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CONSERVATION

CAPERCAILLIE

The remaining few clusters of capercaillie in the Trossachs and in Argyll have steadily declined in numbers over recent decades. A few birds are centred on some of the Loch Lomond islands, but there are only a few birds left and there has not been any breeding for two years. The last national survey in 2009-2010 showed 80% of the UK population of capercaillie was estimated to be the Cairngorms National Park, with the vast majority of them in Strathspey. Numbers there currently appear stable. However, this is well beyond the distance that capercaillie will travel to search for territory or a mate, and leaves any remaining birds on the Loch Lomond islands isolated, with no realistic prospect of being joined by individuals from elsewhere.

Combined efforts by Loch Lomond & the Trossachs National Park Authority, Scottish Natural Heritage (SNH), RSPB Scotland and local landowners have not been able to halt the decline.

A pragmatic approach is now advocated to target resources where they will be most effective in maintaining viable core populations, for instance in Easter Ross, Strathspey, Moray & Nairnshire, Deeside & Donside, and Highland Perthshire.

- The *BBC News* website reported that Luss Estates, which owns four islands in Loch Lomond, said that a ban on camping outside of designated areas on East Lomondside should be widened. Loch Lomond & Trossachs National Park launched a consultation last year on the extending the camping restriction to include the islands. The estate said that this should be done now as a matter of urgency to protect the last of the capercaillie.

Simon Miller, of Luss Estates said: "Whilst Luss Estates fully appreciates SNH's need for pragmatism, we are nevertheless disappointed that Loch Lomond's capercaillie are effectively being resigned to history before realistic efforts to minimise the human disturbance caused by wild camping is fully addressed. Surely every effort must be made to protect even the smallest of populations?"

Gordon Watson, of the National Park, said that the islands were already 'heavily protected.' He said: "We remain committed to producing an overall visitor management plan for the islands with the co-operation of the landowners. We consulted last year on a range of management options and this led to a widely divergent range of views coming forward, with some responses arguing that no visitor management was required. Following the successful implementation of the revised Loch Lomond navigation byelaws this year, we are now further considering management options for the islands and will undertake a public consultation this winter."

SEABIRD NUMBERS

The *BBC News* website reported numbers at seabird colonies across the country have been decimated, following the coldest spring in more than 50 years. RSPB Scotland research has revealed that adult birds arrived late for the breeding season and in poor condition. Species like kittiwakes, guillemots and razorbills are showing some of the steepest declines in the numbers of birds present.

Seabird counts on some sites around Orkney indicate an 87% reduction in the number of kittiwakes compared with counts on the same sites in the last seabird census in 2000. Razorbills are down 57% from a total of 2,228 in 2000 to just 966 in 2013. Guillemots have declined by 46% during the same period.

Seabird counts on Ailsa Craig in the Firth of Clyde also suggest a poor season for species like guillemot, razorbill and kittiwakes, with the latter declining by 70% since 2000.

Doug Gilbert, of RSPB Scotland, said: "Although this may just be a temporary effect because of the bad spring weather, the underlining trend for many years now has been downward. The late season will certainly not help in the race to turn the fortunes of seabirds around before it is too late. There are exceptions such as puffin numbers on the Isle of May but even here, many birds are reported as being in poor condition and unlikely to breed successfully."

Allan Whyte, of RSPB Scotland, said: "These results should send a clear message to the Scottish Government that they must designate Marine Protected Areas for seabirds, and the sandeels they feed on, to give them a fighting chance. Giving seabirds the protection they deserve can help boost resilience in their declining population and allow them to recover after many poor breeding seasons."

COMMON TERNS

RSPB Scotland reported that breeding pairs of common terns in the Moray Firth are at their highest recorded level. 230 pairs have been counted nesting on artificial rafts at Avoch, with a further 95 pairs at Foulis on the Cromarty Firth. Rafts have been provided over the last 12 breeding seasons, giving the terns protection against mink and otters.

SMALL BLUE BUTTERFLY

The small blue, *Cupido minimus*, Scotland's smallest butterfly, has been extinct from Irvine on the Ayrshire coast since 1983. The Scottish Wildlife Trust (SWT) and Butterfly Conservation Scotland have returned the small blue to the site following an absence of 30 years. Around 30 butterflies were collected from a healthy population on a monitored site on the Moray coast and transported to SWT's Gailies Marsh Wildlife Reserve and the neighbouring Dundonald Link Golf Course. Volunteers have been planting kidney vetch there for three years to provide food for the butterflies. Gill Smart of SWT said: "This project illustrates the need to prevent species dying out in the first place as bringing them back is not a simple matter."

CAIRNGORMS NATURE

Assessing the Potential for the Restoration of Vertebrate Species in the Cairngorms National Park has been published by the Cairngorms National Park Authority (CNPA). This report explores the positive and negative aspects of species restoration in the National Park in light of the growing public interest in nature conservation and restoring lost native wildlife. The results have been incorporated into the Cairngorms Nature Action Plan (2013-2018).

The report set out to highlight 22 historically-occurring species likely to have been extirpated or that experienced severe range contraction

in the Cairngorms. Having weighed up their conservation status, ecological function, potential socio-economic impacts and opportunities, as well as the likelihood of their natural re-colonisation, the report identifies those species which merit further consideration for conservation action. The report recommends investigating the potential for the return of Eurasian beavers and common cranes to the National Park.

See: www.cairngorms.co.uk/park-authority/about-us/publications/?publicationID=316; www.cairngorms.co.uk/resource/docs/publications/13052013/CNPA.Paper.1898.Cairngorms%20Nature%20Action%20Plan%202013-2018.pdf

YELLOW RATTLE

The Herald reported that the greater yellow rattle's only Scottish location is on coastal grassland at Easthaven, near Carnoustie in Angus, with only 175 plants on the site. Dundee Conservation Volunteers have carried out a count to gauge the plant's growth success over the last year and concluded that the patch is still doing well. The strip of land, 500 metres by 50 metres, is a Site of Special Scientific Interest. The plant is found at four other UK locations.

MASON BEES

NSA News reported that gold-fringed mason bees, *Osmia Aurulenta*, have been discovered at Brighthouse Bay near Kirkcudbright in Dumfries & Galloway. The species usually has a very southerly UK distribution and this is only the third recorded location in Scotland.



FARMING

PESTICIDES & BEES

New guidance has been published by the European Food Safety Authority which sets out new rules for assessing the risks of pesticides on honeybees, bumblebees and solitary bees [Apr 13]. For the first time, the harm that pesticides may cause bees due to chronic or repeated exposure or the potential risks posed to bee larvae must be included in the risk assessment before pesticides can be approved.

Dr Maggie Keegan, of the Scottish Wildlife Trust (SWT) said: "The SWT is pleased that these measures are being introduced on the back of the neonicotinoid ban imposed by the EU. These strict tests to assess the risks derived from pesticides should help readdress the balance of nature in the countryside. Up until now, toxic chemicals have been used across the agricultural landscape, which have had a devastating effect on non-target species such as honey bees, bumblebees, and other wild pollinators. Pollinators are vital for crop and soft fruit production in Scotland and are worth about £43m *per annum* to Scotland's economy."

See: www.efsa.europa.eu/en/press/news/130704.htm?utm_source=alerts&utm_medium=email&utm_content=praper&utm_campaign=aih

• The *BBC News* website reported that an outbreak of American Foulbrood (AFB) has been found in an apiary in the Stranraer area. The infected hive has been destroyed. Outbreaks of AFB have previously been reported, and dealt with, in the area over recent years.

