an alleged 6.7% improvement since 2005. However, since then, SNH has introduced a category of 'unfavourable due to management changes' and decided that features in it could be labelled 'favourable.' Stuart Housden of RSPB Scotland said that the condition of wildlife and habitats had 'simply flatlined.' He said that, in 2007, SNH had warned the government that it was going to miss its targets to improve the condition of Scotland's best wildlife sites: "In 2011, it was revealed that the situation had worsened since that warning was issued. Now we found out that, contrary to government assertions that this is a top priority, they are failing to take the action to deliver change." He urged SNH to use its statutory powers to bring the damaged sites back into favourable condition. Ministers must support SNH and offer the political support to change the status quo, and provide the necessary finance.

The SNH study shows that the species that

have suffered the most are natterjack toads, great crested newts, marine mammals such as common (harbour) seals, seabirds and some fish and insects. Many woodlands, grasslands, wetlands, peatlands and uplands are rated as in unfavourable condition, as well as some plants and coastal zones. In 222 of Scotland's protected areas, all the natural features have been harmed. The biggest pressures on wildlife are over-grazing by deer, sheep and cattle and from invasive species. Tourists, water pollution, farming and forestry practices, heather burning, over-fishing and waste dumping are highlighted.

Dr Maggie Keegan, of Scottish Wildlife Trust (SWT), said: "The government really needs to get a grip if we are to have any hope of meeting our 2020 biodiversity targets. It is crucial that the proper funds are made available for maintenance of protected sites sooner rather than later."

Craig Macadam, of Buglife, said: "Our protected sites are supposed to be the jewels in our crown, but if we can't reverse the declines in the important animals, plants and habitats on these sites, what hope is there for the wider countryside? We need every feature on these protected sites to be in a favourable condition and for the sites to form part of a wider, connected ecological network across the country."

Douglas McAdam, of Scotland Land & Estates, said: "What this report shows is that conservation management over the last 40 years has just not delivered, and that a new approach is required. Positive engagement with land managers rather than blame-game politics will be vital if we are to turn things around. If we, as a society, choose to protect certain sites because of their value to society as a whole, this is understandable, but we would argue it should not be the individual land manager that bears the cost of that choice."

Bob Carruth, of NFU Scotland, said: "Farming operations are only part of the picture. The huge challenges that climate change and extreme weather have placed on farming will also challenge biodiversity, habitats and their management. Farmers and land managers remain central to meeting our ambitions on both food production and the environment."

SNH defended its methodology as 'a robust and meaningful method of assessing impacts on protected sites.' It said that, since 2005, huge efforts had gone into improving the poor condition of many natural features. Early progress had been made by solving the easier problems, but now SNH had to face 'more complex features.' A spokesman said: "In recognition of limited progress in recent years we reviewed current procedures. What we found is that investment in natural feature condition did not automatically result in a noticeable increase in the amount of natural features in favourable condition." SNH now better focused its limited resources on a narrower set of features, based on their vulnerability and opportunities for improvement, which would speed up progress made during 2012-13.

See: www.snh.gov.uk/protecting-scotlands-nature/protected-areas/site-condition-monitoring/

WILDCATS

A new genetic test, the first in the world for a wildcat, has been developed by Dr Paul

O'Donoghue from Chester University's Biological Sciences Department, and FIOS Genomics in Edinburgh [Sep 12]. It can show definitively whether an individual cat is purebred wildcat or a hybrid carrying domestic cat DNA. It will allow for the testing of animals both in captivity and in the wild, and for measures to be taken to protect those true wildcats that remain.

An individual cat's 63,000 genes are compared against the genetic model of a pure wildcat, showing how much wildcat DNA and how much domestic cat DNA that individual holds. Until now, the best way to define a purebred wildcat has been by examining physical features.

A full genetic screen of the captive wildcat population is now planned.

Dr O'Donoghue said: "Unless decisive action is taken, the wildcat could be declared extinct within the next 12 to 24 months. It is now of the utmost importance that large-scale live trapping takes place to find and test the last remaining wildcats. The only hope for these cats is to be placed into protected regions, the only one of which currently is the area we have been developing in the West Highlands, which will be free of feral and hybrid cats, or to bring them into an expertly managed breeding programme. At the moment, all remaining pure cats outside of such areas are arguably doomed."

A new conservation plan for wildcats is in development, bringing together SNH, the Scottish Wildcat Association and other organisations.

BLACK GROUSE

A new black grouse lek has been discovered in young woodland at the Woodland Trust Scotland's Glen Devon site in the Ochil Hills. There are now two active leks within Glen Devon, the first of which was found to be active in 2012. Woodland creation in Glen Devon has been supported through the Scottish Forest Alliance. The new native woodland at Glen Sherup, Glen Quey and Geordie's Wood covers an area of 1,233 hectares, of which 30% is open ground habitat.

STATE OF NATURE

The State of Nature report, published by 25 UK wildlife organisations, says that many habitats and species are under threat. It claims 60% of species have declined in recent decades, while more than 10% of the plant and animal species assessed are said to be at risk of being lost from the UK entirely.

The report highlights conservation success stories in Scotland, such as corncrake conservation and peatland restoration in the Flow Country, but warns the overall decline of wildlife across the UK is continuing.

Key points of the report in regard to Scotland are:

- **Seabirds:** Five out of 12 seabird species are in serious decline. Climate change is blamed for dramatic impact on marine ecosystems.
- **Flowering plants:** 54% decline is reported. Threats include changing agricultural practices and habitat fragmentation.
- **Wildcats:** Research suggests Scottish wildcats may now effectively be extinct east of the Great Glen, possibly numbering fewer than a hundred individuals.
- **Montane:** Scotland holds 90% of UK montane habitat. Atmospheric pollution and overgrazing by deer and livestock is said to be a continuing threat.
- **Peatlands:** 10% of Scotland's internationally important blanket bog is now covered by non-native plantation forest.

The number of common (harbour) seals has fallen by 31% since 1996; the population of

kittiwakes has almost halved since 2000 and more than half of the breeding population of black grouse has been lost over the last 25 years. Another factor affecting native species is the presence of foreign animals and plants, such as signal crayfish, grey squirrels and rhododendrons. While tree cover has increased in the last 60 years, much has been non-native commercial plantations.

The environment minister, Paul Wheelhouse, told *BBC Scotland News*: "We're committed to halting biodiversity loss by 2020 and are working with partners involved in this report, as well as the wider community, to do just that. We will soon publish a refreshed Scottish Biodiversity Strategy which will support this commitment."

TAYSIDE BEAVERS

The *Scottish Farming Leader* reported on the formation of the Tayside Beaver Study Group. The group will monitor the impacts of the Tayside beavers, help resolve any conflicts between land uses and beavers in the area and provide advice and practical help to land owners and land managers [Dec 12]. The group comprises representatives from ten stakeholder organisations including NFU Scotland. Live capture and re-release of beavers is being carried out for veterinary health screening and DNA sampling. See: <http://taysidebeaverstudygroup.org.uk>

TAIGA BEAN GEESSE

Forestry Commission Scotland (FCS) has bought 90 hectares of deep peat bog that lies between its site at Fannyside Muir and Fannyside Loch on the Slamannan Plateau near Cumbernauld in north Lanarkshire. The new site forms part of an SSSI and a Special Protection Area designated by Scottish ministers under the EU Birds Directive. It is the regular over-wintering ground of Scotland's only flock of taiga bean geese which numbers over 200 birds and represents more than half of the UK wintering population. The purchase removes a risk of their main roosting site being lost or damaged as a result of peat extraction.

FCS will work with SNH, SWT and RSPB Scotland to ensure that the mosaic of habitats is protected and improved.

