




	CONSERVATION	1
	FARMING	2
	WOODLANDS	2
	FISHFARMING & FISHERIES	3
	MARINE	4
	POLITICS & PARLIAMENT	5
	GENERAL ENVIRONMENT	6
	ENERGY	7
	TOURISM & RECREATION	8
	NEWS OF ORGANISATIONS	8

*SCENES*, an independent digest of environmental news in Scotland, was launched in 1987 by Dr James Fenton. Issues 49 to 161 were edited and published by Michael and Sue Scott. It is for anyone with an interest in the land and sea, whether professional or amateur. It is based solely on published material, and contains only news, with no editorial comment or opinion.

*SCENES* is published monthly, and comes out in the month following the title month.

**NOTE:** dates in square brackets relate to the most recent reference in *SCENES*.

**WEBSITE:** [www.scenes.scot](http://www.scenes.scot)

**DEADLINES:** News releases and press cuttings for inclusion in *SCENES* are welcomed from organisations and individuals. Please post, or email, them to the address below, by the end of each month.

**SUBSCRIPTIONS:** The basic annual subscription is £50. Concessions are available for small firms and charities (£28), individuals, and outworkers with a main subscription (£22), students and seniors (£18) and for extra copies sent to the same address (£12).

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Printed by Printsmith Lochaber Ltd

ISSN 0955-226X



## CONSERVATION

### SEABIRD BREEDING

Scottish Natural Heritage (SNH) has published figures from the UK Seabird Monitoring Programme (SMP) which show that 2015 was a relatively successful year for producing seabird chicks. The decline in numbers has slowed and numbers may have stabilised over the past four years. Seabird numbers in Scotland have been falling since the early 1990s and by 2015 the number of seabirds breeding around the coasts was half of the 1986 level, when the SMP first started.

SNH publishes an annual Biodiversity Indicator for seabirds. The indicator is prepared using data from the SMP – a partnership project co-ordinated by the Joint Nature Conservation Committee and involving a range of partners including SNH. 24 species of seabirds regularly breed in Scotland and the indicator assesses breeding numbers for 12 species, and breeding success for 12 species.

Out of the 12 species assessed for breeding numbers in 2015, common guillemot, common tern, Arctic tern and Sandwich tern have each shown a slight increase since 2011. Arctic skua has suffered the biggest declines, with numbers down 76% since 1986. The breeding stronghold for this species is the Northern Isles, where there has been a fall in the availability of sandeels. Increased predation by great skua has also been linked to the decline of Arctic skuas.

In 2015, breeding success (the number of chicks produced) was higher than the long-term (1986 to 2014) average for half of the 12 species assessed – Arctic skua; black-legged kittiwake, common tern, common guillemot, northern gannet and Sandwich tern. A recent survey of northern gannet has shown a large increase in their breeding numbers. Good breeding success and improved survival of immature and adult birds has helped boost populations and led to an expansion of their range.

Breeding success was lower than the long-term average for herring gull, little tern and Sandwich tern, while Arctic tern, puffin and great skua had breeding success around the long-term average.

See: [www.snh.gov.uk/docs/B424907.pdf](http://www.snh.gov.uk/docs/B424907.pdf)

### ST KILDA KITTIWAKES

The National Trust for Scotland (NTS) said that its annual survey of breeding abundance and success on St Kilda showed that kittiwake numbers have decreased dramatically. Across seven monitoring sites there was just one kittiwake nest this season; the only chick that hatched died later. Significant declines in the populations of fulmars, guillemots, puffins and razorbills were also recorded. It is thought that significant changes in the marine ecosystem, with plankton moving 1,000 km to the north, is reducing a key food source around St Kilda. Seven of the seabird species found on St Kilda have significant local populations and four of them – the northern gannet, Atlantic puffin, great skua and Leach's storm-petrel – are important on an international scale.

### BIRDS OF PREY

The Gift of Grouse initiative reported 'healthy numbers' of birds of prey on Scottish grouse moors. A survey of a number of estates in the

Angus Glens reported ten different raptor species across prominent grouse moors this year, among a total of 86 bird species. Invermark Estate gamekeepers said that there were sightings of nine raptor species, including buzzards and golden eagles, some of which are said to be nesting and successfully breeding on the estate.

Ballogie Estate, in Royal Deeside, reported a total of 15 buzzards regularly hunting on the moor while the Speyside Moorland Group also reported 12 species of birds of prey recorded on Strathspey Estate. Atholl Estate in Perthshire is also monitoring 12 different raptor species.

The annual surveys used SNH guidelines and were conducted by Taylor Wildlife. RSPB Scotland said that the reports on which the Gift of Grouse's assertions are based are not in the public domain, and therefore have not been subject to scrutiny.

