

DOTTEREL

RSPB Scotland has published new population figures for the dotterel, which winters in Africa and comes back to Scotland in April and May.

Almost two-thirds of the UK's dotterel population are found in the Cairngorms but the estimated number in the UK has fallen from 630 breeding males in 1999 to 423 breeding males in 2011. 981 breeding males were estimated in the first survey in 1987/88.

RSPB Scotland is to conduct research in partnership with Aberdeen University and SNH to examine possible causes of these declines, from climate change to grazing impacts and the effects of atmospheric pollution on sensitive mountain-top vegetation.

CORNCRAKE

The BBC News website reported that numbers of corncrake have dramatically declined. The number of male birds counted had decreased by 23% from 1,260 in 2012 to 971 in 2013. The cold spring halted the growth of tall grasses which were essential for breeding. RSPB Scotland said that the birds had been recovering in numbers following decades of decline, and called on the Scottish Government to commit funding from the new Scotland Rural Development Programme [see FARMING below] towards farming schemes that could help to protect the birds.

BEINN EIGHE

The BBC News website reported that SNH has commissioned a report which has suggested that a decline in deer numbers, on the Beinn Eighe Site of Special Scientific Interest (SSSI) in Wester Ross, has led areas of open woodland becoming overgrown. The report recommended allowing hardy beef cattle to graze on the site to keep down the vegetation. It said that domestic livestock would be easier to manage than trying to increase, and then control, red deer numbers.

FRESHWATER PEARL MUSSELS

The Herald reported that Forestry Commission Scotland has discovered two new populations of freshwater pearl mussels on a river in Sutherland. SNH said that the discovery, made as part of the SNH Pearls in Peril project, is several miles away from the nearest known location of the mussel [Sep 12]. One group consists of 50 mussels and the other at least 1,100.



FARMING

CAP

Following consultation, Richard Lochhead, the rural affairs secretary, has confirmed that the transfer of funds from farm payments to rural development will be limited to 9.5% in Scotland, around £46m. The budget transfer from Pillar One (direct payments) to Pillar Two (rural development, including Less Favoured Area Support [LFASS, agri-environmental measures, forestry and community development) is known as 'flexibility' and is permitted under Common Agricultural Policy (CAP) regulations. Member states are allowed to transfer up to 15% of the money they were given for historical payments towards schemes which meet wider objectives. The decision will apply to farming budgets from 2015 to 2020.

This will deliver a total rural development budget of over £1.3 billion over the next seven years, much of which is invested in improving or sustaining farming – including essential LFASS. A consultation will be held on whether agri-environment schemes should be increased by more than £350m over the seven year budget

period without having to increase the Pillar One transfer, in order to protect farm payments during what will be a crucial time for farming. The government is also consulting on how the next CAP will include measures to ensure greener farming practices. Mr Lochhead said that he was minded to increase funding for the new environmental schemes which will be more effectively targeted, complemented by a new fund to facilitate co-operative action at a landscape or ecosystem scale.

Concerns about LFASS were expressed in the consultation and the Scottish Government will undertake a review of this scheme as it moves to a system of support for Areas facing Natural Constraints (ANC) by 2018, in line with European regulations.

The West Highland Free Press reported that Patrick Krause of the Scottish Crofting Federation said: "The principal of moving money into the Scotland Rural Development Programme, where most of the schemes that should be supporting crofting and the environment – such as the LFASS, the Crofting Counties Agricultural Grant Scheme (CCAGS) and agri-environmental measures – are found, seems a no-brainer.

"But the reality is that LFASS in Scotland is designed to pay better rates per hectare to the better-off land, the government wants to open CCAGS to non-crofters and the agri-environment schemes have been syphoning the money away from the crofting counties, where most of the High Nature Value Areas are. Crofters do not trust the Scottish Government's use of Pillar Two funding. The perverse way in which LFASS is calculated to pay the highest rates per hectare to farms on the better land has to stop."

NFU Scotland called for as much as possible to be retained in direct payments. Jonnie Hall of NFU Scotland said: "Shifting 9.5% of funds to Pillar Two could hole the Pillar One budget and the pivotal role that farming plays will be under serious threat."

The Scottish Wildlife Trust (SWT) is disappointed at the decision to limit the transfer of funds from farm payments to rural development programmes. Nearly £220m of public money will go on direct farm subsidy with almost no way of targeting it to achieve any kind of public benefit. Previously, the minister had said that he would ensure that the allocations of these funds would strike the 'right balance of support' across the CAP pillars, and SWT believes this is not the case.

Bruce Wilson, of SWT, said: "The Scottish Government is guilty of short-termism and needs to think more about ensuring the long-term sustainability of Scottish agriculture and our rural communities. The rural economy is dependent on so much more than high-input, intensive, agriculture. This decision means that wildlife loses out because there is less money in the pot for agri-environment schemes"

Stuart Housden, of RSPB Scotland, said: "By deciding not to redirect a relatively small proportion of the money to those farmers and crofters that do the most for the environment, Scotland will struggle to meet its international conservation obligations. Now is not the time for middle of the road decisions but for vision, boldness and leadership with regard to Scotland's farmed environment. Without this, it will be extremely difficult for Scottish agriculture to grow markets for its produce by demonstrating that it is sustainable and wildlife friendly, and for the government to meet its own environmental targets. This decision not to transfer the maximum 15% means that some £220m that could have been spent supporting farmers and crofters who

are working to enhance Scotland's wildlife will now offer few public benefits."

The Herald reported that NFU Scotland has demanded that the UK government explain the objectives and non-discriminatory criteria it used in reaching its decision not to allocate 'convergence' cash to Scotland's most underfunded farmland [Nov 13]. The union has also met with EU officials in Brussels concerning the UK government's interpretation of the rules in distributing EU funding.

First Minister, Alex Salmond, has written to Prime Minister David Cameron saying that the UK Department of the Environment, Food and Rural Affairs (DEFRA) had ignored reasoned arguments that the full convergence uplift should be paid to farmers in Scotland, despite the money being 'earned' in Scotland and the policy enjoying cross-party support in the Scottish Parliament. The uplift has been shared pro-rata across the UK nations, despite the UK only qualifying for this additional funding because of Scotland's very low per hectare payment. Mr Salmond said that DEFRA's decision was 'regrettable' and deviated from the EU approach; it should be reversed so that Scottish farmers are put on a more equal footing with their UK and European counterparts.

The CAP consultation concludes on 28 February. See: www.scotland.gov.uk/Publications/2013/12/7550

INSECTICIDES

The Sunday Herald reported that an insecticide, thiacloprid, will continue to be used to protect oil seed rape and potatoes from pests. It is one of a group of neonicotinoids implicated in the drastic declines in bee populations reported in recent years. The European Union banned the use of three neonicotinoids for two years from 1 December, but omitted thiacloprid from the list [Apr 13].

In 2012, thiacloprid was sprayed on 11,488 hectares of potatoes and 1,134 hectares of winter oil seed rape in Scotland. Its use is now likely to increase, according to the Scottish Government, but not necessarily in response to the restrictions on neonicotinoids. It is standard practice to vary the treatments used, as increased resistance can become a problem.