CROFTING & GEES

The Scottish Crofting Federation (SCF) has raised an online petition with the Scottish Parliament urging the Scottish Government to do more to control geese numbers [Apr 13]. It calls for: "The Scottish Government to address the problems created by increasing populations of wild geese in the crofting areas as a matter of priority; reassess its decision to stop funding existing goose

management programmes, and assign additional resources to Crop Protection and Adaptive Management programmes to ensure this threat to the future of crofting is averted."

SCF said that geese posed the 'greatest threat' to the future of crofting on the islands by damaging crops and grazing; there are an estimated 10,000 geese in the Uists.

NFU Scotland said that the numbers of greylag geese had increased to levels that could no longer be managed by current schemes.

See: www.scottish.parliament.uk/gettinginvolved/petitions/controlgoosenumbers

ORKNEY GEES

The Herald reported that greylag geese will be shot in Orkney in August and September to control the population [Sep 12]. The Orkney goose management project, run by Scottish Natural Heritage (SNH) and advised by the National Goose Management Review Group, aims to control the number of geese on the island to reduce the impact on farming while preserving the species conservation interest. The growing population of resident greylag geese in Orkney has seen an estimated 10,000 birds in 2008 rise to 21,367 in August 2012. This is causing serious damage to arable and grass crops.

The long-term goal is for a goose population which generates income for local people through sustainable management.

Gail Churchill of SNH said: "Last year 3,191 greylag geese were shot under the pilot project and the target this year is 5,500. In succeeding years this number will reduce as the population decreases. The work will be undertaken by experienced local shooters following established best practice methods."

FARM SUBSIDIES

The Sunday Herald reported that the Scottish Information Commissioner, Rosemary Agnew, has ruled that the names of more than 19,000 landowners and farmers who annually receive public subsidies totalling more than £500m should not be divulged.

It follows a ruling in November 2010 by the European Court of Justice that publishing the information breached people's rights to privacy. The European court judgment prevented governments from identifying farmers who traded as individuals, rather than companies. According to the Scottish Government, this meant that in 2012 only about 2,700 out of 21,800 subsidy recipients were named.

Ms Agnew made clear that she thought that the farmers and landowners should be identified, but argued that her hands were tied by the court judgment. A change in the EU rules should ensure that most subsidy recipients would be named from 2014 onwards.

The Scottish Government said that it welcomed EU moves to correct the 'legal technicality' at the heart of the court ruling. A spokeswoman said: "This will allow us to return to a position where we proactively publish details of all farm subsidy beneficiaries."



WOODLANDS

JUNIPER

Scotland on Sunday reported that the distillers, William Grant & Sons, are funding a two-year trial by the Scottish Wildlife Trust (SWT) and Scotland's Rural College to restock parts of Ayrshire with native junipers. The project will establish the most effective methods of

propagating the tree and reintroduce it to areas where it once thrived.

1,500 cuttings will be taken from last year's junipers in the first 12 months of the trial. The correct ratio of male and female plants will be planted in three nurseries – SWT's Grey Hill grassland, a Site of Special Scientific Interest near Girvan, William Grant's site at Stair and the college's land at Kirkoswald.

500 seeds will be collected and later germinated in order to maximise the genetic diversity of any successful specimens, which will then be planted out in areas where the species was once found. It could take up to five years before there are any viable trees ready to plant out.

ABERNETHY FOREST

The Sunday Herald reported that RSPB Scotland plans to extend Abernethy forest, near Aviemore. Over the next ten years, 60,000 aspen, birch, juniper and willow trees will be planted over 590 hectares around the edge of the old Caledonian woodland. 'Pioneer' planting of 12,000 pine and other trees will begin over 216 hectares away from the forest edge.

Abernethy Forest is the largest native Scots pinewood in the UK, and part of a 49 square mile National Nature Reserve in the Cairngorms National Park. It has been owned by RSPB Scotland since 1988.

Ramblers Scotland asked Dr Adam Watson, Dick Balharry, and Basil Dunlop to comment on RSPB's plans. Their report concluded that the current RSPB approach at Abernethy is unacceptable. They argue there has been agreement since the 1970s that the best way to extend the forest is to enable it to regenerate naturally by spreading its seedlings, not by artificially adding trees.

Parts of Abernethy forest are naturally descended from the ancient woodlands that covered large parts of Scotland after the last Ice Age. The report said: "Any planting would forever destroy the naturalness of the site, break the chain, and devalue scientific study. Claims by organisations that they are restoring or extending the old Caledonian pinewoods by planting are therefore false and not credible." The report further stated that planting plans are: "a conspicuous departure from previously agreed policies in the Cairngorms and would damage the integrity of the Old Caledonian pinewoods owned by the RSPB."

Stuart Housden, of RSPB Scotland, said: "Our immediate assessment is the report is wildly inaccurate and makes many unsubstantiated claims in the absence of facts, and this could have been clarified through dialogue."

He said that Abernethy Forest had been extensively altered by man over the last two centuries. RSPB Scotland had consulted widely over its proposals in recent years, and had received no comments from Mr Morris 'or the individuals he has provoked.' RSPB monitoring over the last 20 years had revealed that broadleaved trees had been so damaged in the past that they were failing to naturally regenerate. He said: "Small areas will be planted, without any ploughing or other intrusive techniques, using saplings of local provenance."

Dave Morris said that concerns about the planting plans had been brought to the attention of RSPB staff over the last few years, and now needed to be publicly debated.

DUNBLANE TREES

Holmehill Community Buyout is campaigning to buy and protect land at Holmehill, near Dunblane. Allan Water Developments had previously expressed interest in building on the land, but its plans were rejected by Stirling Council. Police were called when trees were felled in the conservation

area, amid allegations that damage was being done to local wildlife; a local authority tree officer stopped the felling.

A council spokesman said: "The Planning Service will be writing to the owner of the land to advise them that the works undertaken were unauthorised. An assessment of the extent of the felling done to the area will be carried out before deciding what further action needs to be taken."

Wardlaw Gardens, the owner of the land, said that it is now working with Stirling Council. It said: "The company has a right to manage the land which has been neglected for so many years that it is now a wilderness of tangled undergrowth, self-seeded trees and garden and household rubbish. The tree felling which took place was the start of a programme of woodland management. There is no tree preservation order in place."

AERIAL FUNGICIDE

An agricultural fungicide is to be trialled to assess its potential to help reduce the impact of *Dothistroma* needle blight affecting pine woodlands. The Chemicals Regulation Directorate has approved aerial application of a copper fungicide to small areas of forest land in Scotland in each of the next three years. The trial will involve a five hectare Scots pine site within the 1,000 hectare Monaghty Forest, Moray.

Forestry Commission (FC) Scotland will also assess if the application has any significant impact on non-target species such as fungi, lichens, insects and plants.

GLEN SEILISDEIR, MULL

The Ross of Mull & Iona Development Group has applied to the National Forest Land Scheme to purchase land at Glen Seilisdeir Forest, Tioran, Isle of Mull. See: www.forestry.gov.uk/website/forestry.nsf/byunique/INFD-99HBYS

CUNINGAR LOOP

Around 10,000 trees, 30,000 shrubs, 40,000 bulbs and 500 kg of meadow grass are to be planted on a derelict site at Cuningar Loop, opposite the Glasgow 2014 athletes' village on the Clyde [Feb 13]. The new community woodland will include a new pedestrian and cycle bridge, along with over 3,000 metres of new paths. The site had been used for mixed industrial use for over 200 years.

The £5m project is a collaboration between FC Scotland, Clyde Gateway and South Lanarkshire Council.

CHALERA

The *BBC News* website reported that the first case of *chalara*, ash dieback, to be found in a protected area of Scotland has been confirmed in Balquhiderock, Stirling [Apr 13]. The site is privately owned but managed by Stirling Council. Scottish Natural Heritage confirmed that a number of infectious young ash saplings had been found, but no mature trees have yet been confirmed as having the tree disease.