Bean geese are a species of European Conservation Concern. They breed in north Scandinavia, north Russia and north Asia but overwinter at Slamannan and in Norfolk. Bean geese are an RSPB amber conservation priority; the breeding population in Scandinavia has declined in the last 20 years.

• *The Herald* reported that six bean geese from Slamannan were fitted with tracking devices by the Wildfowl & Wetlands Trust, commissioned by SNH. They were found to breed in west Sweden.

PUFFINS

A recent count, by The Centre for Ecology & Hydrology and funded by SNH, found puffin numbers at the Isle of May National Nature Reserve in the Firth of Forth similar to 2009 levels. The survey indicated that a total of 46,000 burrows showed signs of use by puffins this spring. About 3,500 puffins were found dead along the coast of eastern Scotland and north east England in March [Mar 13].

Researcher Mike Harris said: "Our general impression over the last few years was that the population was increasing slowly and this may explain why we have not seen a decline following the recent wreck."

David Pickett, of SNH, said: "The March wreck has seriously affected the timing of breeding with those birds that did survive breeding very late. It would not be surprising if they needed a few weeks to recover and get into breeding condition."



FARMING

ISLAY GEESSE

The Ilach reported that Scottish Natural Heritage (SNH), in partnership with the Scottish Government and NFU Scotland, has hired a project manager to develop the Islay Sustainable Goose Management Project [Oct 12]. A long-term plan will be developed to sustainably manage populations barnacle and Greenland white-fronted geese to reduce the impact on farmers' crops. Population control, feeding and refuge zones will be looked into.

NITRATES

The European Union's Nitrates Directive, a revised action programme, has come into force [Feb 13]. The revised action programme aims to prevent or minimise nitrate pollutants draining from farmland and into surface waters and groundwater.

The Scottish Government must, under the EU guidelines, review and revise the action programme at least once every four years. Eight amendments have been made following a consultation. These include:

- Revising the organic manure nitrogen efficiency standard values
- Extending the closed period (when manure with a high nitrogen content may not be spread) by two weeks on heavier soils (soils that are not sandy or shallow)
- Reducing the time for which records need to be kept from five to three years

Areas most at risk of water being polluted through nitrates are designated as Nitrate Vulnerable Zones (NVZs) – 14% of Scotland is currently designated as NVZs.

NEW FUNDING

The Scottish Government has made £2m available to new entrants to farming and deer farmers, currently excluded from receiving Common Agricultural Policy (CAP) Single Farm Payments (SFP). New entrants must have been actively farming a minimum of three hectares since 2004. They will receive support until the reformed CAP, due to start 1 January 2015, gives them an SFP payment. Deer farmers, who have been denied farming subsidies in the past, will also be eligible, provided that they keep at least 20 deer. The New Entrants Group estimates that around 500 farmers are currently excluded from the SFP.

RURAL DEVELOPMENT

The EU Commission has published draft regulations for transition arrangements for current rural development programmes [including the Scottish Rural Development Programme (SRDP) which expire on 31 December 2013 and the new programme opening, probably in 2015 [Apr 13]. The proposals would allow Scotland to keep approving new Less Favoured Area Support Schemes, agri-environment, animal welfare and forest-environment applications (including existing commitments for woodland creation) during 2014, although agri-environmental capital would not be included. Pillar 2 funding could be used for the new 2014-2020 programme to pay for these schemes, if Scotland chose. Not all of the current SRDP may be rolled over until 2015; for instance, the crofting counties agricultural grant scheme and the modernisation of agricultural holdings are not included in the transitional arrangements.

BAD WEATHER FUNDING

The Scottish Government has announced details of a £6m scheme offering help to farmers affected by the recent bad weather [Mar 13]. Applications will be accepted by producers who have lost more than 10% of breeding goats or ewes put to the goat/ram;

will have over 20% fewer kids/lambs reared this year from equivalent breeding stock numbers; have lost more than 5% or more of other breeding livestock; will have more than 10% fewer calves/ other livestock reared this year from equivalent breeding stock numbers. Priority will be given to those affected by snow.



WOODLANDS

ANCIENT TREES

The Woodland Trust Scotland has organised a series of events to record ancient and veteran Scots pines for the Ancient Tree Hunt in Scotland. The work, which will help to plan future protection of the trees, is being supported by the Peoples' Postcode Lottery.

The Ancient Tree Hunt, a living database of ancient trees, began in 2004 as a joint venture with the Tree Register of the British Isles and the Ancient Tree Forum. See: www.ancient-tree-hunt.org.uk/news/events-scotland.htm

EDINBURGH TREES

The Herald reported that Edinburgh City Council's new draft *Urban Strategy Report* states that trees 'may be being regarded as temporary and expendable.' The report states: "Older and larger trees in the city are currently undervalued and should not be removed unless there are compelling reasons to do so, in which case their monetary value should be properly calculated using a recognised valuation system, and this sum reinvested in tree planting."

The council is now in the process of planting 370 trees in its biggest tree-planting programme in the city's parks in recent years.

A new felling programme will be undertaken to reduce the spread of Dutch elm disease which has left just 15,000 of the species in Edinburgh. 1,000 trees are being felled every year in Edinburgh. There are now only about 8,850 trees lining the streets compared to 11,000 in the 1990s. Mature trees in the New Town and Leith Walk were felled to make way for the tram project.

Recent survey work carried out by Forest Research estimates there are 638,000 trees in Edinburgh; 17% of the city is covered by trees, mostly at Corstorphine Hill and the Hermitage of Braid.

ARDUAINNE LARCH

The *BBC News* website reported that sudden oak death, *ramorum* dieback, was found among 1,000 larch trees at Arduaine garden, south of Oban, owned by the National Trust for Scotland [Mar 12]. Forestry Commission Scotland (FCS) said that the Plant Health (Forestry) Order required all the larch trees, regardless of whether they were showing signs of disease, to be felled or killed by January 2014. However, only two trees have been felled and aerial observation by FCS showed the progression of *ramorum* at the site was not as rapid as elsewhere in the UK. FCS said it was now content that, subject to continuous monitoring, the remaining larches do not need to be felled unless, or until, early symptoms of disease become apparent.

NATIVE WOODLAND

The Woodland Trust aims, over five years, to replace conifer plantations with indigenous species. Many plantations have been planted since the Second World War and are due to be felled. 18% of Scotland's land area is woodland but only 4% is native woodland.

£1.9m from the Heritage Lottery Fund will help to fund the scheme and aims to restore almost 130,000 acres of woodland in the UK: at least

8,000 acres will be restored on Scottish sites.

Three priority areas have been identified; the Great Glen with the Dornoch, Moray & Cromarty Firths; the Cairngorms and hinterland and Loch Lomond & the Trossachs National Park.

TREE HEALTH

A survey of the health of broad-leaved trees is part of the Open Air Laboratory project which aims to involve lay people in citizen science. It has been designed by Imperial College London in partnership with FCS, which has also funded 3,000 survey packs as part of its commitment to the Year of Natural Scotland. See: www.opalexplornature.org/



FISHFARMING & FISHERIES

FISHFARM SEDIMENTS

The Sunday Herald reported that environmental monitoring by Scottish Environment Protection Agency (SEPA) over the last three years has discovered high levels of toxic chemicals in sediments from the Firth of Lorn, the Isle of Lewis, the northwest Highlands and Shetland [Apr 13]. The chemicals are used in fishfarms to kill sea-lice. SEPA released the analyses of sediment samples it took from around 24 salmon farms in 2010, 2011 and 2012. It detected residues of pesticides, including teflubenzuron, emamectin and deltamethrin near 19 farms, with only five farms in Orkney recording no contamination above the detectable limit.