Dr Maggie Keegan, of SWT, said: "Research has shown that this neurotoxin has sub-lethal effects on honey bees by increasing their susceptibility to pathogen attack, which decreases the chances of survival of juveniles. As there is increasing evidence to show that thiacloprid is harmful to non-target species such as honey bees and freshwater insects, SWT believes it is right to be precautionary and this chemical should be banned."

Matt Shardlow, of Buglife, said that when thiacloprid was used in combination with fungicides, as it often is, studies suggested that its toxicity could increase by up to a thousand times. Furthermore, the European Food Safety Authority had not yet assessed the safety of thiacloprid, though it had been asked to by the European Commission. A coalition of 13 environmental groups have called on the UK and Scottish governments to fully enforce the ban.

NFU Scotland said that it did not agree with the European ban and claimed that the rate of decline of bumblebees had slowed since neonicotinoids were introduced in the UK in the early 1990s. A spokesman said that beekeepers were also concerned that the ban may have a negative impact on bees, as farmers could end up spraying more pesticides. He said: "Pollination from bees is crucial to farming and we need to make sure the science behind the ban is justified."

Dr Julian Little, a spokesman for the manufacturers Bayer, said that thiacloprid was intrinsically of low toxicity to bees, and is mostly used to control pollen beetle. He said: "It is perhaps the safest insecticide

in a farmer's armoury, being so safe to honey bees that it can be used on open flowering crops. If you call for a ban on this product, you would have to withdraw pretty much any other insecticide being used in Scotland first."

SEA EAGLES

The Herald and the West Highland Free Press reported that Iain Maciver, of the Lewis & Harris Sheep Producers Association, claimed nine ewe hoggs, reared for breeding, had been found dead on the Lochs area of south Lewis, and that sea eagles were witnessed at the scene [Mar 13].

Mr Maciver said: "A marked reduction in moorland and grazed areas has meant the wildlife has been affected as well. Sea eagles find it harder to find food such as hares. The likes of RSPB Scotland and the John Muir Trust (JMT) seem happy, in my view, to boast about the depth of their resource and influence when they are minded to block development. Directing some of these strengths towards the promotion of land-management incentives to encourage crofters to better exploit the grazing potential of our moorland could be a key factor in allowing man and bird to live in harmony, at the same time enhancing the quality of our wonderful environment."

He said that crofters found existing eagle management schemes too bureaucratic and the compensation insufficient.

Ross Lilley, of SNH, said: "Mr Maciver's comments are timely, as we're reviewing our national sea eagle management scheme at the moment, and these are exactly the kind of on-the-ground suggestions we are looking for. We have provided food for sea eagles occasionally in the past and it could be one of the measures we support in the future as part of a package of measures tailored to individual circumstances."

CEREAL HARVEST

The Scottish Government's chief statistician has published final estimates of the Scottish cereal harvest in the year to 31 October 2013 which are around 56,000 tonnes higher than earlier provisional estimates, at 2.9 million tonnes [Oct 13]. Yields over the year are now estimated to have increased by 13%, following a 15% fall in yields last year. The total area of land sown has remained largely unchanged, though oats have replaced wheat and oilseed rape in some areas.

Despite the setback in productivity caused by last year's weather, the estimates have shown a longer term trend of improving yields. The average cereal yield for the last ten years is estimated to be 7% higher than in the previous decade.

Spring barley production is estimated to have increased by 18% to 1.7 million tonnes and winter barley by 1% to 284,000 tonnes. With both higher yields and areas, production of oats is estimated to have risen by 73% to 187,000 tonnes. This is, in part, due to the replacement of wheat and oilseed rape which experienced a poor start in some places. Production of oilseed rape has increased by 5% to 112,000 tonnes. Wheat production is estimated to have fallen by 3% to 653,000 tonnes.

See: www.scotland.gov.uk/stats/bulletins/01085:scotland.gov.uk/Topics/Statistics/Browse/Agriculture-Fisheries/Publications/InteractiveCerealCharts

 **WOODLANDS**

P. RAMORUM

Forestry Commission (FC) Scotland has been felling infected larch and dead trees in Dumfries & Galloway, both in a bid to slow the spread of *Phytophthora ramorum* further east and north

and to salvage as much marketable timber as possible [Oct 13]. 15 operational harvesting teams have cleared around 700 hectares so far, a 300% increase on pre-disease levels. FC Scotland is widening the physical gap between diseased and healthy trees to 250 metres, making it more difficult for the disease to spread.

As much as 5,000 hectares of larch is affected and it is likely to require at least two years to complete the felling programme. The annual harvest in Galloway will increase from the usual 720,000 m³ mark to over 1M m³.

ASH DIEBACK

The Herald reported that FC Scotland said that ash dieback disease, *chalara*, has now affected 115 sites across Scotland. The infection causes leaf loss and crown dieback, with repeated infection usually leading to tree death. It was first detected in Scotland in the summer of 2012, with 23 cases confirmed by November last year [Jun 13]. *Chalara* has now been found at 95 recently planted sites, three nurseries and 17 locations in the wider environment. North west Scotland has so far escaped the full impact of the disease.

The apparent increase in Scottish cases over the last year could be partly due to increased survey coverage and under-reporting of the disease in the early stages because it can be difficult to spot. However, the pace of its spread does not seem to have been as fast as was feared; the relatively dry summer may have helped delay the progress of the disease.

Tim Hall, of the Woodland Trust Scotland, said: "The current view is that it spreads through the wind about 20 to 30 km per year. It's always hard to say whether there are more cases because people are more aware of it and are identifying cases more readily. But without a doubt it is spreading in Scotland and one can only expect exponential growth as more trees become infected."

Consultant Dr Rick Worrell said: "Ash dieback is only one of a number of diseases we're dealing with at once that have all appeared in a relatively short time. Personally, I regard it as the big environmental issue. I don't think we've been faced with a situation quite as serious as this. In most of these diseases, the primary causal factor is people moving organisms around the globe in trade."

MULL PIER

Mull's new £3m timber pier at Fishnish is now open [Dec 12]. The pier will reduce transport costs off the island and save around 800,000 lorry miles each year on fragile roads as more timber is moved by boats; up to 3,000 tonnes can be exported through the pier at any one time.

Most of the forests on Mull were planted between the 1950s and 1980s and are now reaching the harvesting stage. The current harvest is around 50,000 tonnes per annum and is expected to double to around 100,000 tonnes over the next 10 to 20 years. There are around 13,000 hectares of forest on Mull with FC Scotland managing just over half.

See: www.forestry.gov.uk/mullpier

FIFE WOODLAND

The Fife Forestry & Woodland Strategy 2013-18 sets out a five year vision which will assist with the delivery of Fife Council's Local Development Plan due in 2014. Fife could see an extra 200,000 trees (100 hectares) planted each year of the strategy which will help to improve cycle networks, create green networks, promote new planting and enhance woodland recreation.

Fife currently has around 11% woodland cover

compared to the national average of 18%. The new strategy points out further opportunities to increase the growth of woodlands to create native and mixed woodlands, which can also produce timber and woodfuel.

See: www.fignp.org.uk/news

LESMAHAGOW

Lesmahagow Development Trust has applied to the National Forest Land Scheme to lease woodland close to Lesmahagow to develop allotments.