 **FISHPARTING & FISHERIES**

SEA-LICE

The Herald reported that the Salmon & Trout Association Scotland (S&TAS) said that monitoring of juvenile wild sea trout in Little Loch Broom in Wester Ross during June of this year revealed fish carrying very large numbers of the parasitic sea-lice *Lepeophtheirus salmonis*.

Some 46 juvenile sea trout were monitored over six days and the average number of sea-lice per fish was 133 with many carrying more than

200 and two more than 500. A burden in excess of 13 pre-adult sea-lice is known to compromise severely the survival of juvenile sea trout.

The S&TAS says it is impossible to identify definitively the source of these sea-lice.

Dr John Webster, of the Scottish Salmon Producers' Organisation (SPPO), said that the fishfarm which was probably the source was already planning improvements. He said: "However, over the last four or five years, the S&TAS has accused salmon farming, wherever it is, of devastating sea trout and salmon. We have published the figures they have been seeking and all they can do is to pick out one farm from hundreds and says it proves their case. They are making no comment on all the data from all the others."

The information was supplied by fishfarms themselves, and published by the SSPO which provides area, but not farm-specific, sea-lice count data.

SHELLFISH WATERS

A consultation, *Delivering Scotland's River Basin Management Plans: Next Steps in Implementing an Integrated Approach to The Protection of Shellfish Growing Waters*, has been launched by the Scottish Government.

The consultation ends on 27 September. See: www.scotland.gov.uk/Publications/2013/07/9055

SHELLFISH TOXINS

The *BBC News* website reported that all shellfish harvesting sites in Shetland were closed and mussels withdrawn from sale after unusually high levels of toxins, causing diarrhetic shellfish poisoning, were detected by the Food Standards Agency. 11 harvesting areas in waters to the north and west of the islands were shut by Shetland Islands Council and businesses operating in the remaining nine areas decided to voluntarily stop commercial harvesting.

- *The Herald* reported that a temporary ban has been imposed by Argyll & Bute Council on the marketing of cockles from around Castle Stalker. Raised levels of bacteria have been identified in the cockle harvesting area.

- The *West Highland Free Press* reported that raised levels of shellfish toxins have been found in Loch Leurbost on Lewis.

RUFFE

Ruffe, an invasive species, has been found for the first time at Tongland fish ladder on the River Dee. The species, found by the Galloway Fisheries Trust, has been present in nearby Loch Ken for more than 20 years.

2014 QUOTAS

The annual advice from the International Council for the Exploration of the Sea (ICES) has been published. This forms the basis for the European Commission's proposals for 2014 fishing opportunities for EU fleets, including Scotland, to be decided in December.

The advice recommends a substantial rise in hake quota (+49%) as well as 12-15% increases for megrim and North Sea plaice.

Many stocks are showing poor recruitment (young fish entering the fishery), resulting in advice for some quotas to be cut on otherwise healthy stocks. Proposed reductions include North Sea haddock (15%), North Sea coly (5%), North Sea cod (9%), monkfish (25%) and North Sea nephrops (prawns) (5%). Advice on mackerel and West of Scotland nephrops will come in September but the West of Scotland haddock quota is recommended to be cut by 5% with a 2% increase for herring.

The advice now considers overall catch and helps inform how the discard ban should be phased in, by moving from landing quotas to catching quotas.

See: www.ices.dk/community/advisory-process/Pages/Latest-advice.aspx

ICES also advises that an overall total allowable catch of 28,067 tonnes should be set for West of Scotland herring in 2014, which represents a 2% increase on this year's recommendation, which in itself was 20% higher than the 2012 catch allocation [Jun 13]. West coast herring catching traditionally runs during the summer season.

- North Sea herring has been re-certified by the Marine Stewardship Council, which examines fish stocks every five years. Certification was also achieved by the Atlanto-Scandian herring fishery in 2010 and the West of Scotland herring fishery in 2011.

- Charles Miller of the Sustainable Inshore Fisheries Trust (SIFT), writing on the letters page of *The Herald*, said that the High Court in London had upheld the UK fishery minister's move to redistribute some fishing quota away from the major operators in favour of smaller scale fishermen. SIFT hopes that Marine Scotland will embrace this principle in the way that it manages Scotland's inshore waters. He wrote: "Much of Scotland's inshore fishing fleet of smaller boats exclusively employs local residents and thus has a great incentive not to over-exploit the resource. The income they generate is retained locally to the benefit of fragile local communities. These fisheries, particularly creeling and diving, can be entirely compatible with other income streams such as marine tourism. Scotland needs and deserves a truly sustainable inshore fishing policy and that can only be based around a diversified fleet of small boats from the communities that line our coast."

CFP

A general approach to sharing funding for fishing and aquaculture sectors through the new European Maritime Fisheries Fund has been agreed in Brussels by EU fishing ministers, underpinning the reform of the Common Fisheries Policy (CFP) [May 13]. It will now be negotiated between the EU Presidency, the EU Commission and the EU Parliament.

The Scottish Government will now negotiate an increase in Scotland's share of the total UK-level funding from the current 40% to a figure that reflects the fact that the greater share of both industries within the UK are based in Scotland (61% of sea fisheries and 86% of aquaculture sales by volume).

The European Commission confirmed that trade measures against Faroe Islands on Atlanto-Scandian Herring will be implemented soon unless herring fishing is ceased and a suitable plan for sustainable fishing of the stock brought forward. The EC also confirmed that similar measures against Iceland on mackerel would be brought forward.

- A paper in *Current Biology* assesses European fish stocks. Dr Paul Fernandes, from Aberdeen University, said: "Contrary to common perception, the status of our fish stocks is improving. Many of our stocks are not over-fished; nature now needs to take its course for these fish to rebuild their populations."

Throughout the CFP region, the number of stocks being fished below the maximum sustainable level had doubled between 2002 and 2011. More than 60% of fish stocks in an area covering the Atlantic shelf and North, Baltic and Celtic seas were now being fished sustainably. For many stocks that are still over-exploited, the extent of over-fishing had been reduced.

Data on millions of fish collected both from fishing and research vessels, and fish markets was analysed. The information was integrated into mathematical stock assessment models.

The number of stocks that had improved since fishing pressure was reduced at the start of the 21st century was surprising, but some fish populations remained in trouble such as cod stocks which showed the greatest variability in exploitation rate. While exploitation of cod stocks had declined, it typically remained too high.

However, the general trend in 2011 was better than it had been since the early 1960s.

Dr Robin Cook, from Strathclyde University, said: "We should be aware that low fishing pressure needs to be maintained until stocks recover. This is only the first step. Now we need to see numbers increase as a result of continued low fishing pressure. Further reforms to the CFP are currently being developed, so it is important, when correcting its weaknesses, to also acknowledge and build on the success of a major reduction in the fishing pressure on European fish stocks."

Since 2002, 'fishing effort' – calculated from the number of days vessels spend at sea – had declined overall by at least 20%. For fishing fleets targeting flatfish, it had reduced by almost a half.

ACTION PLAN

An action plan has been announced to help the prawn and whitefish industries. Catches of prawn in the North Sea this year have been down by over a half compared with 2012. Lower prawn catches have meant that prawn fisherman have had to diversify into other fisheries, leading to increased demand and lease prices for whitefish fish quotas. Reduced prawn catches have therefore had an impact on the wider fleet that catches whitefish.

£6m has been allocated to a five-point action plan, which includes an invitation to vessels to trial a discard-free prawn fishery this year by fishing with gears that eliminate whitefish by-catch. These vessels will have additional time at sea to catch their quotas where necessary. Alternative support will be provided for vessels not joining the discard-free trial, with help to develop new fishing gear and measures to achieve the discard reduction targets. Barriers that stop fishermen diversifying into alternative sustainable fisheries will be removed where possible.