Of the 19 with detectable pollution, 12 showed levels of pesticides in breach of SEPA's environmental standards. Four were on the Isle of Lewis, three on the Firth of Lorn around Seil Sound, three in Shetland and two near Kylestrome in the northwest Highlands.

Levels of teflubenzuron found in Loch Sheil on Lewis, near a fishfarm operated by Marine Harvest, were up to 455 times higher than SEPA's environmental quality standards in 2012. The operating licence for the fishfarm is now being reviewed with a view to imposing restrictions on the volume of pesticides that can be used, and the mass of salmon that can be kept in cages.

Marine Harvest suspected that the sophisticated modelling software used to predict their dispersal had failed.

Steve Bracken, of Marine Harvest, said: "We would like to reassure the communities in which we work that this is an unusual occurrence and we continue to carry out our activities in a responsible manner."

Guy Linley-Adams, a solicitor who works with the Salmon & Trout Association (STA), said that the pesticides were highly toxic to lobsters, crabs and prawns. He said: "In the very few lochs where it has looked, SEPA finds plenty of breaches of environmental quality standards. The association is left to wonder when, if ever, there will be any sort of robust response by SEPA to stop this happening."

Don Staniford, from the Global Alliance Against Industrial Aquaculture, said: "Chemical use on salmon farms is spiralling out of control as so-called super-lice develop resistance. Lobsters, oysters, crabs and other shellfish are collateral damage in the salmon farming industry's war on sea-lice."

The Scottish Salmon Producers' Organisation said that there were 'some anomalies in the reporting' which it would discuss with SEPA.

AQUACULTURE STEWARDSHIP

The *For Argyll* website reported that Marine

Harvest is seeking Aquaculture Stewardship Council [ASC] certification. Guy Linley-Adams said: "In order to receive this certification, Marine Harvest will have to publish weekly, farm-specific sea-lice data, individually for each of their farms. This is what the STA has called for, for many years, and ensures producers stand by their environmental obligations. For this reason we do welcome Marine Harvest's decision and hope all other fishfarms will follow its lead."

Hughie Campbell Adamson, chairman of STA, said: "You now have to ask why both the Scottish Salmon Producers Organisation and the Scottish Government fought so doggedly to stop this very provision being included in the Aquaculture & Fisheries Bill in the debate in parliament. Both claimed that to disclose this information would be detrimental to the commercial interests of the farms."

The *BBC News* website reported that fishfarms will only receive ASC certification if they exceed current legal requirements governing chemical use and the problem of parasite transmission between farmed and wild salmon. *The Guardian* reported that the accreditation will also mean that a strict cap is put on escapes of farmed salmon. Under the scheme, the killing of seals as a precautionary measure to protect salmon will be drastically reduced but not entirely stopped. It would also require the company to only use fishfeed derived from Marine Stewardship Council-accredited wild fish stocks or other, non-wild sources of protein.

A Scottish Government spokesman said: "While we welcome the announcement that Marine Harvest is aiming to achieve ASC certification for all its salmon by 2020, that is clearly a long-term objective. The Scottish Government maintains its support for the enhanced voluntary reporting of sea-lice data for 30 areas based on recognised wild fish catchments."

SEALS & FISHFARMS

Freedom of Information data has been disclosed which reveals that salmon farms in Orkney & the North Coast, Shetland, Western Isles and on the west coast killed a total of 346 seals – 93 common seals and 253 grey seals [Apr 13]. During 2011 and the first four months of 2012, 112 different salmon farms killed at least one seal – representing 52% of the 215 active salmon farms in Scotland. Fifteen salmon farms accounted for over a third (37%) of the killings – with the seven accounting for a quarter of all killings: Hjaltland: Lax Firth, Shetland; Scottish Sea Farms: Veantrow Bay & Bring Head on Scapa Flow, Orkney; Lakeland Marine (Meridian): Loch Melfort; Scottish Salmon Company: Loch Roag, Western Isles; Marine Harvest: Loch Sunart; Northern Isles Salmon (Meridian) and Rousay Sound, Orkney.

The Herald reported that a Freedom of Information reply from the Scottish Government showed that 87% of Scottish salmon farms did not have predator nets because that 'requires employing extra trained staff and regular cleaning.'

Scott Landsburgh, of the Scottish Salmon Producers' Organisation, said: "We stand with salmon netmen in our commitment to exclude and deter seals and to shoot only when all other measures fail. This is entirely legal and necessary to protect our fish welfare."

Graham McNally, the regional manager for Meridian Salmon Ltd fishfarms, was fined £800 at Lerwick Sheriff Court after admitting using two illegal nets around salmon cages. He was charged under the UK's Conservation (Natural Habitats) Regulations 1994, the first person in the UK to have been convicted of using nets for the purposes of trapping and killing seals. The prosecutor said that fishfarm workers had refused to deploy the nets,

because of the threat to wildlife. The defence argued that only 13% of the salmon industry used tensioned anti-predator nets because they were ineffective and risked harming other forms of wildlife.

MULL FISHFARM

An appeal by The Scottish Salmon Company against Argyll & Bute Council's refusal of planning permission for a fishfarm at Loch Scridian on Mull has been unsuccessful [Nov 12]. The determining issues in the appeal were the effect on the natural environment and on the character of the landscape/seascape of the surrounding area, having regard to the provisions of the development plan.

SHELLFISH FARMS

Scotland's chief statistician has published the *Scottish Shellfish Farm Production Survey 2012*. Some statistics are given for the ten year period 2003-2012.

The production tonnage of mussels fell by 10% from 6,996 tonnes in 2011 to 6,277 tonnes in 2012. The production of Pacific oysters decreased by 14% from the 2011 total, although production for on-growing has significantly increased (128%) from 1,400,000 shells in 2011 to 3,190,000 shells in 2012.

Employment levels increased by 4% to 358 people. The overall estimated value of the industry decreased to £8.7m in 2012 from the 2011 total of £9.8m.

See: www.scotland.gov.uk/topics/marine/fish-shellfish/FHI/surveys

ROTTAL BURN

A mile of the Rottal Burn, a major tributary of the River South Esk in Glen Clova, has been restored to its original course, and native trees planted to increase shade for fish. The possibility of transferring freshwater pearl mussels into the burn is also being explored. The River South Esk is designated as a Special Area of Conservation for Atlantic salmon and freshwater pearl mussel.

The burn was canalised and straightened around 1800 to reduce flooding. More recently the lower part of the channel was dredged, effectively destroying the entire habitat for fish.

SEPA's Water Environment Fund provided most of the project funding to the Esk Rivers & Fisheries Trust and the landowner.

CRAYFISH

The Galloway News reported that New Galloway Community Council has lobbied the Scottish Parliament, through an e-petition, for a change in the law which would allow people to fish for non-native signal crayfish on Loch Ken [Jan 13]. The North American signal crayfish have damaged fish stocks in the loch.

SNH is responsible for granting fishing licences for non-native species; it is illegal to capture and remove the shellfish without a licence. The community council said: "It should not have been allowed to go this far; SNH seems actually incapable of dealing with the problem."

PRAWN CATCHES

Marine Scotland published a paper looking at key factors affecting the North Sea nephrops (prawn) fishery. Low water temperatures prevented prawns from emerging from their seabed burrows. From January to April, prawn catches hit an 11-year low, falling by 52% compared to last year. The west coast has seen a smaller fall. Scottish lobster catches were also affected by the cold spring [Apr 13].

CFP

Ministers from across Europe have agreed reforms to the Common Fisheries Policy (CFP) [Feb 13]. Once finalised by the European Parliament, a ban on discards will be introduced on 1 January 2015 for pelagic fish only; it was originally hoped that it would be enforced in January 2014. A blanket ban on discards had been proposed by MEPs.