FISHFARMING & FISHERIES

FISHFARMS

The Sunday Herald reported that a freedom of information request, by Don Staniford of Protect Wild Scotland, showed that the Scottish Environment Protection Agency (SEPA) has approved 585 fishfarm applications around the country since 2006, and rejected one. Highland Council has consented to 66 farms and refused two since 2003; Argyll & Bute Council has approved 32 and turned down two; Comhairle nan Eilean Siar has approved 73 and rejected one since 2008.

Mr Staniford said that plans for the farms are being 'rubber-stamped' to help meet the Government's target of a 50% increase in production by 2020, and that ministers are failing to protect the environment. He also pointed out that ministers have had more than 30 meetings with leaders of the fishfarming industry in the last three years and were 'clearly in cahoots.'

He delivered a letter to the First Minister demanding a moratorium on salmon farming.

John Robins, of Save Our Seals Fund, said: "Our government is so close to the salmon farming industry, it smells fishy. Environment ministers should be protecting our marine environment from the pollution caused by these filthy floating factory fishfarms."

Peter Urpeth, of Outer Hebrides Against Fish Farms, said that the fishfarming industry was quietly becoming 'an arm of government with a privileged and unchallenged right of access.'

The Scottish Salmon Producers' Organisation said that the organisation met ministers regularly through the various government-run working groups, export missions and update meetings.

SEPA said that applications for fishfarms were rarely refused because its authorisation process was 'clear and understandable' and those that would be rejected were withdrawn or amended after consultation with officials.

LOCH ETIVE FISHFARM

The Herald reported that Alastair Salvesen, of Dawnfresh, has approached locals to ask for support for the ten pen rainbow trout fishfarm in Loch Etive, near Oban [Aug 13]. A total of 617 objections and 221 messages of support have been lodged about the proposal; Argyll & Bute Council is to make a final decision in January. Richard Kerr, senior development control officer at the council, has recommended the plans be granted approval.

Taynuilt Community Council had objected to the plans and expressed concerns about the visual impact. However, it now supports the move, saying that the employment Dawnfresh will bring to an economically fragile area is significant.

The Salmon & Trout Association Scotland and the Argyll & District Salmon Fishery Board fear that the proposed fishfarm would threaten the River Awe's salmon stock. They say there would be issues with escapes and that alien trout could eat juvenile salmon, depleting the stocks of the native

fish. They said that they were also concerned about potential disease transmission.

SHELLFISH WATERS

New legislation came into force to ensure the continued protection of Scottish shellfish growing waters. 84 Shellfish Water Protected Areas (SWPAs) have been designated in Scotland, which replace the repealed European Shellfish Waters Directive. Steps will be taken to prevent the deterioration of water quality in these areas, and where necessary to improve water quality to a high standard. See: www.scotland.gov.uk/Topics/Environment/Water/15561/ShellfishWaters

RAZOR CLAMS

A joint letter by chefs, food writers and academics to *The Sunday Herald* said that electrocution is being carried out to force razor clams, spoons, out of their burrows to enable relatively easy harvesting by fishing boats. However, the method also kills marine wildlife, breaking the spines of fish, causing internal bleeding and respiratory failure.

Catches of razor clams have risen from 46 tonnes in 1995 to 903 tonnes in 2012. There is a worldwide market for razor clams which can also be harvested using dredged suction pumps, or by hand. The increases in catch in recent years have been attributed to electro-fishing; half of that number are thought to be illegally harvested.

A Seafish spokesman pointed out that another form of electrical fishing for flatfish by trawlers in the southern North Sea had been legalised. Its research suggested that electricity was 'less environmentally intrusive' than other fishing methods. Bill Lart of Seafish said: "We would therefore welcome further research to allow for an accurate and objective portrayal of the activity based on scientific findings. Electrical fishing for razor clams is an illegal fishing method under European Union rules and Seafish does not condone its use until proper legislation and fishery management measures are in place."

Scottish fisheries minister, Richard Lochhead, said: "The Scottish Government does not support the practice of electro-fishing or any relaxation of the rules governing it. Marine Scotland intends to introduce new razor-fishing licence conditions by April 2014, which will deliver a comprehensive and stringent suite of conditions to minimise the risk of electro-fishing."

In a letter to *The Herald*, Fiona Matheson of the Orkney Fisheries Association said that the industry does not want to see this type of fishing legalised: "Fishermen are extremely worried about the environmental repercussions of this fishing method and we have campaigned vociferously to raise awareness of the environmental and ethical dangers of it."

SPEY CATCHES

The Strathspey & Badenoch Herald reported that the Spey Fishery Board reported catches of salmon and grilse for the 2013 season as 5,780 in comparison to 7,490 caught over the same period last year. 88% of all salmon and grilse were released throughout the season, with a 92% release rate for spring salmon. Anecdotal evidence indicates that marine survival is poor, affecting the number of returning fish. In addition, a long, cold winter was followed by summer drought. However, juvenile salmon and trout counts, and salmon parr numbers, were good in the Spey catchment together with the Rivers Truim, Avon and Dulnain.

CFP

The *BBC News* website reported that the new European Common Fisheries Policy (CFP)

will come into effect on 1 January 2014 [Jul 13]. The new policy includes a gradual ban on discards, a legally binding commitment to fishing at sustainable levels and the introduction of decentralised decision-making.

The Scottish Fishermen's Federation (SFF) said much of the new policy seemed like common sense, with much to celebrate. However, there was a huge amount to do to put the reforms into practice.

The Herald reported that, under the agreement on catch limits for 2014, there will be no decrease in the number of days boats may go to sea. Reductions to quotas of monkfish will not be as deep as planned and the proposed reductions in west coast whiting have been abandoned.



MARINE

SCAPA FLOW

The Orcadian reported that Orkney Islands Council has approved a major change in ballast water regulations for Scapa Flow [Oct 12].

For the past 20 years, ships have been required to de-ballast outside the Flow, but the council has been looking at changing these regulations for almost five years. The new policy will allow ballast water to be released into Scapa Flow. In addition, ships with ballast water treatment plants onboard will have to not only exchange the water before entering Scapa, but will also have to treat it before it is released.

The Orkney Manifesto Group (OMG), RSPB Scotland and the Orkney Fisheries Association, and others, are concerned that allowing vessels to discharge ballast water in Scapa Flow could lead to the introduction of foreign, and potentially harmful, species to Orkney waters. There are also fears for the brackish water of the Loch of Stenness, barely separated from the north of Scapa Flow, and designated as a Site of Special Scientific Interest as well as a Special Area of Conservation.

The Herald reported that currently, oil tankers must periodically halt loading, move out of Scapa Flow and discharge some or all ballast, before returning to resume loading. This imposes considerable costs on ship operators in terms of time and fuel. The local authority was losing out on the money it could charge for ship-to-ship transfers of oil. The majority of such opportunities were being lost to locations which did not have ballast water management policy constraints.

OMG convener, councillor Alistair Gordon, said: "The proposed new ballast water management procedure has already been found unacceptable by government watch-dogs, Scottish Natural Heritage (SNH) and SEPA, and so the policy will have to go to Scottish ministers for their final approval."

He said that Scapa Flow Oil Port reported a loss of £1.7m this year, and that the discussion was finance-driven. He said that rather than change the ballast management, there should be urgent talks with the Flotta terminal's operator, Talisman Sinopec.