See: www.scotland.gov.uk/Topics/marine/Sea-Fisheries/common-fisheries-policy/action

HERRING & MACKEREL SANCTIONS

The *BBC News* website reported that European sanctions will be brought in against Faroese herring and mackerel imports from the end of August [Jun 13]. Member states voted overwhelmingly in favour of the ban, following concerns at the decision by Faroese government to set its own catch limits.

The legislation will prohibit the import into the EU of both species, and allows for future escalation. Iceland's fishing minister said 'illegal sanctions' would not resolve the issue.

 **MARINE**

SOUND OF BARRA SAC

The Sound of Barra has been put forward to the European Commission as a marine Special Area of Conservation (mSAC) [Jan 13]. As a result of meetings with the environment minister, Paul Wheelhouse, the new mSAC will be managed

using an innovative majority community-led approach utilising local knowledge.

Following recommendation for designation put forward by Scottish Natural Heritage (SNH) [Nov 12], Mr Wheelhouse had asked for an independent review of the scientific case to be completed. The reviewers concluded they are satisfied that the scientific data was robust. The recommendation for designation with boundary changes to remove non-qualifying habitat has been accepted by the minister; the Traigh Mhor beach airport is no longer within the site boundary.

The Sound, an area of sea between the islands of Barra and South Uist, has been selected for its harbour seals, sandbanks and reef habitat. Once designated, the area will be managed to protect those features from damage. The proposed area contains possibly the largest beds in the UK of the coral-like seaweed, maerl, an important nursery habitat for commercial fish, such as scallops, cod and whiting which are susceptible to damage from some human activities like heavy towed fishing gears such as scallop dredges. The site will also offer protection to harbour seals, which have suffered local declines over the last 20 years.

Mr Wheelhouse said: "I believe that a viable local fishing industry can be fully compatible with SAC designation."

Alex Kinninmonth of the Scottish Wildlife Trust said: "Designation is only the first step as the site must be well-managed. This will inevitably mean some restrictions, but low impact activities compatible with the new protected status will be allowed to continue and should thrive in the long term. Global experience shows that the success of protected areas hinges on the cooperation of those who live and work in the area, so we are pleased to hear that local communities are to be at the heart of developing a management plan."

Calum Duncan, of the Marine Conservation Society, said: "It's good news that the Scottish Government recognises that community support is vital in the designation of this site. This needs to be backed up by government resources."

The *BBC News* website reported that Angus MacLeod, of Southern Hebrides Against Marine Environmental Designations (SHAMED), said that every assurance they had been given had proved worthless, and the mSAC would affect the economy of the island. Fishermen had suggested local control over the management of the Mingulay mSAC last year but nothing had happened.

Roddy MacDonald, of the Scottish Crofting Federation (SCF), said: "Maintaining Scotland's natural environment is essential work and the network of protected areas that the government is obliged to designate under European law is part of that effort. However, environmental protection, as with economic development, should be carried out in an appropriate manner to ensure sustainability.

"The Scottish Government has failed to achieve the consent and support of the islanders for the Sound of Barra designation, leaving a void in the bigger picture. SCF is disappointed that the minister has chosen to push ahead with it in the face of local opposition rather than working for local buy-in. It's a decision that does not reflect well on the principles of local participation and it strengthens the case that we have made for root and branch reform of the way the Scottish Government tries to look after the nature of Scotland."

See: www.scotland.gov.uk/Topics/marine/marine-environment/mpanetwork/barrasac

COMMERCIAL SEAWEED

AT-SEA, a three-year European research programme, has been trailing growing algae on a textile mesh in inshore waters off Oban. It will encourage seaweed growth which can then be harvested several times a year. Seaweed has potential as a biofuel, driving the research into commercial harvesting.

Despite its potential value, mass harvesting of wild growing seaweed is not economically viable in Europe partly because labour costs are high. Harvesting of a beach-cast seaweed is seen as detrimental to coastal ecosystems and is unlikely to be reliably sustainable on a large scale.

DOLPHIN WHISTLES

The *Herald* reported that a study by St Andrew University, led by Stephanie King and Vincent Janik, has shown that bottlenose dolphins off the east coast call each other by name using individual signature whistles. They respond to hearing the sound of their own whistle by calling back and ignore names that are not theirs, even if they belong to other members of their own social group. The findings appear in the journal *Proceedings of the National Academy of Sciences*.

• Police are investigating claims that a jet ski rider disturbed a pod of bottlenose dolphins, including a young calf, by steering too close to dolphins near the Kessock Bridge, Inverness.

MINKE WHALE

The *John o'Groats Journal* reported that a postmortem is being carried out on a minke whale found on Thurso beach. The Scottish SPCA confirmed that the female whale, six and a half metres long, had been dead for days by the time it washed ashore.

DALGETY BAY

Gordon Brown MP has submitted Freedom of Information requests to the Ministry of Defence (MoD) to release documents asking to see internal government papers relating to radioactive contamination of Dalgety Bay in Fife [Jun 13]. Mr Brown says that the papers will show that the MoD previously accepted blame for the contamination of the beach in his constituency.

He led a House of Commons debate on the issue, with Dr Andrew Murrison, the Parliamentary Under-Secretary of State for Defence.

NATIONAL MARINE PLAN

A joint marine consultation has been launched by Marine Scotland, SNH and the Joint Nature Conversation Committee. Three consultations were published together: *The Draft National Marine Plan*; *The Marine Protected Area Network*, and *Sectoral Marine Plans for Renewable Energy*.

Scotland's first National Marine Plan will provide a single framework to manage all activity in Scottish waters out to 200 miles. There are also proposals for a network of new Marine Protected Areas (MPAs) which, if designated, would increase protection for Scotland's marine species and habitats [Dec 12]. Draft sectoral marine plans are put forward which would guide the development of a sustainable offshore renewable energy industry.

The *BBC News* website reported that Lloyd Austin, of RSPB Scotland, said: "The Scottish Government has missed a great opportunity to do something positive for seabirds. RSPB Scotland and its supporters are calling on the Scottish Government to designate MPAs for seabirds at sea. Government must do all it can to protect Scotland's iconic seabirds, before it is too late."

Sarah Dolman, of Whale & Dolphin Conservation, said: "We are disappointed whales and dolphins are not included in the current round of site proposals so some urgently-needed ecological protection is still missing."

The consultation will run until 13 November. Documents and details of public consultation events are available: www.scotland.gov.uk/marineconsultation

The BBC News website said that a report, commissioned by UK National Ecosystem Assessment from Aberdeen University in partnership with the Marine Conservation Society, the British Sub Aqua Club and the Angling Trust, suggests that recreational use of the 25 MPAs proposed at the time of the research were worth up to £117m per year to the economy.

Divers who took part in a UK survey as part of the research said they would be willing to pay more for the chance of seeing rare species. Anglers and divers also said they were prepared to make a donation towards the funding of MPAs. Establishing a network of MPAs throughout the UK could be worth a one-off value of almost £2 billion to divers, anglers and other recreational users.

The *Scotsman* reported that the economic benefits of the conservation zones would increase even further if 'significant restrictions' were placed on commercial fisheries.

SHARK TAGGING

A project to track basking sharks in Scottish waters is underway for the second year [Jul 12]. SNH and the University of Exeter are to attach satellite tracking tags to 27 sharks around the islands of Coll, Tiree and Canna in the Inner Hebrides; the movements of 15 of them can be tracked online.

Results from the tagging project will help the Scottish Government decide whether a Marine Protected Area should be put in place to safeguard the sharks and help to balance environmental interests with industry and recreation.