The ministers also made provisions to decentralise decision-making from Brussels, allowing member states more regional control over their own fisheries. The new laws will set legally binding limits to ensure sustainable fishing levels, with annual quotas underpinned by scientific advice.

Helen McLachlan, of WWF Scotland, said: "The devil is in the detail, but in this case it's the lack of detail, as fisheries ministers decided on a legally neutral text with few binding timelines and concrete measures."

HERRING & MACKEREL

Sanctions to conserve herring stocks and help protect the livelihoods of Scottish fishermen have been outlined by the EU Commission [Jun 12].

The EU sanctions on the Faeroes in relation to herring could prevent import of herring into the EU; prevent vessels that fish for herring landing into the EU; prevent EU vessels going to fish for herring in Faeroese waters.

The Commission is preparing further legal advice on similar sanctions in relation to mackerel on both Iceland and The Faeroes. They will also seek an early meeting to discuss the situation with the new Icelandic government.

- The Marine Conservation Society (MCS) now suggests that Scottish-caught mackerel may occasionally be eaten without endangering the species [Jan 13]. The MCS does not recommend eating the species caught by Faeroese trawlers.



MARINE

BEACHWATCH

The Marine Conservation Society (MCS) reported that the annual *Beachwatch Big Weekend Report* found that plastic debris made up almost 56% of all the litter found on Scotland's beaches. Scotland had 2041 items of litter/kilometre, representing an increase of 20% on 2011 figures. The number of cigarette stubs found was double that of 2011.

There was also a 90% rise in other smoking-related rubbish. The number of sweet and lolly wrappers found had increased since 2011, and more than 110 plastic drinks bottles found for every kilometre surveyed. Almost 500 volunteers cleaned 35 beaches, covering more than 10 km. They collected 20,951 items, filling more than 254 bags.

A Scottish Government spokesman said: "The government will consult on a draft Marine Litter Strategy from this summer which will aim to address the levels of litter present in the coastal and marine environment, and contribute to international action through the EU Marine Strategy Framework Directive."

BASKING SHARKS

The MCS has received very few reports of sightings of basking sharks so far this year, and believes this could be down to the cooler-than-average seas [Apr 13]. Divers reported water temperatures of 10°C or 11°C when it should be nearer 13°C; plankton are not blooming and so basking sharks are staying in warmer seas to feed.

A project by Scottish Natural Heritage to tag basking sharks has been extended [Jul 12].



POLITICS & PARLIAMENT

CROFTING

The Scottish Government is to change the law on crofting [Jul 10]. The 2010 Crofting Reform Act inadvertently removed the ability of those who own their crofts to 'decroft' or remove land from crofting regulation. This is normally used to create house sites for themselves or sell to others.

There are about 17,700 crofts in the old crofting counties of Argyll, Caithness, Inverness, Ross and Cromarty, Sutherland, Orkney, and Shetland. Just fewer than 2,900 of them are owner-occupied.

Before the latest crofting act came into force, owner-occupiers simply approached the old Crofters Commission to decroft. In February, the Crofting Commission suspended all decrofting applications on owner-occupied crofts following legal advice.

AQUACULTURE & FISHERIES BILL

The Herald reported that the Salmon & Trout Association (STA) believes the Aquaculture & Fisheries Bill is an opportunity to ensure the relevant information on sea-lice from each individual fishfarm in Scotland is made public [Mar 13]. The STA wants MSPs to amend the current bill, or use existing powers in the Aquaculture Act 2007, by publishing a list of salmon farms the Scottish Government's own Fish Health Inspectorate (FHI) has noted as breaching sea-lice thresholds. The STA has published the identity of 67 farms noted during FHI inspections in 2011 and 2012 as having breached Code of Good practice thresholds of sea-lice. The STA claims that, that while a few sea-lice on a large adult fish are not a problem, even a light infestation on fragile juvenile smolts will be fatal, and this is a test of the Scottish Government's commitment to conserving wild salmon and trout.

Scott Landsburgh, of the Scottish Salmon Producers' Organisation (SSPO), said the real issue was not the numbers of sea-lice, but whether or not they had any impact on the wild fish, and that requires information from both fishfarmers and wild fish interests.

A Scottish Government spokesman said: "We welcome the enhanced voluntary sea lice data publication scheme from the SSPO, based on recognised wild fish catchments, as a positive step forward."

- *The Galloway News* reported that the Scottish Parliament passed new measures to deal with illegal cocklers on the Solway Firth as part of the bill [Aug 12]. It is now easier to prosecute offenders, with the police no longer required to catch illegal cocklers in the act of removing the shellfish. Prosecutors can now 'infer' that an accused person had gathered, or was about to gather, cockles illegally. Alex Fergusson MSP said that it was hoped that the fishery would be reopened by September, which would stop illegal picking.

TRUMP RESORT PETITION

The Public Petitions Committee took evidence from David Milne whose petition for a full public inquiry into the authorities' handling of Donald Trump's golf resort at Menie Estate in Aberdeenshire has been signed by 19,000 people [Feb 13].

Mr Milne, a Menie resident, wants MSPs to urge the Scottish Government to examine the way local government, Scottish ministers and other relevant public bodies conducted themselves during their dealings with the Trump Organisation. He specifically called for consideration of council and police behaviour.

He said: "Mr Trump has nothing to fear. We are not seeking to overturn his planning applications, merely to find out exactly what went on behind

the scenes in national and local government, and to ensure the whole story gets told and lessons learned. A series of systematic failures abandoned local residents to the mercies of a rapacious developer and left our irreplaceable local environment unprotected ... Above all it's about the protection the planning system is meant to provide to communities like ours and to environments like the now-destroyed Site of Special Scientific Interest at Menie."

The inquiry would cover former first minister Jack McConnell's Labour-led Scottish Executive, Alex Salmond's SNP Government and Aberdeenshire Council which, at the time, was controlled by the Liberal Democrats.

Mr Trump's planning application was initially rejected by a local authority committee but was then called in by the Scottish Government. Mr Salmond became local MSP for the area in 2007. The plan was subsequently rubber-stamped by the council, then approved by Finance Secretary John Swinney in November 2008.

A planning inquiry and a Holyrood committee inquiry have already taken place.

John Wilson MSP, and deputy convener of the committee, said that it was only fair to give public bodies the chance to respond. The organisations, which include Aberdeenshire Council, Scottish Natural Heritage, Marine Scotland and Grampian Police (now the Scottish Police Service), were named as organisations which had either overstepped the bounds or acted with impropriety in their conduct with the residents in the Menie Estate.

LAND REFORM

The Herald reported that the Land Reform Review Group (LRRG) has produced its interim report; the final report is due in a year, building on recommendations made in the response to its consultation [Jan 13].

The LRRG is to pursue the idea of a Land Agency to mediate between landowners and communities mounting hostile buyouts. The LRRG has not yet decided if such a body would be equipped with compulsory purchase powers as originally proposed. However, the *status quo* of no further land reform, sought by 89% of Scotland's landowners, is unlikely to be recommended. An analysis of submissions showed a number of respondents felt the remit of the review group 'was deliberately biased against landowners.' Community Land Scotland (CLS), in its submission to the LRRG earlier this year, argued that the agency should have the powers of compulsory purchase to secure greater community ownership across Scotland. However, it also argued voluntary agreements with landowners should be at the heart of the agency's work and that the greatest potential was not in hostile buyouts, but in negotiated land transfers, particularly where the community might not want to take over a whole estate and the 'big house.' The agency could hold land for later transfer to communities or to create new agricultural holdings for lease or purchase.

The LRRG says the review will now look at parts of rural Scotland that have not embraced community ownership as keenly as the north west, at urban Scotland, which is not covered by the Land Reform (Scotland) Act 2003 and at ways of giving people a stake in the land without going as far as ownership.