- Heriot-Watt University and Seasearch volunteers have found flame shells, *Limaria hians*, in Scapa Flow, the first time they have been seen in Orkney since the 1950s.

MARINE SURVEYS

A series of reports on surveys of marine wildlife and habitats around the coast of Scotland have been published by SNH. The surveys were part of the work, led by Marine Scotland, to develop a network of Marine Protected Areas (MPAs) and

will help inform decisions about marine renewable energy developments. The Firth of Clyde, Loch Sween, Loch Linnhe and Orkney were surveyed. The SNH commissioned reports (501, 621 & 631) are available on: www.snh.gov.uk/publications-data-and-research/publications/new/

BASKING SHARKS

SNH has published an interim report, *Basking Shark Satellite Tagging Project: Insights into Basking Shark (Cetorhinus Maximus) Movement and Distribution using Satellite Telemetry*. SNH and the University of Exeter initiated a research project to attach satellite tags to basking sharks in the summers of 2012 and 2013 [Jul 13]. This report provides an overview of these data collected by satellite tags deployed on basking sharks in 2012. See: www.snh.org.uk/pdfs/publications/commissioned_reports/700.pdf

WHALES & DOLPHINS

The Hebridean Whale & Dolphin Trust (HWDT) conducted nine research surveys in 2013 as part of a long term monitoring project from its research yacht *Silurian*. A wide range of whale, dolphin and porpoise species were identified in western Scotland's seas. HWDT recorded more than 400 encounters with cetaceans and basking sharks, and made almost 1,000 underwater detections of cetaceans using specialist listening equipment covering over 3,000 nautical miles.

A rare sighting of three members of a group of killer whales known as the West Coast community occurred in August near Skye. There were 321 encounters with harbour porpoise, 34 with minke whale, 32 with basking shark, 22 with common dolphin, six with white-beaked dolphin, one with a killer whale and one with Risso's dolphin. Recorded acoustic detections were made of 821 harbour porpoise, 129 common dolphin, six white-beaked dolphin and one Risso's dolphin – the latter adding to the sparse acoustic data currently available for this species. 50 basking sharks were recorded in nine days alone in June.

HWDT's findings will contribute to the Scottish Government's initiative to identify areas for possible Marine Protected Areas featuring cetaceans and basking sharks. The data will also contribute to the Joint Cetacean Protocol, a UK-wide initiative that is combining data from different sources to add to knowledge of cetacean distribution and trends.

LOCH FLEET

A report by SNH outlines an 85% decline in two species of eelgrass, the narrow-leaved (*Zostera angustifolia*) and the dwarf (*Zostera noltei*) at Loch Fleet National Nature Reserve in Sutherland.

The marine flowering plants provide important feeding for overwintering wildfowl in the area. The eelgrass is also a nursery area for young fish and help to stabilise the sediments on the estuary bed. Eelgrass beds can also help reduce the impact of waves onshore and reduce coastal erosion around the reserve.

The decline in the size and location of the sea grass beds over the past 12 years could be linked to several natural or human-influenced factors such as increased grazing by wildfowl, nutrient increases, herbicides, increases in salinity and changes in sedimentation within the loch. Similar marine habitats have declined across the UK, possibly as a result of climate change.

See: www.snh.gov.uk/publications-data-and-research/publications/search-the-catalogue/publication-detail/?id=2092

GOLSPIE DUNES

SNH commissioned an options paper into the causes of erosion along the dunes at Golspie following a storm that affected much of the east coast in December 2012. Dr Jim Hansom and

James Fitton of the University of Glasgow found that the upper beach in the northern section has eroded at an average rate of up to half a metre a year, and the southern section has retreated at an average rate up to 1.5m a year.

Their options appraisal recommends using beach feeding as a low-cost and effective way to manage erosion and flood risk at key points of the coast. The area would be re-profiled with a new ridge.

See: www.snh.gov.uk/publications-data-and-research/publications/search-the-catalogue/publication-detail/?id=2093

DALGETY BAY

The Herald reported that Gordon Brown MP called on the Ministry of Defence (MoD) to speed up its work to decontaminate Dalgety Bay in Fife. The beach is polluted by radiation [Jun 13]. Mr Brown said in the House of Commons that it had been a year of delays and intransigence, and that the MoD had failed to deliver on its promise to clean up the bay. The defence minister, Andrew Murrison, said that the MoD has never sought to abdicate its legal responsibilities, much less delay progress in reaching a resolution.

MARINE CLIMATE CHANGE

The Herald reported that the Marine Climate Change Impacts Partnership has released its report card for 2013. It summarises the latest research from 55 UK organisations including SNH, Marine Scotland and the Scottish Environment Protection Agency.

The report points out that over the last 30 years landings of cold-water fish like cod, haddock and whiting from the north-east Atlantic have halved. This trend is predicted to continue in the coming decades. The central and northern North Sea will become up to 20% less productive, with 'clear implications for fisheries.' Although fish that prefer warmer water like hake and anchovy might increase, the cold-water species that have traditionally been a mainstay of the Scottish fishing industry will decline. Climate projections suggest fish will move northwards faster than in the past. Global warming could cut commercial fish catches around Scotland by 20% while they increase by 10% around the south of England.

While the number of white-beaked dolphins, harbour porpoises and minke whales looks likely to decline around the east and north of Scotland, the report says other species of striped and short-beaked dolphins may increase, as they move from southern waters. The current rate of increase in acidity is probably more rapid now than any time in the last 300 million years, which has a complex effect on wildlife.

See: www.mccip.org.uk/annual-report-card/2013.aspx

NORTH ATLANTIC SURVEYS

Marine Scotland trawl surveys have discovered four species of invertebrates, previously unknown to science, in deep ocean waters around the Rockall plateau, over 200 miles west of the Hebrides. A large sea snail, two kinds of clams and a marine worm have been recorded.

The discovery of the clams and worm at a single site is potentially hugely significant as it could indicate the presence of a cold seep, where hydrocarbons are released from the sea bed. If confirmed, it would be the first cold seep to be discovered in the Rockall-Hatton basin, in about three quarters of a mile depth of water.

Environment secretary, Richard Lochhead, said: "The area where these species were found is not currently fished and the confirmation of a cold seep is likely to result in the region being closed to bottom contact fishing." The survey was designed

to provide advice that would help balance both commercial fishing and conservation interests in the Rockall area.



POLITICS & PARLIAMENT

LAND REFORM

The UK government's Scottish Affairs committee is gathering evidence in the Highlands, from Community Land Scotland and others, ahead of an inquiry next year into land reform in Scotland [Mar 13].

The Land Reform Review Group, commissioned by the Scottish Government is also looking at land reform, examining how it could be made easier for communities in rural and urban areas to buy land [Jun 13].

PAIRC ESTATE

The BBC News website reported that the Scottish Land Fund is to provide £230,000 to the Pairc Trust towards the buy-out of the 26,775 acre Pairc Estate in Lewis [Nov 13]. Highlands & Islands Enterprise has offered £76,500; Comhairle nan Eilean Siar also said that it would provide financial support.

MOUNTAIN HARES

Following Alison Johnstone MSP's parliamentary questions concerning mountain hares, the environment minister, Paul Wheelhouse, has now responded [Nov 13]. His answers include the fact that Scottish Natural Heritage received three applications for the control of mountain hare in 2013 [Nov 13]. Two of these were applications to renew licences issued in 2012 (one in Moray and one in Aberdeenshire). The remaining application was for another site in Moray, and again was for the purpose of preventing serious damage to woodland. Licences were granted for all three, and all three related to shooting hares out-of-season.