The second year of tagging will help to provide insights into shark behaviour year on year and identify any trends in the behaviour of sharks in the area. Behavioural differences among individuals will be studied.

Anyone who finds a tag should contact the SNH office in Oban on 0300 244 9360, or email: baskingsharks@snh.gov.uk See: www.snh.gov.uk/about-scottlands-nature/species/fish/sea-fish/shark-tagging-project

LEWIS GILL NET

The BBC News website reported that a porpoise and a salmon died after becoming entangled in a gill net set up off the west coast of Lewis. Police Scotland wildlife crime officer said that the 125 metre net had been set by poachers and attached to a number of floats. The nets, traditionally used to catch salmon, are illegal because of the threat they pose to porpoises, dolphins and basking sharks.

 **POLITICS & PARLIAMENT**

TENANTS' RIGHT-TO-BUY

The *Herald* reported that Scottish Tenant Farmers Association (SFTA) welcomed the news that the reconstituted Land Reform Review Group (LRRG) has put tenancy matters back onto the agenda. SFTA said that the review on agricultural holdings legislation and an Absolute Right-To-Buy (ARTB) must take place within the context of a wider land reform agenda, given the very feudal structure of land tenure in Scotland. The STFA believed that evidence gathering by the LRRG had been unbalanced, with more visits by the group to large estates than to tenant farmers. The interim report then excluded tenancy matters [Jun 13].

Newly appointed special adviser, Robin Callander, in evidence to the Rural Affairs, Climate Change & Environment committee, said that the tenancy issue was 'a prominent land reform issue in Scotland' and identified the lack of strategy in the land reform debate.

Luke Borwick of SL&E, said that the SFTA is provoking the demise of the tenanted sector by calling for an ARTB when it has been rejected by the farming industry. A survey of the SFTA membership showed that 61% were against the right-to-buy. The LRRG call for evidence also said that four-fifths of respondents opposed the right-to-buy for tenant farmers.

However, later the SL&E urged more 'freedom of contract in the let farming sector to encourage new entrants.' Over the past ten years, the let sector has continued to shrink. Mr Borwick said that most estates already had much of their land let out, but that 70% of SL&E members were farmers who might be encouraged to let their farms if the political climate was right. He said: "The debate around land tenure and agricultural holdings is failing Scottish farming."

LAND REFORM

A report, 432:50 – *Towards A Comprehensive Land Reform Agenda for Scotland* (50% of the land in Scotland is owned by 432 people) was prepared for the Scottish Affairs Select Committee in Westminster by Professor Jim Hunter, Peter Peacock, Michael Foxley and Andy Wightman. The report highlights the large public subsidies received by landowners, who are liable for low levels of taxation. A public consultation is now underway on the report.

The *West Highland Free Press* reported that Luke Borwick, of Scottish Land & Estates (SL&E), said: "Calling for urgent investigation by a Westminster Committee on issues already under detailed review in Scotland seems pointless." He said that landowners were entitled to public subsidies to help with positive land management.

See: <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmselect/landreform/43250.pdf>

BARVAS ESTATE

The owners of the 34,600 acre Barvas Estate on Lewis have indicated that they would be willing to hand over all the assets under any takeover bid; previously the estate had said that it wanted to retain the shooting and fishing rights.

 **GENERAL ENVIRONMENT**

CAIRNGORMS HOUSING

The *Herald* reported that a legal challenge by the Invertebrate Conservation Trust, Badenoch & Strathspey Conservation Group, the Cairngorms Campaign and the Scottish Campaign for National Parks has failed [Mar 13]. The group had challenged the Cairngorms National Park Authority (CNPA) Local Plan which would allow a new town near Aviemore, An Camas Mòr, with up to 1,500 houses over the next 20 years, 117 new homes in the village of Carrbridge, 300 at Kingussie and 40 at Nethy Bridge. The group contends that the An Camas Mòr development would harm Caledonian forest and lowland heath; the Carrbridge housing would impact on wildflower meadows, native Scots pinewoods and bog woodland and the houses planned for Nethy Bridge would threaten woodland close to the RSPB Abernethy Forest Reserve.

The group appealed a ruling by Lord Glennie in the Court of Session on the grounds the

appropriate assessment of the impact on housing on wildlife and the environment was unlawful because it was postponed to a later stage in the planning process [Sep 12]. The BBC News website reported that Lady Paton said that she was not persuaded that a reference to the European Court of Justice was necessary in the action. Lady Paton said that the CNPA's appropriate assessment could not be said to be one which no reasonable authority would have produced in the circumstances. She said: "It was therefore open to the CNPA to adopt a local plan which relied on the assessment."

See: www.scotcourts.gov.uk/opinions/2013CSIH65.html

The *Press & Journal* reported that Grant Moir of CNPA said: "The CNPA has a duty to look after the natural heritage of the park, ensure high quality visitor experience and that we have strong communities. Balancing all these priorities is never going to be easy, but the local plan has now come through an extensive public consultation, a public inquiry and two court cases, which gives me confidence that it strikes the right balance between all the aims."

Craig Macadam, of Buglife Scotland, said that the park authority should have made a more rigorous scientific appraisal to assess the ecological impacts of proposed developments on the internationally designated features before including these in its local plan. He said: "This ruling is a major setback not just for the protection of 'protected' wildlife, landscape and heritage in the Cairngorms but potentially for future assessments throughout the European Union where it set a precedent for inadequate assessment of sites."

ENVIRONMENTAL COURT

Scottish Environment LINK has proposed, in a letter to the minister for the environment, that an environmental court or tribunal be set up in Scotland and that an expert working group is established. Environmental courts or tribunals are seen as a practical and cost effective response to the increasing importance and complexity of environmental law. Scotland could then be fully compliant with the access to justice provisions of the UNECE Aarhus Convention.

FRESHWATER PEARLS

A river watcher has been employed by Rivers & Fisheries Trusts Scotland and the River Ness & Beaully Fisheries Trust to safeguard freshwater pearl mussels on Harris from poaching. Harris is one of 16 Scottish sites being targeted as part of the UK-wide Pearls in Peril initiative. Scottish Natural Heritage (SNH) has recorded a dramatic decline in the number of rivers that continue to support pearl mussels.

LANDSCAPE PARTNERSHIP

The Lomond Hills in Fife (Living Lomonds Partnership) has been awarded £1.71m through Heritage Lottery Fund's Landscape Partnership programme. Woodlands, dry-stone walls and historic walking routes will be restored and new access paths created. The programme is led by the Fife Coast & Countryside Trust.

The Landscape Partnership Scheme, led by Perth & Kinross Countryside Trust and Perth & Kinross Heritage Trust, has received £1.43m from the HLF. More than 40 organisations will deliver 29 projects. Access to the Tay will be improved with new path networks.

PLANNING REFORMS

A consultation on the third National Planning Framework (NPP3) and the draft Scottish Planning Policy (SPP) has concluded [Apr 13].

Scottish Environment LINK broadly supports the new draft SPP and NPP3, but is very concerned that

the draft guidance heavily implies that economic growth should be given greater emphasis than the environment or society. LINK considers that the SPP should take a precautionary principle approach to unconventional gas extraction, with 2 km buffer zones designated between sites and communities. NPF3 should make it clear that national development status does not establish the need for development at specific locations where this is not clearly defined in the NPF. National development status should be given to a national ecological network for Scotland. LINK supports proposals to enhance protection for Scotland's wild landscapes but NPF3 should include a commitment to progress proposals for new national parks.

Niall Stuart, of Scottish Renewables, said in a consultation response that these proposals could block wind power in most of the country. At least 1.4 GW of onshore wind projects could be jeopardised. He said that the potential impacts of windfarms on wild land should be assessed on a case-by-case basis.