The *West Highland Free Press* reported that CLS welcomed many of the points in the report, but said the analysis of responses showed that 'private landowning interests have been out in force to try and sway the evidence toward maintaining the *status quo*.'

Land reform campaigner Andy Wightman said: "It is clear that land reform is effectively dead as a matter of public policy. That does not reflect my own experience of speaking to thousands of people across Scotland over the past couple of years, during which events less than a handful of people ever appeared to have heard of the LRRG, but it does sit comfortably with elite Scotland's view of the world."

Mr Wightman said the report avoided tackling fundamental issues such as using land for tax avoidance, absentee landlords, releasing land for housing, or the role of the Crown Estate.

The report offers criticism of the current land ownership pattern. It said: "Scotland has significantly large private landholdings and the discretions of ownership allow a few people to make decisions about large parts of the country's land resource and also in some cases about the options available to the people who live their lives on it."

Scottish Land & Estates said: "We remain disappointed at the persisting view that the pattern of land ownership in Scotland is unfair and unjust ... despite our members' transparency, the report still refers to a need for greater scrutiny of private landowners. We feel this is totally unjustified."

However, *The Herald* said that there was little in the report to hint of a radical change to the pattern of land ownership.

Professor Jim Hunter and Dr Sarah Skerratt, have resigned from the group; Ian Cooke, previously an adviser to the group, becomes a vice-chair.

Dr Calum Macleod, of the UHI Centre for Remote and Rural Studies, said: "The interim report, as acknowledged in its text, has suffered from Professor Hunter's departure. Indeed, close reading of that text suggests that whatever radical intent the group may have originally harboured appears to have exited the review process with him. If the Scottish Government is serious about grasping the bare wire of radical land reform for a more sustainable Scotland, then it will take a lot more than tweaking the community right-to-buy legislation to deliver on that. And if the LRRG is to play a meaningful part in that process between now and next April, it needs to add substance to warm words and instil a breadth of vision currently lacking as it embarks on the next phase of its review."

MULL OF GALLOWAY

The Mull of Galloway Trust received a £338,500 grant from the Scottish Land Fund to help purchase 30 acres from the Northern Lighthouse Board under Community Right to Buy procedures [Mar 13].

WILD LAND

The Herald reported that the Scottish Parliament's Public Petitions has closed the John Muir Trust (JMT)'s petition calling for a national wild land designation [Feb 13]. Stuart Brooks of JMT said that at least the debate had led politicians across the spectrum acknowledging that Scotland's wild land was of national importance and needs more robust protection. In the meantime, the current planning system was 'failing lamentably' to afford wild land the protection it needed. He said: "Whatever decision, this is an idea whose time is coming. The recent publication of an official wild land map of Scotland marks a great advance. But we believe that the Scottish Government, having taken a strong step in the right direction, should now go further by reinforcing their declared support for wild land protection with a pledge to introduce a national designation."

A JMT statement pointed to recent planning

decisions by the Highland Council [see ENERGY] when officials recommended 'no objection' to large-scale windfarm developments in Sutherland that could lead to the loss of vast tracts of core wild land and the destruction of peat bogs that lock in great stores of carbon.

John Hutchison of JMT said: "Wild land should be afforded the same status as National Parks and National Scenic Areas, because it is too precious to be fought over. As Scottish Government ministers acknowledged, 58% of our best wild land lies outwith existing national designations."

The JMT considers that wild land should be officially designated and protected by an outright ban on major development.



GENERAL ENVIRONMENT

SNARING PROSECUTION

A gamekeeper has been fined £1,500 at Elgin Sheriff Court for setting illegal snares likely to cause unnecessary suffering to animals. The snares were set on the Logie Estate, near Forres in Morayshire.

Brian Petrie admitted to setting snares likely to make animal suffers by wholly suspending them, and also to setting snares in a manner likely to be dragged and failing to release or remove an animal from a snare. The SSPCA found a badger and several foxes dead in the snares. Mr Petrie had taken the snaring course [Apr 13].

Mike Flynn of the SSPCA said: "The snares were set in an area inhabited by sensitive native species such as the Scottish wildcat, pine marten, deer, otter and badger so there was a high risk of this type of animal being caught, maimed and killed and one badger was found dead at the scene."

He said the case highlighted that snaring was cruel, indiscriminate and unnecessary and should be banned. The estate was not aware of their gamekeeper's actions and had cooperated fully in the SSPCA's investigation.

SEVEN LOCHS

A new visitor centre will be situated by Provan Hall in Easterhouse to form the entrance to the Seven Lochs Wetland Park. The park will span the Glasgow and North Lanarkshire council boundaries and will become Scotland's largest urban wildlife site, covering 20 km² of lochs, parks, nature reserves and woodlands, linking existing parks and reserves with new paths and cycleways.

INVERRNAID GOATS

RSPB Scotland is to shoot feral goats on its 2,000 acre Inversnaid nature reserve on the east shore of Loch Lomond. Scottish Natural Heritage (SNH) said that the woodland Site of Special Scientific Interest within the reserve was in decline, because of browsing by the herd of 60 goats. The British Feral Goat Research Group said that the planned cull, to 30 goats, was too severe and could cause the herd to die out. Dr Shirley Godyer said the Inversnaid goats have many characteristics of the now-vanished British primitive goats, and are a valuable genetic resource. She said: "It has been a very hard winter and a harsh spring, and mortality rates are likely to have been quite high. Taking the numbers down to 30 is a bit low: it isn't a sustainable population if we get further bad winters. I would prefer to see about 50 left."

Strathard Community Council chairwoman, Fiona McEwan, said: "We don't believe this widespread slaughter of goats near Inversnaid has been properly justified or planned by the RSPB, and want to ensure the long-term future of these goats is protected so the important and historic herd remains viable. There is great concern from

local people and businesses, and this feeling is supported by the wider community. Goats have co-existed with the trees and vegetation on this terrain for centuries – they are the symbol of Inversnaid, and a highlight for people who visit there and the 50,000-plus walkers on the West Highland Way every year.”

Rob Coleman of RSPB Scotland, said: “What we’re doing is establishing a level so that the goats and deer are in balance so the woodland can thrive and the goats and deer can too. If we do nothing, the goats will continue to expand. If we stop controlling goats and deer too, the woodland would disappear eventually. We have to focus on the designated habitats [the SSSI]. That’s the priority rather than the goats, but we don’t want to see the goats disappear and what we are doing is managing them to a level that we feel is acceptable.” He said that relocation had been found not to be feasible.

BLANEFIELD SOIL

A soil analysis carried out by Stirling Council found traces of lead and arsenic in land at Blanefield which posed a ‘significant possibility of harm’ to residents of 13 homes. The ground is the former site of the Blanefield Printworks, which closed more than a century ago, and it is thought the chemicals leaked into the ground from dye vats. The decontamination bill is expected to be over £300,000, and householders have called on Stirling Council for financial help with the remediation. The homes were built in the 1960s long after the plant was demolished. The company has gone out of business and there is no successor firm which can help pay for the decontamination work.

CAIRNGORMS HOMES

The *Strathspey & Badenoch Herald* reported that the Aviemore & Highland Developments has sought planning permission for 96 houses in Carrbridge in the Cairngorms National Park. Argyll Developments have applied for planning permission for 58 homes in Nethy Bridge. Both applications have been called in by the Cairngorms National Park Authority [Mar 13].

Gus Jones, of the Badenoch & Strathspey Conservation Group, said: “We are concerned to see astonishing deficiencies in the environmental surveys undertaken for the applicants to support these large developments. We consider it fundamental that the CNPA requires surveys that reflect the high importance for wildlife conservation of this sensitive and remarkably rich area.”