The *Raptor Persecution UK* blog reported that Taylor Wildlife published a summary of data collected on the Invermark Estate. The habitats surveyed included blanket bog, cracken, broadleaved and mixed woodland, coniferous woodland, dwarf shrub heath, improved grassland, inland rock and montane heath and not 'upland habitats specifically managed for grouse' as claimed by the Gift of Grouse.

Andrew Whitelee, of Taylor Wildlife, said: "Over the past two field seasons (2015 and 2016) staff have been surveying on the Invermark Estate as part of the Basic Payment Scheme Farm Environment Surveys ... At the end of each survey season we are required to submit our data and report to SNH/Scottish Government Rural Payments & Inspections Division for review. We also give our data to the relevant organisations such as Butterfly Conservation, the Mammal Society or Birdtrack."

See: <http://bit.ly/2gluTGj>

### EU DIRECTIVES

The European Commission's Regulatory Fitness & Performance programme (REFIT) has concluded that the Birds and Habitats Directives are fit for purpose, following a 'fitness check.'

The European Commission said that the check recognised that the Nature Directives remain relevant and fit for purpose, but their implementation needs to be improved. To this end, the Commission will develop an Action Plan with local authorities to assess implementation challenges and help member states take the necessary corrective action. The Scottish Government has committed to maintaining European Union standards of environmental legislation 'post-Brexit.'

### OUTER HEBRIDES RATS

SNH has caught an estimated 9,000 rats in mink traps on Lewis, Harris and Uist. The eradication of mink on the islands was thought to have resulted in the current explosion of vermin numbers [Feb 14]. However, the *West Highland Free Press* reported that David MacLennan, of SNH, said: "Mink only interact with a small proportion of the total rat population as they are associated with riparian or coastal habitats. They are a semi-aquatic species and therefore much of their time is spent in this habitat. Even at the highest population levels, mink would not be able to control or reduce the population of



rats to any significant degree. Rat populations are controlled by food availability and shelter. More people now keep poultry and that means that it is likely that there will be more available foodstuffs for rats to eat. In addition, the feeding of wild birds and livestock and the use of composting provide food for rats."

**CURLEWS**

RSPB Scotland has set up a five year project to save the curlew which has declined in number by 61% over the past 20 years. The losses are the single highest of any terrestrial breeding bird in Scotland and have been attributed to changing land use and predation of eggs and chicks.

Six sites in the UK have been selected, including two farmland locations in Ayrshire and Caithness, where habitat management will be combined with predator control. It is hoped to increase breeding success on these sites; if curlews respond to the habitat modification then the methods can be extended to other important areas of the waders' range.

**CORN BUNTINGS**

Survey work, as part of a Corn Bunting Recovery Project, has shown the highest increase in corn bunting numbers in Fife in any single year since monitoring began. Between 2015 and 2016, the number of territories increased by 18%, from 62 to 73 on the 34 participating farms in Angus and Fife, plus the East Neuk Estates group of six estates. Birds had also re-colonised areas where they had not been seen for years.

Corn buntings now have access to safe nesting spaces, winter seed food, and summer insect food for the chicks within one mile of their breeding territories. A combination of agri-environment scheme options, voluntary action and upgraded greening measures are being used to help make the bunting's future more secure.

Corn buntings had a 83% decline in population between 1989 and 2007, resulting in them being included on the 'red list' of endangered species.

The Links Trust and the Kingsbarns and Fairmont golf courses have also joined the project.

**BEAVERS**

Following the decision by the Scottish Government that beavers will receive legal protection [Nov 16], the *Scottish Farming Leader* reported that Rob Livesey, of NFU Scotland, said: "NFU Scotland is adamant that beavers must be appropriately managed to minimise the risk of unacceptable impacts on agriculture and other land uses – a view that is shared by many within the conservation community. NFU Scotland believes the release of beavers into Tayside was illegal, should never have happened, and should not have been allowed to lead to the situation we have today. We expect any future illegal activity of this type to be dealt with as a wildlife crime.

"It is essential that Scottish agriculture is not negatively affected by this decision and its implementation, and NFU Scotland will continue to work with its members who are concerned, and whose land has been impacted by beavers ...

"Regrettably, NFU Scotland had been a lone voice in calling for illegally released beavers on Tayside to be removed. The failure of Scottish Government and its agencies to properly tackle the illegal release in its early days has seen number soar and widespread public support meant some form of reintroduction was inevitable. NFU Scotland co-ordinated a joint agreement between itself, Scottish Wildlife Trust, Royal Zoological Society of Scotland, and Scottish Land & Estates on the necessary management of beavers. This

was delivered to Cabinet Secretary Roseanna Cunningham, who has accepted that whilst beavers may be here to stay, they will be managed to prevent unacceptable damage to farmland."