Linda Holt, spokeswoman for Scotland Against Spin, said: "It's already the case that windfarms can't be built in national parks, but the issue is that Scotland only has two, and without buffer zones they are still at risk of having 140 metre turbines towering over their boundaries."

The Association for the Protection of Rural Scotland, the John Muir Trust (JMT), the Mountaineering Council of Scotland, the Munro Society, the NTS, Ramblers Scotland, The Scottish Rights of Way & Access Society and the Scottish Wild Land Group wrote an open letter highlighting shortcomings in the SPP and NPF3. They said: "We are rather concerned at the proposal that locally significant landscapes, designated as such by local councils, should be regarded nationally as areas where there are opportunities for windfarm development. If local authorities and their electorates think particular local landscapes are important, then this should not be over-ridden nationally.

"The current draft states that in such areas wind power developments will be acceptable where it can be demonstrated that any significant effects on the qualities for which the area is identified can be substantially overcome by siting, design or mitigation. It will allow inappropriate developments to be approved because of lack of clarity in using subjective words such as 'significant' and 'substantially' when set against the primacy afforded in government policy to economic and energy development,"

The organisations also called for National Nature Reserves, and places identified as core areas of wild land, to have the same protection from windfarm developments as National Scenic Areas.

See: www.scotlink.org/files/policy/ConsultationResponses/LINKresponseNPF-SPP2013.pdf

LANDSCAPE MANAGEMENT

The Land We Love, a report published by the National Trust for Scotland (NTS), states that 72% of the people surveyed said they had 'no influence' on the planning system in response to the question 'do you feel you are able to influence how your local landscapes are managed?'

Diarmid Hearn of NTS said: "NPF3 has now closed for consultation, but our research found only 11% of Scots even knew of its existence. Its proposals for electricity generation and transmission will have a major impact on our communities, our coasts and our landscapes."

NTS members were most concerned by pylons, onshore windfarms and industrial development.

NTS is using this research to update its landscape policy, written in 2005.

See: www.nts.org.uk/About/Policy/News

WILDLIFE CRIME

Following the environment minister's announcement of new wildlife crime measures [Jun 13], *The Herald* reported that Douglas McAdam of Scottish Land & Estates said: "If the Scottish Government intends to move away from a criminal standard of proof in wildlife crime cases, then this is a very serious move and deeply concerning for all land managers, especially as this may result in unfair restrictions on people's livelihoods. The detail of any such proposals will be crucial." Restricting licences on land where crimes are believed to have taken place, would 'demand a very robust evidence base.'

The Scottish Gamekeepers Association (SGA) said that the significance of gamekeepers' stewardship of grouse moors in aiding the conservation of golden eagles is too often ignored. Areas looked after by gamekeepers for grouse shooting also provide the necessary food supply for the golden eagles and its members have the knowledge to boost efforts to conserve golden eagles. A survey of keeper-managed moors in east and central Highlands had identified at least 55 eagle nests. On the west, where the SGA said there was little interest in grouse shooting, eagle numbers had been constrained by a lack of small prey, reduced deer populations and extensive forestry.

Patrick Stirling-Aird of the Scottish Raptor Study Groups (SRSG) wrote in a letter published in *The Scotsman*: "The SRSG agrees with the SGA chairman Alex Hogg that land management of the right sort can contribute to golden eagle conservation. SRSGs are intrigued by Mr Hogg's remark that his members in the keepered grouse areas of east and central Scotland have identified at least 55 active eagle nests still in place since 2003. SRSGs will be interested in a comparison of this figure with their own detailed survey records, assessing golden eagle territory occupation and breeding attempts (successful or otherwise) in these areas throughout the ten seasons 2004 to 2013.

"The comparison will focus particularly on ground still being managed as commercial grouse moor. This should establish whether or not there is a discrepancy (and if there is, the extent of this discrepancy) between SRSGs' own comprehensively gathered data and Mr Hogg's figure of 55 active eagle nests. Historical context is the marked decrease in territory occupation in the areas concerned (revealed by the 2003 census) from the substantially higher levels of occupation recorded in the previous golden eagle national survey years of 1992 and 1982."

Stuart Housden of RSPB Scotland said: "The ongoing persecution of birds of prey on areas managed by gamekeepers as driven grouse moors remains a stain on the worldwide reputation of Scotland. We are hopeful the measures announced by the Scottish Government and the welcome commitment of responsible landowners will go some way to eradicating this problem. An updated national survey of golden eagles is planned for 2015, if the SGA and its members are serious about supporting the conservation of this species, then we look forward to the survey finding established and successful golden eagle breeding pairs on grouse moors throughout the country. That is the test that counts."

In a letter to *The Herald*, Dr Adam Smith of the Game & Wildlife Conservation Trust wrote: "We were clear [in 2010] that enhancing the legal position was only one of a number of ways to

address [the red grouse and hen harrier conflict]. Our partnership continues to seek evidence-led ways as well as the application of the law to resolve the conflict in parallel. Research is underway to establish whether fears about impacts on game and wildlife are justified. We are testing practical ways of reducing impacts and are actively engaging the land management and conservation communities in discussion. This approach is needed to establish whether there are ecological or other reasons why the threat of legal action has not resulted in an end to the illegal killing of raptors over the past 30 years. Where there are such reasons, a modern, balanced package of responses will be needed to support and enhance Scotland's wildlife."

- The SGA has expelled four of the organisation's members for wildlife offences. One of the expelled (and un-named) members was convicted for poaching and the three other members were convicted for raptor persecution.

- The *BBC News* website reported that a dead buzzard found in the Heriot area of the Scottish Borders at the end of June had been shot.

- The *Raptor Persecution Scotland* blog reported that an injured buzzard, delivered to Hesselhead Wildlife Rescue Centre in North Ayrshire, had been shot in the throat.

- *The Herald* reported that 12 pipistrelle bats were violently killed and then dumped on the Eden estuary near Guardbridge in Fife. Police Scotland is conducting an investigation into the incident.

- *The Herald* reported that a dead black-throated diver was shot dead on the shores of Loch Gowan near Achnasheen, Wester Ross.

LANGHOLM PROJECT

The Langholm Demonstration Project website reports that two hen harrier nests have been successful this year, with healthy broods of six and four chicks. The Making the Most of Moorlands Project has sat-tagged four of the chicks and their movements can be followed online.

See: <http://langholm Moorland.blogspot.co.uk>; www.langholmproject.com

LITTER

Two separate consultations, *Towards A Litter-Free Scotland*, and a *Draft Marine Litter Strategy* have been launched. Strengthening the enforcement system by increasing fixed penalty fines from £50 to £80 for litter and from £50 to £200 for fly-tipping was proposed. Waste dumped on industrial or business premises can result in a fine of £40,000. The Scottish Government plans to create a national litter strategy early in 2014.

The consultations run until 27 September. See: www.scotland.gov.uk/Publications/2013/07/6925; www.scotland.gov.uk/Publications/2013/07/2688

- Research by Zero Waste Scotland found that £53m is spent clearing up litter across the country each year, while an additional £16.8m is spent on cleaning coastlines.

CONSERVATION LAND

The Herald reported that research by the University of the Highlands & Islands studied the socio-economic benefits that flow from the ownership and management of land by conservation charities. It found that, as well as protecting some of the most environmentally important sites in Scotland, direct expenditure by JMT, the NTS, RSPB Scotland, the Scottish Wildlife Trust and Woodland Trust Scotland on land management was more than £37m annually, rising to £64m when wider organisational expenditure was included. The charities own 2.6% of Scotland.

Almost four million people a year visit land owned by the conservation charities, bringing revenues of £26m to £105m to some of the most

remote communities. Almost 5,000 volunteers a year carry out almost 300,000 hours of work on sites owned by the charities, worth up to £3m.