A rare colony of narrow-headed wood ants and red squirrel dreys are found on the Carrbridge site, which has been subject to previous long-running planning applications.

CLIMATIC CHANGE

The Terrestrial Biodiversity Climate Change Impacts Report Card, supported by the Scottish Government, SNH and other research bodies in Scotland, is the first in a series of click-through documents showing how wildlife is responding to climate change and assesses scientific confidence in these trends using monitoring and research data.

The *Report Card* draws on hundreds of scientific studies and reflects the consensus view of the scientific community.

It is published by the Living With Environmental Change Partnership which funds, provides and uses environmental research.

Professor Des Thompson of SNH said: “There is mounting evidence pointing to climate change effects on wildlife. Much of this is complex, and

confounded by land use changes. This strengthens the need to tackle the causes of climate change. And we have to better understand these changes and their consequences for Scotland, and then we need to adapt management to cope with them. There are going to be winners as well as losers for nature. In the case of the bee orchid, its recent arrival in Scotland over the past four years or so appears to reveal that changing climate has allowed it to spread. Species most associated with high altitude conditions are likely to be most vulnerable to climate change, for example dotterel and snow bunting are restricted to the highest reaches of the Scottish Highlands.

“We have seen some differences which may be linked to climate changes, but we need to continue monitoring their populations to be clear about what is happening. Changes in nature will have other consequences for all of us: the natural flood protection that vegetation and habitats can provide may be tested by variations in extreme weather events. The report card will contribute to the evidence base that is informing Scotland’s Climate Change Adaptation Programme being developed by the Scottish Government to address the impacts of climate change identified for Scotland.”

The project was funded by the UK Department of Environment, Food & Rural Affairs and the Natural Environment Research Council.

See: www.lwec.org.uk/resources/report-cards/biodiversity

RAPTOR PERSECUTION

The *Raptor Persecution Scotland* blog calculated the number of confirmed raptor persecution incidents and compared those with the corresponding number of convictions. The number of confirmed incidents of poisoning, shooting, trapping and nest destruction from 2003 to 2011 was 450. The number of successful prosecutions over the same time period was 33 (7.3% conviction rate).

BUZZARDS

The Scottish Wildlife Trust (SWT) called on the Scottish Government for reassurance that licences will not be issued for the destruction of buzzard nests and eggs in Scotland.

The measure is currently being taken by Natural England, the body responsible for the issuing of these licences in England, to protect non-native pheasant stock.

Simon Milne, of SWT, said: “SWT always advocates taking management decisions based on the best available scientific evidence. Data gathered by the British Association for Shooting & Conservation found that on average the level of predation of gamebirds by raptors is only 1-2%. We do not believe that this comparatively small loss justifies the persecution of this native species and that the vast majority of the public would prefer to see buzzards taking their rightful place in the ecosystem. We are seeking assurance that the Scottish Government and its agencies will not issue such licences in Scotland.”

The *Raptor Persecution Scotland* blog reported that a petition has been started to persuade SNH that licences, without supporting scientific evidence, should not be issued to destroy native buzzards’ nests and eggs to protect gamebirds reared for sport-shooting. Some gamekeepers and landowners in Scotland have been lobbying the Scottish government for these licences for at least ten years. See: <http://www.change.org/en-GB/petitions/snh-do-not-licence-the-culling-of-buzzards-in-scotland>

MAN-MADE DEVELOPMENTS

A SNH report, *The 2010 Visual Influence of Built Development National Indicator*, singles out wind

turbines as the principal type of development behind an increase of 1% in built developments in the landscape since 2009 and 5% since 2010. Built development could be seen from 70% of the country in 2010. Turbines were visible from 35.6% of the country in 2010 as opposed to 31.6% in 2009 and 19.9% in 2008. Tall structures without turbines could be seen from 46.3% of the country. This figure remained unchanged between 2008 and 2010. All of the other components of development showed either no change or a change of less than 1%.

Ian Jardine of SNH said: “The purpose of this report is to reveal the changes affecting Scotland’s landscape as a result of built development. This is perhaps unsurprising given the importance of the renewable energy sector in Scotland.”

Dave Morris, of Ramblers Scotland, said that ministers had to take into account SNH’s most recent findings on visual impact, having already proposed restricting or banning wind turbines in up to one-third of the land mass [Apr 13]. He said: “This should be sufficient to persuade the Scottish Government that in areas where turbines are permitted they should be reduced in height and the maximum height to the tip of the blade should be 30 metres. If there has to be higher turbines, they should be around docklands or oil refineries where there is already considerable visual vertical intrusion from chimneys and cranes.”

See: www.snh.gov.uk/publications-data-and-research/trends/scotlands-indicators/natural-heritage-indicators/

ROSYTH TERMINAL

The *Sunday Herald* reported that the engineering firm, Babcock, has lodged an application asking Scottish Ministers to rule that SNH pays its expenses for a public inquiry into a proposed container terminal at Rosyth [Jul 10]. Scottish ministers have still to decide on the outcome of the inquiry.

A 9.5m channel would be dredged in the Forth. SNH claimed this could damage mudflats protected by European law because of their importance for wigeon, curlews, oystercatchers and other birds.

Babcock accused SNH of ‘a flawed understanding of the law’, claiming that SNH failed to follow public inquiry procedures, wasted time and caused ‘unnecessary expense.’

Iain Rennick of SNH said: “We don’t accept we acted unreasonably in making our case, and believe we would have been failing in our statutory duty if we hadn’t done so. We are robustly contesting Babcock’s claim.”

RSPB Scotland, which also objected at the inquiry, said that Babcock had lost the scientific argument. Richard Evans of RSPB Scotland, said: “It is disappointing that Babcock appears to be seeking to punish SNH financially for simply doing their job correctly.”

Lawyers estimate that the amount could be between £300,000 and £500,000. A Babcock spokesman said the company’s intention was ‘not to seek any financial gain’ but to highlight the disruption and added financial burden caused by the inquiry.

PUBLIC PARKLAND

The *Herald* letters page stated that Edinburgh City Council has submitted a private bill to the Scottish Parliament, to change the designation of Common Good Land at Portobello Park and build a new high school. An action group against the proposal has been set up, which fears that this precedent will be used by other local authorities to take other Common Good Land for similar purposes.

West Dunbartonshire Council has announced that its preferred site for a new high school is Posties Park in Dumbarton.

Glasgow City Council has leased eight acres of land at Bellahouston Park to the Prince & Princess

of Wales Hospice for 60 years. Cathkin Braes Country Park now has a wind turbine and associated infrastructure, along with mountain bike tracks for the 2014 Commonwealth Games. The park was gifted to the city in 1887 with the stipulation that it be retained in its natural state and open for public enjoyment.



ENERGY

CONSTRAINT PAYMENTS

From 13 April to 13 May, £5.994m was paid out to windfarm operators by the National Grid not to generate electricity, with all but £2,000 going to developments in Scotland. The latest payments bring the total paid since 1 January to £7.8m. The total for the whole of 2012 was £5.924m.

The increase in the number of windfarms in Scotland now connected to the grid may have contributed to the recent excess power supply, but a National Grid spokesman added there could be other reasons for the payments, such as summer network maintenance.

Catherine Birkbeck, of Scottish Renewables, said: "The point is that constraints on the grid affect almost all electricity generators, not just windfarms, and it is cheaper to compensate windfarms for lost generation time than other actions to balance the grid."

BEAULY/DENNY UPGRADE

The Herald reported that Sir John Lister-Kaye, of Aigas field centre near Beaulay, is concerned about work being carried out on the Beaulay/Denny power line upgrade, which he believes is disturbing nesting birds, particularly ospreys [Sep 12]. He claims that helicopters delivering overhead wires to the job will be disruptive and that there should be no work done on the line during the nesting period.