Some organisations have said that they would be applying for permission to relocate beavers from Tayside to other parts of the country. NFU Scotland understands that the most likely scenario is that some would be removed to the existing trial site at Knapdale in Argyll. Whilst not without risks, this area is better able to cope with the effects of beavers.

NFU Scotland will scrutinise any proposals to relocate to other locations, and will object if any pose an unacceptable risk to farming and crofting. The beaver population and range is naturally growing, so NFU Scotland questions the need and wisdom of accelerating this with new release sites, a view it has shared with the Scottish Government.

- Beavers have been spotted for the first time at The Hermitage, a National Trust for Scotland (NTS) property near Dunkeld. NTS believes that the beavers will reduce its multi-million pound bill due to floods; it is thought that their habit of gnawing down trees encourages multiple new younger stems to grow, which could help to prevent flooding by reducing erosion. The NTS is monitoring the beavers to assess their impact and is launching its first beaver tours next year.

**PARK DEVELOPMENT PLANS**

*LIVE Park* has been adopted by the Loch Lomond & The Trossachs National Park Authority as its Local Development Plan. The plan sets out more than 70 potential opportunities to develop housing, business and tourism within the Park over the next ten years, and will be updated in five years.

There will be an annual target of 75 new homes to meet demand for smaller and affordable homes for young people, families and older people. It will facilitate sites for tourism and leisure development to enhance the quality of the park as a visitor destination.

- The Cairngorms National Park Authority is preparing for the next Local Development Plan, covering 2020-2025. Community councils and associations are going to be directly involved for the first time; a consultation will take place in spring 2017. Maps showing areas subject to particular environmental protection have been prepared, together with broad search areas.

**SPECIES ACTION FRAMEWORK**

The Species Action Framework (SAF) Handbook has been published by SNH. The SAF was a five year programme of targeted management of 32 species, led by SNH in partnership with about 100 organisations.

See: [www.snh.gov.uk/speciesactionframework](http://www.snh.gov.uk/speciesactionframework)

**GOLDEN EAGLES**

RSPB Scotland reported 508 pairs of golden eagles nationally in 2015. A number of factors may have contributed to the increase nationally including a reduction in illegal persecution and changes in land use such as changes in sheep and deer grazing pressure. An estimated 95 pairs of golden eagles were found in the Outer Hebrides in 2015, an increase on the estimated 79 pairs in 2003. The new pairs were found on Harris and Lewis where a number of pairs have colonised areas close to human habitation where they may not have been tolerated a few decades ago. Along with Mull, this is the single biggest concentration of golden eagles in one area.



**FARMING**

**AVIAN FLU**

The Scottish Government ordered that all poultry and captive birds must be kept indoors, after an alert over avian influenza. It declared an Avian Influenza Prevention Zone for the whole of Scotland as a precautionary step in reaction to multiple reports of the disease causing deaths among wild birds in mainland Europe.

Sheila Voas, the chief veterinary officer, said: "The risk of a highly pathogenic avian influenza H5N8 incursion into poultry in the UK remains at 'low, but heightened' although for wild birds the risk has been raised to 'medium'. It is normal to see these viruses circulating among wild bird populations at this time of year. However, the strain seen in Europe appears to be particularly virulent which is a cause for some concern."

- A dead wild peregrine falcon in Dumfries & Galloway has been confirmed as having H5N8 avian influenza.

**CEREAL HARVEST**

The Scottish Government's chief statistician has released the final estimates of Scotland's 2016 cereal harvest [Aug 16]. The harvest is estimated to have fallen 11% on 2015. Scottish farms produced 2.8 million tonnes of cereals this year, including 1.6 million tonnes of barley and 900,000 tonnes of wheat. The total is 5% lower than the ten-year average.

The fall in production is due to an 8% fall in overall cereal yields. The total area of land sown has also decreased by 3%, with 428,000 hectares of cereal grown in 2016. Overall yields averaged around 6.4 tonnes per hectare; ranging from 5.4 tonnes per hectare for spring barley to 8.4 for wheat.

Spring barley, Scotland's most important cereal crop, is expected to fall 15% to 1.30 million tonnes, the lowest since 1997. Winter barley likewise saw a 19% fall to 329,000 tonnes, with wheat holding up slightly better, with a 9% drop to 926,000 tonnes. Only oats saw positive results, with the crop topping 200,000 tonnes for the first time since the 1970s.

Oilseed rape had a particularly poor year, with yields averaging around 3.3 tonnes per hectare, resulting in the lowest production since records began in 1992, at 102,000 tonnes.

The results come from a survey of over 600 cereal farms across Scotland. There had been no catastrophic weather condition responsible for this, just a series of less than ideal factors affecting the seed bed, growing conditions and the final harvest.