CLIMATE CHANGE

The Sunday Herald reported that Scottish ministers have released four reports with the latest analysis of the multiple threats Scotland is facing from global warming, and the moves to combat them. They are part of the government's climate adaptation programme, required under climate change legislation.

The four reports list more than 130 major effects of climate change, the vast majority of them negative.

The final policy document will address the threats and opportunities identified for Scotland as part of the UK Climate Change Risk Assessment. A public consultation ends on 27 September.

See: www.scotland.gov.uk/AdaptationFramework

WILD FIRES

Several wild fires occurred during the 'heat wave' mid month. Grass and bushes were ablaze at the side of the steam railway line near Boat of Garten on Speyside. In Perthshire, a fire covering around three acres of grassland was brought under control near the village of Crook of Devon, and there was a large grass fire on Arthur's Seat in Edinburgh. 500 acres of moor and regenerating birch woodland were destroyed on Catlodge Estate near Dalwhinnie in Inverness-shire. Small grass fires in forests and scrubland were also reported in Grampian, Fife (Tentsmuir Forest), Dumfries & Galloway and Central Scotland.

LAND USE STRATEGY

The second *Land Use Strategy Progress Statement 2013* sets out how the *Proposals in the Land Use Strategy Action Plan* are being taken forward and how the ten Principles for Sustainable Land Use are being embedded in land use decision making [Feb 13].

It covers the period June 2012 to June 2013. Progress has been made in the delivery of all elements of the Land Use Strategy including establishing two regional land use pilots, evaluating progress with mainstreaming the principles and developing a set of indicators to measure progress with the delivery of the strategy.

See: www.scotland.gov.uk/Publications/2013/06/1304; www.scotland.gov.uk/Resource/0042/00425896.pdf

PROTECTED PLACES

A new website has been set up for information on all of Scotland's natural and historic protected places.

See: www.scotlandsprotectedplaces.gov.uk



ENERGY

SUBSEA LINK

The *BBC News* website reported that SSE is to upgrade the electricity transmission network between Argyll and North Ayrshire, with a £200m subsea link between Kintyre and Hunterston. The upgrade will provide 150 MW of extra grid capacity for renewable energy projects.

WINDFARM BENEFITS

The Herald reported that Lord McConnell is to chair a new fund set up by SSE for communities living near windfarms. The fund is potentially worth £90m over the next 25 years and will be available to non-profit making organisations, community groups and charities within regions in which SSE is constructing a windfarm. The first round of funding will open to applications

from organisations in the Highlands in September when around £325,000 will be available, followed by funding rounds in Perthshire and Dumfries & Galloway in 2014.

The fund is in addition to the money for communities within the immediate area around SSE windfarms for existing and new sites.

RADAR & WINDFARMS

Scotland on Sunday reported that trials of a 3D holographic radar were successfully carried out at Millour Hill windfarm near Prestwick airport. The technology is able to detect the difference between aircraft and the movement of turbine blades. Existing radar systems also offer a solution to the problem but are unable to identify each turbine with the same level of accuracy, resulting in airports opposing numerous windfarm developments on safety grounds.

Developer, Aveillant, said that the new system could be operating commercially by the end of the year. The number of windfarms in the UK could be almost doubled as a result, with a huge impact made on planning applications in Scotland.

The radar has received £500,000 in funding from the Aviation Investment Fund Company Limited, a consortium of windfarm developers.

WINDFARM UPDATES

Dumfries & Galloway: Burcote Wind has submitted plans to the Scottish Government for a 20 turbine windfarm at Longburn, Glenkens. Original plans were for 36 turbines. Three turbines are also planned by REG Windpower for Chapman's Howe. *The Galloway News* reported that the turbines at both sites would be well over 100 metres high; the Dumfries & Galloway Wind Farm Landscape Capacity Study advises that turbines of 100m to tip are not suitable for these sites.

Inverness-shire: Sustainable Energy Ltd's plans for a 23 turbine, 69 MW windfarm at Blairmore near Drumnadrochit have been refused consent by the Scottish Government [Sep 10]. Energy minister, Fergus Ewing, said that Druum Ba Wind Farm would have 'significant adverse' impacts on the landscape and residents living nearby; Highland Council had also opposed the plans.

Islay: *The Ilcch* reported that the Islay Energy Trust has received planning permission for its 330 kW community wind turbine near Castlehill. It is believed that this project is the first in Scotland to be funded by the local community, and generating benefits for the local community.

Lewis: The John Muir Trust (JMT) has lodged an objection to the extension of the 33 turbine Muaitheabhal windfarm. 12 additional turbines have been proposed by Crionaig Power. The JMT said that the core wild land area, one of three in the Outer Hebrides, would be industrialised. Wind turbines on the site would be visible from four summits within the mountainous South Lewis, Harris and North Uist National Scenic Area.

The developers admit that the additional turbines could kill more white tailed eagles than all 107 previously consented Lewis wind turbines combined. The JMT said that is an extraordinarily high collision rate for such a small scheme, which emphasises how important the Eisegin Estate is for this species.

Orkney: Three small wind turbines have been installed at Scottish Water's treatment works on Stronsay. They will provide around 80% of the energy needed to run the plant. A second project has also been completed at Stornoway, on Lewis.

Scottish Borders: An application by Vattenfall for the Whitton windfarm near Morebattle has

been refused by the local authority, which said that the three turbines would have 'a significantly adverse effect on local landscape character.'

OFFSHORE WIND

Firth of Tay: Inch Cape Offshore Ltd has sought consent from Marine Scotland for Inch Cape Wind Farm in the Outer Firth of Tay [Oct 11]. The offshore windfarm would have up to 213 turbines.

Islay: Argyll & Bute Council planning committee has agreed to hold a hearing before the determination of SSE's application to site a meteorological mast on the island of Orsay off Portnahaven for the proposed offshore windfarm off Islay [Dec 12]. Planners recommended approval of the application.

ARDERSIER OFFSHORE

Scottish Natural Heritage (SNH) has objected to a planning application submitted for the 340 acre Ardersier site between Inverness and Nairn. Plans for a major manufacturing plant for the offshore wind industry have been lodged with Highland Council, Marine Scotland and Transport Scotland.

SNH said that the proposal raises natural heritage issues of national importance relating to nationally and internationally important designated sites, including the Inner Moray Firth Special Protection Area and the Moray Firth Special Area of Conservation. SNH is particularly concerned by the impact of the planned dredging, due to start later this year, and construction work on the Moray Firth's bottlenose dolphins, birds, seals and sandbanks.

SCOTTISH COAL

The Herald reported that Hargreaves plc is to take over five opencast sites after the collapse of Scottish Coal [May 13]. The sites to be reopened are at Broken Cross (South Lanarkshire) and House of Water and Chalmerston in East Ayrshire, where a planning application is being submitted to open up new reserves. Restoration work will be carried out at Damside in North Lanarkshire and St Ninians in Fife. Hargreaves has indicated that it intends to invest a further £25m in the coal industry in Scotland. However, the restoration of a further 20 sites across the country is still in doubt.

The Herald reported that Scottish Coal liquidators, KPMG, asked the Court of Session to rescind the responsibility of Scottish Coal and Aardvark, another coal firm in administration, to return their opencast mines to their former condition which could cost £73m. The court agreed they did not have responsibility for 'onerous sites' and Lord Hodge concluded that the liquidators could abandon the sites.

Legal debate centred on the principle of a liquidator abandoning property, which, the court heard, was unprecedented in Scots law. As potential costs may eventually fall to the taxpayer, the Scottish Environmental Protection Agency (SEPA), SNH, East Ayrshire and South Lanarkshire Councils were also involved in the hearing.