A spokeswoman for SSE said the agreement with Scottish Natural Heritage (SNH) was that there would be a buffer zone of between 500m and 750m running between the work and the nesting ospreys.

Struan Stevenson MEP called on ministers to intervene over the Beaulay/Denny upgrade work. He claimed that overhead rewiring carried out by SSE across the River Beaulay near Kilmorack Dam, 12 miles west of Inverness, may be in breach of legal conditions regarding wildlife.

GEESE & TURBINES

Three new pieces of research have been released SNH which will help with more accurate, and in some cases quicker and easier, assessments of whether individual windfarm proposals will affect geese. Scotland hosts large numbers of wintering geese and many windfarm proposals in agricultural areas overlap with the good feeding areas for these species; there is a risk of birds colliding, being displaced or being disturbed by developments. These effects need to be taken into account in many proposals, and this will involve formal environmental assessments.

A review shows how far geese fly and feed from their roost sites in Grampian. An overview of goose feeding locations is given and potentially sensitive sites identified. SNH plans to expand this research to all of Scotland.

SNH and the Wildlife & Wetland Trust have also completed research illustrating where pink-footed and greylag geese feed across Scotland. This research includes maps which will help planners and developers to identify areas which are more likely to be sensitive to wind turbine developments.

These two reports will be used to produce new SNH guidance which will help to determine sensitive areas and identify more quickly those applications that require in-depth bird assessments.

Finally, recent reviews suggest that collisions between geese and wind turbines occur less often than previously thought. In response to this new information, SNH is recommending a change in the calculation used in environmental assessments that predicts the rate of goose mortality at windfarms. This change will help to ensure that planning applications for windfarms contain more reliable estimates for the numbers of geese likely to be killed per year.

See: www.snh.gov.uk/publications-data-and-research/publications/search-the-catalogue/publication-detail/?id=1991; www.monitoring.wwt.org.uk/pdf/mitchell_2012b.pdf; www.snh.gov.uk/planning-and-development/renewable-energy/onshore-wind/bird-collision-risks-guidance

WINDFARMS & BIRDS

Vattenfall, RES, SSE and ScottishPower Renewables, together with SNH, RSPB Scotland and the Scottish Government, are to invest in a new research fund to help better understand the relationship between windfarms and bird populations. The new programme of research will be carried out under the aegis of the Scottish Windfarm Bird Steering Group. The proposed research goes beyond the mandatory requirements of Environmental Impact Assessment, and aims to make the best use of data gathered by developers and operators of medium and large windfarms following construction.

WINDFARM VISUALISATIONS

SNH has launched a consultation on new, revised guidance for producing visualisations for proposed windfarms, including those offshore. It aims to provide a consistent and proportionate way of presenting visual information, key aspirations in the Regulatory Reform Bill currently being considered by the Scottish Parliament.

The consultation runs until 19 July. SNH will then work with The Highland Council, Scottish Government, Scottish Renewables, Landscape Institute and Planning Scotland to finalise the new guidance, which it aims to publish by the end of the year. See: www.snh.gov.uk/planning-and-development/renewable-energy/consultations/

WINDFARM UPDATES

Caithness: Statkraft's proposed windfarm at Spittal Hill has been scaled down from 30 turbines to eight, following the refusal of planning permission following a public inquiry [Jun 12]. Noise and landscape grounds were given for the refusal which was the first onshore windfarm to be refused for four years. The revised plans are for the same site. Both SNH and the Reporter, on behalf of Scottish ministers, concluded at the inquiry that the site was capable of accommodating some turbines.

Dumfries & Galloway: RES received permission for the Glenchamber scheme between New Luce, Kirkcowan and Glenluce after an appeal to the Scottish Government last year [Jul 12]. The 11 turbine project had been rejected by the council due to landscape concerns. RES now wants to amend three of the 26 conditions imposed, which relate to the monitoring and levels of background noise from the development. Councillors rejected RES's bid to relax the planning conditions.

Sutherland: Highland Council decided not to object to the Sallachy and Glencassley windfarms, situated a few miles apart near Loch Shin [Apr 13]. A total of 48 turbines is proposed

but planning officials advised councillors not to object if SSE's plan for 26 turbines at Glencassley was reduced by three.

SNH had objected; the windfarms would be 'in an area of the strongest wild land character' and Sallachy would negatively affect the Assynt/Coigach National Scenic Area.

Helen McDade, of the John Muir Trust, said: "Local councillors have numerous demands on their time and are understandably forced to rely on advice from planning officials, but the advice upon which this decision was based has been one-sided and misleading. Both the Search Areas for Wild Land, which are referred to in current planning policy, and the core wild land areas in Scottish Natural Heritage's updated 2013 map should mean no major industrial development on these sites. Also the recommendation in the Scottish Government's Scottish Planning Policy draft consultation paper, that wild land character should be safeguarded clearly shows the direction of Scottish Government thinking. The importance of these national guidelines has been downplayed by the Highland planning officials. Since these developments would be on peatlands, the Trust is also concerned that not enough consideration has been given to the release of greenhouse gases by the degradation of peat soil, because the retention of gases in healthy peatland plays a vital role in locking in carbon and reducing greenhouse gases.

"Meanwhile, far-fetched promises by the developers of jobs and financial windfalls appear to be accepted at face value by planning officials, even though other, similar, industrial-scale wind developments locally have created very few local jobs. The industrialisation of the Highlands under forests of steel turbines has been a bonanza for energy corporations and landowners, but little of that wealth trickles down into local communities. Rigorous scrutiny of these projects will require a Public Local Inquiry, and, since a statutory consultee, SNH, has put in an objection to both developments, the standard procedure would be that the Scottish Government would call such an Inquiry, regardless of the vote.

"Beyond that, the decision underlines the need for robust protection at national level for Scotland's core wild land as mapped out by SNH. Wild land is not a commodity to be industrialised and exploited for profit, but a precious natural resource that should be protected and enhanced for future generations."

The Herald said that both developments have local support, and that many of the objections come from outwith the area.

ABERDEEN OFFSHORE

The Trump Organisation has lodged a bid to seek a judicial review at the Court of Session in Edinburgh of the Scottish Government's decision to build an offshore windfarm near his golf course north of Aberdeen. The £230m 11-turbine European Offshore Wind Deployment Centre has been approved by ministers [Mar 13].

Donald Trump said: "Windfarms are not only hideous, they kill birds and sea mammals, they destroy housing values, they are a danger to our health and tranquillity – and it is an absolute scam to claim that they save energy. This is a subject on which I reluctantly have become an expert: with the aid of a £34m European Union grant, Mad Alex's latest pet project is to be erected just off the beautiful stretch of coast where I am investing hundreds of millions of pounds in a major resort."

A spokesman for the Scottish Government said: "The determination of planning applications is a matter for Aberdeenshire Council and any subsequent decisions of the Trump International a matter for that organisation. At the same time,

the direction of energy policy in Scotland is a matter for the democratically elected Scottish Government. The Scottish Government is committed to the successful and sustainable development of an offshore wind sector, which could lead to a potential generation of over £7 billion to Scotland's economy and support up to 28,000 direct jobs and a further 20,000 indirect jobs by 2020."

WAVE ENERGY

Consent has been granted for the world's largest commercial wave energy scheme off Lewis. Aquamarine Power is planning to locate 50 devices off the coast at Lag na Greine, near Fivepenny Borve. However, SSE said that it would not be able to commission work on an interconnector, to take surplus energy to the mainland, before 2017.