GENERAL ENVIRONMENT

ENVIRONMENTAL CRIME

The Environmental Crime Taskforce, set up in 2011, has reported back to the environment secretary Richard Lochhead with proposals including enhanced powers of entry and the power to seize documents in relation to suspected criminal activity.

Scottish Environment Protection Agency (SEPA) has also announced the creation of a Waste Crime Team to lead investigation directed at tackling the most serious waste crime offenders in Scotland.

The parliament's Economy, Energy & Tourism committee has agreed further improvements suggested by the taskforce at stage two of the Regulatory Reform (Scotland) Bill. These will improve the effectiveness of SEPA's regulatory toolkit and provide the agency with stronger powers to investigate environmental crime.

See: www.scotland.gov.uk/Topics/Environment/waste-and-pollution/environmental-crime-taskforce

WILD LAND MAP

The Core Wild Land 2013 Map, published earlier this year by Scottish Natural Heritage (SNH), has been put out to public consultation [Nov 13]. The map sets out 43 areas of rugged, remote and challenging terrain.

Stuart Brooks, of the John Muir Trust (JMT), said: "We have had the map analysed by the

leading international experts on wild land who say this is the most detailed, sophisticated and rigorous mapping of wild land to be carried out anywhere in the world. Now we have a world class wild land map to match our world class wild landscapes. This marks a huge step forward towards protecting wild land from large scale commercial development – a goal which is supported by 75% of Scots."

John Hutchison, of the JMT, said: "The map is not about preventing small-scale development by local people. Nor is about stopping communities from resettling land from which people were driven during the Clearances. It is about halting the wholesale destruction of wild land by global corporations. For centuries, the Highlands have been exploited by external forces for commercial gain. Most of those opposing the Core Wild Land Map are from outside Scotland. They include American, German, French and Italian multinational corporations. Most of their energy generation globally involves burning fossil fuels. Their mission is not to minimise greenhouse gases, but to maximise profits for distant shareholders."

Community Land Scotland (CLS), in its submission to the SNH consultation, said that people used to live on what is now seen as wild land until relatively recently and that the present human deserts are man-made. It said that the map should be overlaid by one which records those who were cleared. Wild land areas have a significant overlap with the 'fragile areas' of Scotland. CLS said that the wild land map should not impede the aspirations of local people for economic and social development, or those who may market their area through the wild land concept.

SNH stressed that the wild land map would not constitute an environmental designation but was a strategic tool for use in planning policy. Simon Brooks of SNH said: "We recognise that virtually all of Scotland has been influenced by human activity in some form or other over time, but many areas continue to have strong qualities of wildness that are highly valued today. Our map of core areas of wild land identifies the largest areas where the experience of wildness is strongest, and is intended to inform decisions on how best to manage what is clearly an important economic asset to Scotland."

The Galloway News reported that Galloway Landscape & Renewable Energy has asked the Scottish Government to include dark skies as a factor in the wild land consultation. GLARE has set up a petition calling on the government to create an exclusion zone around the Galloway Dark Sky Park to help protect 'astro' tourism.

See: www.change.org/petitions/scottish-ministers-go-wild-for-galloway-dark-skies-and-protect-them-from-creeping-light-pollution

DARK SKIES COLL

The BBC News website reported that the island of Coll, in the Inner Hebrides, has been awarded the status of Dark Sky Community by the International Dark Sky Association. It is the second area in Scotland to be recognised, the first being Galloway Forest Park.

The Coll Dark Skies Group is now hoping that the new status will increase winter tourism by attracting stargazers to the island.

SCOTLAND'S SOILS

A website dedicated to Scotland's Soils has been launched and will provide easy access to decades of data for the first time [Mar 11]. The Scottish Government has worked collaboratively with the James Hutton Institute, SEPA, SNH, the Forestry Commission Scotland and Ricardo-AEA to create the website. Scotland has one of the best soil data sets in the world with its origins going back 80 years. See: www.soils-scotland.gov.uk

• A report on the Scottish Soil Framework has

also been published, outlining progress on 39 identified actions which indicate developments towards 13 soil outcomes. See: www.soils-scotland.gov.uk/publications/result?view=POLICY

NEW LANARK QUARRY

The Herald reported that Cemex's plans, to extend Hyndford Quarry into a zone surrounding New Lanark World Heritage Site, have been approved by South Lanarkshire Council [Nov 13].

Mark Stephens, of the Save Our Landscapes campaign, said: "The landscape of one of its most iconic cultural assets is set to be destroyed for the sake of five years profit for a multinational cement company. This approval renders worthless the idea that planning in South Lanarkshire is governed by the policies that are adopted within the framework set by the Scottish Government. In accepting this advice, councillors also ignored the views of the people and communities they represent to indulge the wishes of a multinational company with a poor environmental record."

Neither Historic Scotland or SNH objected to the proposal. The Falls of Clyde are surrounded by a nature reserve managed by the Scottish Wildlife Trust.

Michael McGlynn, of South Lanarkshire Council, said: "[The decision] will also ensure a detailed programme of restoration and enhancement works is carried out, as each part of the site concludes."

A Scottish Government spokesman said: "The application will now be notified to Scottish ministers who will decide whether, or not, to call in the application for their own determination."

20 MSPs, together with conservation groups, have appealed to Derek Mackay, the Scottish planning minister, to call in the application.

A government directive, issued in 2009, gives Scottish ministers the power to intervene in local planning decisions when applications are deemed to be of national importance.

LANDFILL TAX

Legislation for a Landfill Tax (Scotland) has been passed [Apr, Jun 13]. Royal Assent for the bill is expected early in the New Year, and it is expected that the act will come into force in 2015. It will replace the current UK system of Landfill Tax. The replacement tax will be collected by SEPA on behalf of the new Scottish tax authority, Revenue Scotland.

At present, the UK tax cannot be charged on disposals to landfill in sites that are not regulated – in other words, on illegal disposals. The Scottish tax will be chargeable on anyone who disposes of waste in unregulated sites.

Currently there are around 72 landfill sites operated by 54 operators disposing of around 4.5m tonnes of Scotland's waste. The majority of this was mixed wastes and mineral wastes (including construction and demolition waste) which together made up 96% of the total. About 37% of the waste landfilled in Scotland originated from households and the remainder was produced by commerce and industry.

Scottish ministers intend to use powers in the bill to establish an enhanced replacement for the Landfill Communities Fund in Scotland from April 2015. Landfill tax operators will be able to contribute up to 7.48% of their tax liability to the fund, in return for tax credits. The funding will go exclusively to qualifying projects in Scotland.

MOTHERWELL TOXIC LAND

The Herald reported that at the Court of Session in Edinburgh, Collins solicitors attempted to make North Lanarkshire Council reveal the results of its tests on contaminated ground in Motherwell

[Sep 13]. 77 residents have started proceedings in an attempt to securing remediation of the land on which their homes are built.