SEPA said that the court ruling would result in unacceptable risks to the environment, which the costs of dealing with would need to be met through other means, and believes in the 'polluter pays' principle. SEPA is appealing the decision and it is intended that the appeal will be heard in September.

The Scottish Opencast Communities Alliance (SOCA) said that the court's ruling lets Scottish Coal renege on environmental and planning obligations over exhausted sites and ignore rules that made firms restrict pollution and restore the land when work ended.

Malcolm Spaven, SOCA chairman, said that the court's decision was 'a backward step for environmental responsibility.' He said: "Having trashed the countryside, Scottish Coal are now being given *carte blanche* to walk away from the mess they have created. They have also created a precedent for any future company to abandon the obligations imposed on them when they were granted planning permission.

"The end result is that Scottish Coal's directors get to disappear with millions while cash-strapped local authorities and government agencies are left with an impossible bill for clean-up. Meanwhile the communities that have had to endure noise, dust and pollution for years face the prospect of many sites never being restored."

The Scottish Government rejected a call from SOCA and RSPB Scotland for a public inquiry into the opencast industry and a moratorium on expansion or new mines until the inquiry is held and reports. Applications for new opencast mines are currently being considered, including one at an environmentally sensitive peatland site in East Ayrshire.

Professor Russel Griggs, of the Scottish Mines Restoration Trust (SMRT), wrote to *The Herald* letters page: "SMRT is an independent, non-profit-making organisation formed to help facilitate the process of communities and other stakeholders involved in the legacy of opencast coal sites across Scotland ... Restoring mines has the potential to not only revive scarred landscapes, but to support communities, improve the environment, and create vital jobs. The trust wishes to work with groups which can show how, with community involvement or backing, they can take ownership of a challenge and deliver a positive outcome for all. This will require an innovative or creative approach to using the resources already in place for each site and it is in the marshalling of that approach that we can offer help."

Anne McCall of RSPB Scotland, replying Professor Griggs' letter in *The Herald*, said: "It is important to note that [mine restoration] is from a drastically impoverished level, in many cases as a result of cessation of mining at the time of maximum extent and impact on the local environment and landscape. This restoration should not be seen as a welcome environmental improvement: it is a planning and legal obligation of the mining companies operating these sites.

"The stark fact is that the failure to secure sufficient financial bonds for these sites means that 'using the resources already in place for each site' will not be enough. It will not only be insufficient to restore land to the quality and status that was promised by the applicants when they applied for consent, it will also be unable to meet important legal obligations to restore land within an area internationally designated for the rare bird populations it supports.

"Questions now need to be asked about what 'innovative or creative approach' the SMRT can possibly use to ensure these obligations are met with a shortfall in restoration bonds in East Ayrshire alone estimated at £62m. Questions also need to be asked about how this situation came about. Were the relevant regulatory authorities aware of the inadequacy of the bonds and what - if anything - did they do to enforce these conditions? In addition, we need to ensure where other developments are subject to similar conditions/bonds, these are being properly enforced/resourced so that the situation does not recur."

• *The Herald* reported that a clear-up scheme has been launched at the Glenmuckloch open cast mine in Dumfries & Galloway. Buccleuch

Estates has been working with energy firms, planned contractor Hargreaves Services, the Scottish Government, the SMRT and Dumfries & Galloway Council to design and plan a scheme that will address the restoration works left unfinished when the previous mining operator went into liquidation last year. The landmark project is initially being funded by a £9m restoration bond held by Dumfries & Galloway Council.

Buccleuch Estates, which already owned half of the Glenmuckloch site, bought the remainder for £1 when ATH Resources collapsed, on the understanding that the estate was taking on the liability for restoration. The estate gains all mineral rights for the site, although it is not currently viable to mine the whole area. A new subsidiary company, Glenmuckloch Restoration Limited was set up. Buccleuch Estates is looking to develop an energy park, including a windfarm and hydro scheme as well as coal extraction. Working with other local landowners, a range of complementary renewable energy technologies could be established both for local consumption and export.

SOLAR PARK

The Galloway News reported that plans for a solar park, at Drumrash Farm near Parton, are being developed by Green Switch Solutions. 5 MW solar panels would be spread across a 20 hectare site. The council considered that an Environmental Impact Statement is not required, as the proposal 'would not generate noise or other nuisance.'

BIOMASS

The Press & Journal reported that Helius Energy has started commercial operations at its £60.5m biomass plant at Rothes in Moray. It is expected to generate 7.2 MW of electricity using waste from nearby distilleries. It will also generate organic fertiliser and animal feed for local farmers. The agricultural community has voiced concerns that traditional distillery derived feeds, including draff, will be in short supply now that the plant is running. The plant will save an estimated 46,000 tons of CO₂ per year, compared with a coal-fired operation of a similar size. A further 18,000 tonnes of CO₂ is expected to be saved by the closure of an existing gas-fired plant.

• *The BBC News* website reported that the Tomatin Distillery, near Inverness, is to build a new biomass boiler after securing £1.2m in funding from the UK Green Investment Bank, its first Scottish investment. The new boiler will replace 80% of the heat load usually generated by the distillery's oil-fired boiler. CO₂ emissions from the distillery could be reduced by more than 96,500 tonnes over the 20 years of the investment.

FRACKING

The UK chancellor, George Osborne, has announced tax incentives for the fracking technique for extracting shale gas [Dec 12].

Lang Banks, director of WWF Scotland, said: "The massive tax breaks and bribes being offered by the UK government to prop up polluting shale gas are a recipe for environmental and financial disaster. Scottish ministers must reject these moves and use all the powers at their disposal to close the door on shale gas fracking north of the border. Ministers could start by ensuring the current review of national planning priorities in Scotland rules out fracking and other forms of unconventional gas extraction. With renewable energy going from strength to strength in Scotland, there's little need for us to follow the UK government's headlong rush to trash the environment and our climate. Instead of offering yet more tax breaks to drill for fossil fuels UK ministers would be better supporting initiatives

that reduced energy demand for every household and deliver renewables projects even more quickly."

Reverend Sally Foster-Fulton, convener of the Church of Scotland's Church and Society Council, said that the chancellor's announcement was disappointing and that there were 'many alternatives to fracking.'



RECREATION & TOURISM

MENIE ESTATE

The Press & Journal reported that the BBC Panorama programme claimed that Trump International has created just 200 of the 6,000 posts that he promised on the golf resort at the Menie Estate in Aberdeenshire [Jun 13]. £25m, of the £750m pledged, has been spent to date. The value of the land, with planning permission, has increased from £7m to an estimated £100m.

NATIONAL PARK TOURISM

The BBC News website reported on a VisitScotland study in *The Scottish National Parks Sector Review: 2012*. It was shown that the Cairngorms and the Loch Lomond & the Trossachs National Parks bring in more than one million UK and Ireland visitors annually, contributing £243m to the country's economy in 2012, an increase of 25% on the previous year.

The Cairngorms National Park accounted for 570,000 visitors while Loch Lomond & the Trossachs National Park had a further 482,000.

CLOSED SYSTEM

The Strathspey & Badenoch Herald reported that community councils in the Aviemore area are to ask Highlands & Islands Enterprise to review the 'closed system' which limits access at the top of the Cairngorm mountain railway for non-skiing visitors [Nov 11]. A planning restriction, Section 50, was put in place to protect European conservation sites near the summit of Cairngorm.



NEWS OF ORGANISATIONS

NDSFB

The Ness District Salmon Fishery Board (NDSFB) has appointed Chris Conroy as its first full-time chief executive, and river director, to address the fall in salmon numbers [Mar 13].

SCOTTISH ENVIRONMENT LINK

Scottish Environment LINK has published its accounts and annual report. See: www.scotlink.org/files/publication/AnnualReport/LINKAnnualreport2012-13.pdf

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