RIVER ESK TIDAL

Marine Scotland has decided not to grant consent for a 15 turbine tidal array in the River Esk estuary at Montrose. GlaxoSmithKline had submitted plans for an array to provide renewable power direct to its manufacturing and supply facility. RSPB Scotland said: "Marine Scotland has made the right decision not to grant consent for a project sited in a highly environmentally sensitive area."

KYLERHEA TURBINES

The *West Highland Free Press* reported that a local meeting voted overwhelmingly against the proposed tidal power project in the Kylerhea Narrows between Skye and the mainland, as it would pose a serious risk to marine traffic [May 10]. One resident said: "If you wanted to design a hazard for shipping and wildlife, it would be difficult to come up with a better scheme."

The project is being developed by Marine Current Turbines, and involves placing four turbines in the narrows between Kylerhea and Glenelg. Marine Scotland is currently considering the application.

HYDRO UPDATES

Argyll: A £3.5m, 1 MW hydro scheme is planned for the Merk Burn in Glen Fyne near Cairndow. It will be Scotland's largest community-led hydro scheme. Social Investment Scotland is funding £853,500 of the project.

Easter Ross: A £30m hydro scheme at Glasa near Ardross has been given planning permission. SSE will begin construction on the 7.5 MW scheme later this year.

Inverness-shire: SSE has launched a claim at the Court of Session against construction company Hochtief in regard to a tunnel rockfall. Generation was halted for three years at its Glendoe hydro plant near Loch Ness, whilst repairs were made [Aug 09].

OPENCAST COAL

The Sunday Herald reports that KPMG, the liquidator for Scottish Coal, said that the company is bound by a responsibility to restore mining sites back to their natural states, an expensive process [Apr 13]. KPMG has petitioned the Court of Session in Edinburgh to abandon title and responsibility to their 11 former mines, on the grounds that there will not be enough money to pay for restoration. Coal Action Scotland is outraged at this move, saying that too many companies have been allowed to provide poorly for site restoration, even with restoration bonds; some sites have been abandoned since the 1990s and still not restored. Councils have been reluctant to ensure that estimated costs match the reality, or to enforce clean-up happening

at all. Scottish Coal's liabilities are £250m, while assets have dropped to £55m. A Scottish Government task force of stakeholders has been set up, helping with the collapse of the Scottish Resources Group of which Scottish Coal is the main trading subsidiary. It is chaired by Professor Russel Griggs, who also chairs the Scottish Mines Restoration Trust. The taskforce called for any Scottish Coal buyer to 'protect jobs and meet its environmental obligations, as well as avoiding the cherry-picking of assets.'

The Herald reported that an East Ayrshire Council report into the closure of Scottish Coal and Aardvark states that liquidators, KPMG, estimated that the total restoration costs for the East Ayrshire sites would be in the region of £48m to £90m. However, the value of bonds held by the council is about £16.1m for Scottish Coal sites and £11.52m for Aardvark sites. The report states that while the estimates for cleaning up the sites may currently 'be unreliable, they indicate significant liabilities ... there is currently no certainty with regard to the extent that bond providers will honour the bond obligations'.

Oliver Munnion, of Coal Action Scotland (CAS), said: "The restoration bombshell has finally been dropped. In East Ayrshire alone the shortfall could be up to £60m. What about South Lanarkshire, North Lanarkshire, Fife and other areas? We're looking at a £100m bill that will be dumped on the public purse. The mining companies have failed in their statutory obligations, but local authorities should have been enforcing the planning rules, and in this they have failed tragically."

Aedan Smith, of RSPB Scotland, said: "Our immediate priority is to work with the industry, local authorities and Scottish Government to ensure this does not result in a legacy of environmental degradation which is bad for wildlife and local communities. Some of these sites are in internationally important wildlife sites and were only allowed to progress if full restoration would be delivered. There is a legal obligation on the local authorities and on Scottish ministers to ensure this restoration happens. It is clear the model that has been used in Scotland has not been fit for purpose and this needs to be overhauled if society and the environment is not to be left to pick up the tab."

Work is under way by consultant mining engineers to investigate the state of each site in the area, along with outstanding restoration work and costs. A report is due in June.

East Ayrshire Council said that Hargreaves Services wants to take over some sites, but to abandon extensive areas of unrestored land. That approach is being 'vigorously challenged' by the council. Council leader Douglas Reid said: "I welcome the chief executive's proposal to independently review all of the procedures around the management, determination, implementation and monitoring of the planning processes in relation to opencast coal operations within East Ayrshire. We must, however, never lose sight of the fact that it was the responsibility of the coal companies to clean up behind themselves and restore their land — they didn't do this and they have reneged on their responsibilities to our communities."

The Liberal Democrats are urging the Scottish Government to reject any future move to ease the future responsibilities for opencast firms to restore land to its original condition. Willie Rennie, the LibDem leader said: "The proposed pay-as-you-extract scheme means the companies would only pay a fee for the coal they extract, which may not match the full cost of restoration. If a company collapses just before it extracts any coal it will

have no fee to pay but will have ripped out a big hole in the landscape ... the countryside is littered with the legacy of failed opencast mining operations. This must not be allowed to happen again."

UNCONVENTIONAL GAS

The Herald reported that Falkirk and Stirling councils have delayed a decision on exploiting underground gas in Airth, central Scotland [Apr 13]. Dart Energy has postponed the start of commercial mining for coal-bed methane as the councils and the company have failed to reach an agreement on a new deadline. Dart has until 7 August to appeal to the Scottish Government's planning directorate against the council's 'non-determination.'



RECREATION & TOURISM

CAPE WRATH

The *BBC News* website reported that the Ministry of Defence (MoD) has abandoned plans to purchase 58 acres of land next to its Cape Wrath training range from the Northern Lighthouse Board [Jan 13]. The MoD had been offered the land around Cape Wrath Lighthouse and planned to create new artillery and mortar positions and troop accommodation.

Durness Development Group sought to prevent the sale and registered its interest in acquiring the land. The group claimed that the public would be prevented from using spectacular cliff paths if the MoD were to take over all the land.

CAIRNGORM PLATEAU

Cairngorm Mountain Limited has received permission from Highland Council to continue its Walk @ The Top events on a permanent basis. Scottish Natural Heritage (SNH) and Highland Council gave permission for guided walks to be run as a trial [Jul 10]. After the funicular opened in 2001, people were not allowed to use it as a quick means of reaching the mountain and a 'closed system' was operated.

SNH held a public consultation on the plan and has said that the walks would have no effect on the integrity of the site. Approval was needed from Highland Council because of conditions it attached to its planning permission for the funicular railway. A total of 2,174 walkers attended 353 walks held during the trial periods between 17 July and 31 October in 2010 and 1 May and 17 July in 2011.



NEWS OF ORGANISATIONS

CAIRNGORMS NATURE

Cairngorms Nature is a new partnership which aims to safeguard and enhance the biodiversity of the Cairngorms National Park. The five-year action plan will be overseen by a strategy group including the Cairngorms National Park Authority, Dee Fisheries Trust, Forestry Commission Scotland, NFU Scotland, National Trust for Scotland, RSPB, Scottish Land & Estates, Scottish Gamekeepers' Association, Scottish Natural Heritage and a community development officer. See: <http://cairngorms.co.uk/look-after/cairngorms-nature>; <http://cairngorms.co.uk/resource/docs/publications/13052013/CNPA.Paper.1898.Cairngorms%20Nature%20Action%20Plan%202013-2018.pdf>

SNH

Councillor Angus Campbell, Professor Robert Furness, Ian Gillies and Ian Ross have been appointed as new members of the board of Scottish Natural Heritage (SNH). Professor Keith Nicholson, Sid Patten, Simon Pepper and Dr Susan Walker serve a further term on the board.

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