ENERGY

SCOTTISH RENEWABLES

Figures released by the UK Department of Energy & Climate Change (DECC) show that renewables met 40.3% of gross electricity consumption in 2012 in Scotland, which is on track to meet the Scottish Government's interim target of 50% by 2015. Scottish renewable electricity made up 36% of the UK's renewable energy generation in 2012. Scotland continues to be a net exporter of electricity, exporting over 26% of generation in 2012.

An update to the Scottish Government's *Routemap for Renewable Energy for Scotland* was also published.

See: www.gov.uk/government/collections/energy-trends

ISLAND RENEWABLES

Fergus Ewing and the leaders of Scotland's three islands councils have announced plans to convene a summit early in 2014 concerning the DECC's announcement of strike prices for Scottish island wind generation [Sep 13]. There is concern that a 'one-size-fits-all' approach will fall short of what is required for developments to proceed in all of the islands.

The Herald reported that island developers will be able to sell their electricity at a strike price of £115/MWh compared to £90/MWh on the mainland. The strike price is a minimum price that will be paid, with the government paying the difference if the market rate falls below it. The Western Isles had sought a strike price closer to the offshore price of £130 [Sep 13].

The summit will also consider the implications of Ofgem's decision to delay the conclusion of Project Transmit, its transmission charging review.

The *BBC News* website reported that the laying of a subsea cable needed to carry electricity generated on the Western Isles to the mainland has been delayed, again [Jan 13]. Scottish Hydro-Electric Transmission Ltd is not now expected to complete work on the interconnector until 2019 at the earliest. Comhairle nan Eilean Siar had originally hoped that the interconnector in place this year.

COMMUNITY BENEFITS

A consultation on *Good Practice Principles for Community Benefits from Onshore Renewable Developments* is underway. The proposed guidance recommends a baseline community benefits package of at least £5,000 per MW. It encourages developers to consider the scope for communities to invest directly in commercial schemes as well as advising on the process for offering benefits and how to achieve most effective spend.

The consultation ends on 17 January 2014. See: www.scotland.gov.uk/Publications/2013/11/8279

A study by Robert Gordon University (RGU) has shown that the majority of windfarm developers deal directly with the communities most affected with regard to the allocation of community benefits, but this means power is firmly held by the companies, often to the detriment of residents in terms of the benefits they can secure. The report says that local government should play a more central role via the planning process. The Scottish Government was urged to issue national guidance on how much windfarm developers should pay in community benefit [Nov 13].

Professor Peter Strachan, of RGU, said that community benefit packages had a curious position within the planning system, as they could not influence the determination of an application. Developers should promote a variety of ownership arrangements. He said: "Scotland has witnessed a rapid expansion of onshore wind power during the past 12 years. Much of this is corporately owned. It is clear that after more than ten years of wind power deployment, Scottish local government lacks robust and nationally coordinated frameworks for strategically managing community benefits provision."

A Scottish Government spokeswoman said it was for local authorities to decide how they wish to see community benefits distributed.

The Sunday Herald reported that Stratherrick & Foyers Community Trust, in Inverness-shire, has been offered £2,000 per MW by North British Wind Energy Ltd as community benefit for a 50 MW, 23 turbine windfarm on the Corriegarth Estate. Two neighbouring SSE windfarms will pay the trust £5,000 per MW.

A Foundation Scotland report predicts that the current annual figure of almost £7m in community benefit from windfarms is likely to treble by 2017. This amount could be closer to £50m by 2020.

The Daily Telegraph reported that individuals living close to the proposed Banks Renewables Bandirran windfarm near Balbeggie in Perthshire had been offered money during the construction phase and over the 25 year life of the site. In return, they are required not to object to the planning application.

WINDFARM UPDATES

Angus: The *BBC News* website reported that RSPB Scotland has withdrawn its objection to Eurowind's plans for the 17 turbine Nathro Hill windfarm on the Careston Estate, near Brechin [Sep 12]. RSPB Scotland had been concerned that the development could affect the local golden eagle population, but following detailed bird population modelling work had fully withdrawn the objection. The Ministry of Defence (MoD) had said the plans could interfere with radar systems for RAF Leuchars, but has also withdrawn the objection.

However, the Mountaineering Council of Scotland (MCofS) said that it was maintaining its opposition to the windfarm. MCofS said that the turbines would have a significant adverse visual impact on the landscape setting of the Cairngorms National Park and the Deeside Area Of Landscape Significance. David Gibson, of MCofS, said: "Turbines of the size proposed, with a string-like layout following a high ridge, would significantly detrimentally impact upon the sense of space that is intrinsic to residents', mountaineers' and other visitors' experience of the eastern Grampian plateaux and summits."

He said the sense of space enjoyed from Munros would be diminished by the 'vertical punctuation' of the turbines.

Dumfries & Galloway: The council has opposed plans for Wind Energy Ltd's Earlsbaugh 22 turbine windfarm near the Devil's Beef Tub [Nov 13]. Scottish Borders Council has also opposed the project; both authorities were consulted as although the windfarm site would be in the Borders, the main access route is in Dumfries & Galloway. Both councils are concerned about the visual impact.

The Galloway News reported that Historic Scotland, the Scottish Environmental Protection Agency and the MoD have all objected to Banks Renewables' proposed seven turbine windfarm at Knockendurrick.

The *BBC News* website reported that an appeal has been lodged with the Scottish Government after 2020 Renewables' plans for 11 turbines at Loch Hill, near St John's Town of Dalry, were rejected.

Planning officials had recommended approval, but councillors refused planning permission for the development due to its 'visual and cumulative impact on the surrounding area.'

Inverness-shire: The John Muir Trust (JMT) initiated a petition to the Court of Session concerning the Stronelairg windfarm in the Monadhliath Mountains [Aug 13]. However, the JMT was not in a financial position to risk pursuing the legal challenge without a Protected Expenses Order, which was refused in October. The judge considered that the JMT could afford to proceed with the case without it. The JMT has therefore withdrawn from the judicial review. It remains the JMT's view that a public inquiry into Stronelairg and other key wild land cases is essential.

However, the JMT has now been able to negotiate a joint statement with the Highland Council which acknowledges several key points about the importance of wild land in planning, and the need for consistency when the Scottish Government makes decisions on that basis.

See: www.jmt.org/assets/wild%20land%20and%20wind%20farms%20joint%20statement%20john%20muir%20trust%20highland%20council.pdf

Caithness: Spittal Hill Windfarm Ltd has revised its proposals for 30 turbines and re-submitted a planning application for seven turbines, relocating them two kilometres from the village of Spittal and reducing their height [Jun 12]. The original plans were the first to be refused by the Scottish Government for five years; the energy minister, Fergus Ewing, said that the cumulative visual effect of the original plan, considered with existing and consented farms nearby, was too much. The public inquiry reporter, however, said that the Spittal site could accommodate some turbines.

SNH said at the inquiry: "Five to seven smaller turbines would fit the character of small farms and crofts and mixed agriculture and settlement landscape character types."

Stuart Young, of Caithness Windfarm Information Forum, said: "In Caithness we already have 99 industrial turbines operational. There are 53 more approved but not yet constructed, another 35 submitted in planning applications, but not yet determined, and over 180 in scoping [being prepared for planning applications], as well as dozens of smaller turbines. Since [the inquiry] another 20 turbines have been approved at Halsary and Achlachan right next to Spittal village, so they can't assume their new plans are consistent with SNH advice."

North Uist: Scottish ministers have called in a plan for a 1.8 MW community windfarm project at Lochport, Clachan [Nov 13]. Officials at Comhairle nan Eilean Siar had recommended the project be rejected, but the environment committee voted in favour. The MoD had objected to the two turbine scheme, on the basis that the turbines would cause interference to the radars connected to the Hebrides Rocket Range.

Shetland: *The Herald* reported that Donald Trump's legal challenge to the Scottish Government against the Viking windfarm has been rejected by the Court of Session in Edinburgh [Nov 13].

The Lord Justice Clerk, Lord Carloway, said: "The Trump Organisation and its related companies are already involved in a litigation where they can seek the remedy which they wish to achieve." Mr Trump had also challenged plans for an offshore windfarm in Aberdeen Bay, two kilometres from his resort and golf course at Balmedie [see below].

The appeal judges also rejected a bid by commercial windfarm developers to enter

the Shetland case, and refused a move by RSPB Scotland to become involved over the interpretation of the 2009 Wild Birds Directive.

Sutherland: RSPB Scotland is intensifying its opposition to a proposal for SSE's 47 turbine windfarm proposed at Strathy South [Nov 13]. Kenny Graham said: "Strathy South is completely surrounded by the Caithness & Sutherland Peatland Special Protection Area. It has this special conservation status because it is nationally important for its wealth of rare breeding birds. We are urging the applicant to consider if this is really a suitable place to build a large-scale windfarm."

ABERDEEN BAY

The *BBC News* website reported that plans for the European Offshore Wind Deployment Centre in Aberdeen Bay have been put back by two years. Aberdeen Offshore Wind Farm Ltd has announced it will now be looking to connect to the grid in 2017. A spokesman said that several issues had delayed the construction programme of the offshore windfarm, including the Trump legal challenge [Nov 13] and the onshore cable planning applications [Oct 13].

ARGYLL ARRAY

The Argyll Array offshore windfarm planned for Tiree will not now proceed [Oct 12]. ScottishPower Renewables (SPR) and The Crown Estate said that the decision followed technical and environmental site studies. A significant presence of basking sharks had been shown in the area, coupled with 'challenging wave conditions' and hard rock. SPR said it did not consider the project to be financially viable in the short term. The Argyll Array would have had a capacity of up to 1800 MW and up to 300 turbines.

However, SPR said that it is still possible to develop the Argyll Array site as it has the some of the best wind conditions of any offshore zone in the UK, but that it is not financially viable in the short term.

Aedán Smith, of RSPB Scotland, said: "The Argyll Array was always going to be a very difficult offshore windfarm to develop. The site, immediately next to the island of Tiree, is internationally important for a range of marine wildlife. In particular, very large numbers of great northern diver and basking shark use the site and could have been affected by the development. Rare species such as corncrake, and Greenland white-fronted goose also make their home on the island each year and fly across the site on their annual migration.

"Assessment of the likely environmental impacts of the project was not yet complete but may ultimately have been so great on their own as to stop the project proceeding. Being a responsible developer, SPR recognised this extreme importance for wildlife early on and worked closely with RSPB Scotland throughout the development of the project."

SPEAN BRIDGE HYDRO

The Scottish Government has granted planning consent for a hydroelectric pumped storage generating station at Coire Glas, near Spean Bridge in Lochaber. The SSE development will consist of a dam and reservoir at Loch a'Choire Ghlais, an underground cavern power station and underground tunnel system and an outlet area on the shore of Loch Lochy.

The scheme will have a generating capacity of up to 600 MW, with an energy storage capacity of up to 30 GWh, making it the most powerful of its kind in Scotland.

The JMT said that it was disappointed that this major development has been consented without a public inquiry that would allow

detailed consideration of the environmental, social and public cost issues. The proposed scheme is in an area that impacts on deep peatland and neighbouring high quality wild land.

Helen McDade, of JMT, said: "As well as impacting on its local environment, the building of Coire Glas is highly likely to lead to even more inappropriate development in some of the most stunning landscapes of the northwest Highlands. We badly need a coherent national energy strategy and spatial plan, to ensure that the right developments go in the right place and meet our needs for the most cost-effective, low carbon energy solutions. Without an agreed plan of what major infrastructure is justified and where it should go, the government is likely to consent far more than is required, risking damage to nationally important areas of wild land and tourism, among other things."

OPENCAST COAL

The *BBC News* website reported that the appeals division of the Court of Session overturned a previous verdict that allowed the abandonment of opencast coalmine sites [Jul 13]. The court contended: "A person cannot 'abandon' land, in such a way as to render it ownerless, and thus avoid any obligations which run with the land."

An earlier decision at the court accepted the liquidators' argument that the sites are too costly to maintain, using up funds which might otherwise go to creditors.

Blair Nimmo of KPMG, acting as liquidator for Scottish Coal, said that the ruling does not provide a long-term solution to fund the restoration of the sites. Mr Nimmo said the effect of the ruling was to ensure that funds realised by selling some assets to the mining firm Hargreaves Services last July will now be used to maintain the eight remaining Scottish Coal sites. Once these run out, Scottish Coal would be dissolved, meaning that, regardless of the appeals court ruling, there would be insufficient funding to restore the sites.

Mr Nimmo said that a further appeal is being considered. He said: "The complexity of the issues raised in Scottish Coal's liquidation was unprecedented and we had no option but to seek the guidance of the Court of Session to determine how to proceed. Unfortunately, the Court of Session's decision does nothing to solve the environmental damage left behind." He said that funds would continue to be used for care and maintenance of the sites but added: "However, in the context of the overall costs of restoration, these funds are simply a drop in the ocean."

Fiona Lees of East Ayrshire Council welcomed the appeal court ruling, and hoped it would bring clarity to identify solutions for the sites. She said: "Finding a solution requires a joined-up approach involving many organisations and we are taking a lead role in bringing together all key stakeholders. There are a number of actions in progress, including discussions with the landowners, meeting with current operators to identify how they can help and we are of course continuing to engage with the various bond providers to maximise the sums that can be recovered in order to deliver the best alternative restoration scheme that can be achieved for each site."

The Herald reported that RSPB Scotland welcomed the ruling, saying it was a landmark for environmental protection. However, it said there was a £200m shortfall in the amount set aside by coal firms to restore former mines because insurance policies intended to pay for restoration work might be 'almost worthless.'

A *Sunday Herald* investigation said that, according to informed industry sources, £66m set aside by Scottish Coal and ATH Resources

before they collapsed this year amounts to only a fraction of the sum now needed to restore scarred landscapes as local communities were promised. As a result, 32 opencast mines across central Scotland in six local authority areas are likely to remain derelict, or to be cleaned up 'on the cheap' as a further £210m is required. Insurance bonds to ensure that the cost of restoring the sites could be met, whatever happened to the operating companies, are inadequate and, in some cases, had expired or didn't exist.

In East Ayrshire, 22 sites face a notional £132m shortfall on a total restoration cost estimated at £161m. Fiona Lees, of the council, said: "It has never been suggested that this amount or anything like it be spent by the council and so alternative restoration proposals are being developed." There are also major deficits in South Lanarkshire (£34m) and Dumfries & Galloway (£15m).

Patrick Harvie MSP said that it was a 'national scandal' for which the coal companies must be held to account. Aedán Smith, of RSPB Scotland, said: "That failure effectively amounts to a massive additional subsidy for the opencast coal industry, giving them free rein to trash our environment." RSPB Scotland said that there had been 'an almost total failure' of the planning system.

The Scottish Opencast Communities Alliance predicted that only a tiny fraction of the money needed would be made available, leaving communities with 'the scars, the blight and the polluted water for many years to come.'

Fergus Ewing has asked the UK government for a levy taken from the coal mining industry to be used to restore mine sites.

Scottish ministers have launched a consultation on how to ensure that future mines are restored. An independent review, commissioned by East Ayrshire, will publish its findings in January 2014

The Sunday Herald reported that Rod Smith, who has managed and advised on opencast sites in Scotland for 37 years, is concerned that the scheme for restoring the new opencast mine at Cauldhall Moor, south of Edinburgh, may be deficient [Nov 13]. Mr Smith said that the restoration scheme relied upon the entire site being worked. He said: "If it was to be abandoned half-way through, then the scheme would unravel. It would be irresponsible of the council not to commission a review before proceeding further." A spokesman for Midlothian Council said: "We're finalising strict legal conditions that ensure we've learned from the experiences of others." He said that phased work at Cauldhall would ensure restoration took place.

Mr Smith conducted an unpublished study in 2006 which alerted councils that they could face a major crisis in funding the restoration of old mine sites should the companies collapse. The study will provide evidence to an investigation being undertaken by Audit Scotland [Nov 13].

It said that there was a 'catalogue of inadequate or irrecoverable bonds throughout the Scottish coalfield.' Councils had left it to coal companies to estimate the cost of restoration – a process which the report argued was clearly open to manipulation. It said that councils failed to spot the flawed working methods proposed by companies, and did not ensure that the insurance bonds were sufficient. The report claimed that the operators could disregard commitments in the knowledge that no-one would take them to task.

However, St Ninians opencast mine in Fife is being successfully restored through effective regulation, and the resulting land art sculptures by Charles Jencks are due to open to the public in 2015. Fife Council ensured that the insurance

bond agreed by Scottish Coal was continuously reviewed so that it would cover the cost. Rod Smith was employed by the council as the site's independent compliance assessor, and said that the value of the bond peaked at £10m in 2009. The site's operator, Hargreaves, is also helping to pay for the restoration.

• *The Herald* reported that Willie Rennie MSP said that a parliamentary inquiry into the collapse of the industry was necessary. He called a summit meeting of representatives from coal mining communities, environment groups and politicians to try to push the Scottish Government to take more action after the liquidation of Scottish Coal. The groups called for a halt to new coalfield applications.

• Greta Roberts from the Mining & Environment Group Ayrshire lodged a complaint with the European Commission about the failure to restore the Powharnell and Grievehill opencast coal mines in East Ayrshire. £3.5m in insurance bonds from Scottish Coal and ATH Resources for restoration and mitigation is available for work costed by the council at £26m. Ms Roberts said that hen harrier habitat had been damaged.

SOLAR POWER

Ofgem figures for 2013 show that Scotland's installed solar photovoltaic (PV) capacity is 106 MW, a rise of 28 MW (+36%) in a year and a rise of 104 MW (+5,200%) since 2010. This consists of 98 MW of domestic installations, 7 MW of commercial installations, >1 MW of industrial installations and >1 MW of community installations.

Scotland has about 80%, and in some parts 90%, of the potential solar energy of Germany, the world leader in solar deployment which has about 35 gigawatts installed to date. A typical home solar PV system could save over a tonne of carbon dioxide *per* year, more than 30 tonnes over its lifetime.

See: www.renewablesandchp.ofgem.gov.uk/
SOLAR POWER

 **RECREATION & TOURISM**

GALLOWAY FOREST

Forestry Commission Scotland has opened a new complex at Kirroughtree in the Galloway Forest Park and upgraded the Clatteringshaws and Glentrool visitor centres.

GROUSE

This season's grouse-shooting has been one of the strongest for many years, generating an estimated £38m for the Scottish economy.

Robert Rattray, of CKD Galbraith, said: "This season has been quite a contrast to 2012. A cold and prolonged winter set the scene for a late spring followed by one of the warmest and driest summers for a number of years. As a result, some grouse were well-grown, offering fabulous shooting right from the start of the season while some chicks were literally days old and provided a developing stock which enabled good shooting into late October and early November."

He said that the Lammermuirs in south-east Scotland had an excellent stock of birds, while Perthshire continued to improve with the best driven shooting in the Crieff to Amulree area.

SPEYSIDE WAY

The Cairngorms National Park Authority has lodged three separate applications to extend the Speyside Way long distance footpath south of Aviemore, through Kinrara and Dalraddy Estates

and at Kinraig [Jun 12]. The new footpaths are part of a £2m project to extend the Speyside Way from its current terminus in Aviemore to Newtonmore.

GLEN LYON ACCESS

The *BBC News* website reported that the Mountaineering Council of Scotland (MCofS) has written to John Swinney MSP about access issues in Glen Lyon. David Gibson, of MCofS, said: "The North Chesthill Estate has been restricting the statutory right of access for many years. There has been a considerable amount of time spent by several organisations in endeavouring to solve the issue of locked gates, intimidatory signs and abusive behaviour, but this still continues. Perth & Kinross Council, the Perth & Kinross Local Access Forum, Ramblers Scotland and MCofS have all been involved in discussions with the owner but he still continues to lock gates and erect signs stating 'Deer management in progress - please walk elsewhere'. The locked gates and signs effectively close the whole estate to access."

Alastair Riddell, the estate owner, acknowledged there had been an issue with public access to the estate for a while. However, he said there was a clear conflict of interest between the rights of the public to roam on his land and his right to make a living from the estate. He said: "In the past few years my business has been reduced by two thirds because of the pressures created by irresponsible walkers on the estate. When we ask people to comply with the access code, they don't tend to act terribly responsibly. For example, we had put notices up that there was deer stalking on the estate. But a group of people deliberately parked away from the sign and walked up the middle of the estate. By doing so they chased away one of my small remaining deer herd and the people who had paid money to stalk on the estate were left disappointed."

Mr Riddell said there was an 'imbalance' between what was sustainable for an estate owner and the access code.

 **NEWS OF ORGANISATIONS**

CNPA

Simon Harrison has been appointed as the new head of planning at Cairngorms National Park Authority. He replaces Don McKee, who becomes the head of major projects and housing, dealing in particular with the An Camas Mòr development and the duelling of the A9.

NTS

The National Trust for Scotland (NTS) has confirmed Professor Ian Percy as its new deputy chairman.

• Early December storms left NTS properties with uprooted trees, damaged roofs and destroyed paths. The damage is estimated to be worth at least £75,000.

RBGE

Simon Milne will succeed Professor Stephen Blackmore as Regius Keeper at The Royal Botanic Garden Edinburgh in February. Mr Milne is currently chief executive of the Scottish Wildlife Trust.

TREES FOR LIFE

Trees for Life has been awarded £50,000 of lottery funding to create a volunteer training programme at its Dundreggan Estate near Loch Ness. It aims to help restore the Caledonian Forest and protect its rare wildlife.

SCENES sends Best Wishes for a Peaceful and Happy New Year 2014