See: [www.gov.scot/stats/bulletins/01257](http://www.gov.scot/stats/bulletins/01257)

**AECS**

£58.7m of competitive funding from the Agri-environment & Climate Scheme (AECS) is to be made available across rural Scotland over the next five years. Almost 1,000 projects will protect vulnerable and iconic species and habitats, reduce greenhouse gas emissions from agriculture, secure carbon stores in peatlands and other organic soils, improve water quality by reducing diffuse pollution, control flooding through natural flood risk management, support organic farming and improve public access.



**WOODLAND**

**PLANTING REVIEW**

A review by Jim Mackinnon, *Analysis of Current Arrangements for the Consideration and Approval of Forestry Planting Proposals*, has been published. It examines the forestry industry and the current regulatory barriers to woodland creation in

Scotland. The review is part of a broader package of reforms to drive forward forestry's contribution to the rural economy and to support delivery of climate change targets.

The report makes a number of recommendations, including:

- Streamlining the process to approve sustainable planting schemes, for example by appointing accredited, experienced agents to help certify some woodland planting schemes and by giving Forestry Commission (FC) Scotland local offices more responsibility to approve lower value applications

- Earlier engagement between tree-planting businesses and communities, in a way that is proportionate to the scale and impact of the planting scheme

- A dedicated national FC Scotland team to deal with complex proposals including all projects where an Environmental Impact Assessment is required

Cabinet Secretary for Rural Economy & Connectivity, Fergus Ewing, has accepted in principle all the recommendations made in the report. See: <http://bit.ly/2gHRxCl>

### SHERRIFMUIR

*The Herald* reported that Kippendavie Estate plans to plant a 115 hectare commercial forest on the Sherrifmuir battle site, east of Dunblane. The plans are currently out for public consultation. The environmental impact assessment claims that the planting could be helpful in finding out more about the battle as it would be preceded by archaeological work.

The site is included on the National Inventory of Battlefields, maintained by Historic Environment Scotland (HES). A FC Scotland spokesman said "We are very aware of the sensitivities of this planting proposal and we will take into account published guidance from HES on managing potential change on battlefield sites."

### PHYTOPHTHORA RAMORUM

Forest Enterprise (FE) Scotland said that *Phytophthora ramorum*, a fungus that kills larch trees, has been discovered in seven new locations in the Cowal and Trossachs Forest Districts in Argyll and Stirling [Sep 16]. Almost 20 hectares of forest are to be felled to try to stop the disease spreading. All the new sites are close to existing infected sites.

### CONIFER CONSERVATION

FE Scotland is working with Police Scotland to identify the thieves that stole five rare Serbian spruce, *Picea omorika*, from Kinnoull Hill Woodland Park near Perth.

The genetic material of the trees was a priceless component of the Perth & Kinross Countryside Trust's (PKCT) Big Tree Country Conifer Conservation Programme, part of the International Conifer Conservation Programme (ICCP) based at the Royal Botanic Garden Edinburgh. The ICCP works in partnership with PKCT to conserve specimens of conifer species that are at risk of extinction in their native range. Each ICCP tree is grown from seed that has been especially collected from its native habitat.

### GALLOWAY FOREST PARK

FE Scotland has collected about 1.2 million acorns from native oakwoods within the National Forest Estate. The acorns will be planted as part of a project to expand and link Galloway Forest Park's ancient oakwoods. Planting will take place around Loch Trool and the Cree Valley; with the help of natural regeneration and other careful planting, the woods will, in time, become linked.

The Cree Valley Community Woodland Trust, Borders Forest Trust and Moffat Community Woodlands all assisted in acorn collection in order to further native woodland expansion across their project areas in south Scotland. An estimated 600,000 saplings will be produced from the acorns.

### ARKAIG COMMUNITY FOREST

Arkaig Community Forest in partnership with the Woodland Trust have bought woodlands at Loch Arkaig near Spean Bridge in Lochaber. £2.9m has been raised to cover the cost of purchasing the forest, under the National Forest Land Scheme, and funding restoration projects. Arkaig Community Forest hopes to raise a total of £4.5m.

Carol Evans, of the Woodland Trust, said: "We are going to consult widely on our detailed plans for the wood. We want to see this special place established as a benchmark for the joint regeneration of both its native forest and local community."



## FISHFARMING & FISHERIES

### AQUACULTURE INNOVATION CENTRE

A scoping study, commissioned by the Scottish Aquaculture Innovation Centre (SAIC) and conducted by Alan Sutherland, has found industry-wide support for a centre of innovation excellence. The resulting report, *Exploring the Concept of a Centre of Innovation Excellence for Scottish Aquaculture*, highlighted five key findings:

- The sector is strongly in favour of a centre of innovation excellence – or network of innovation excellence

- Investment should be channelled into existing facilities first and foremost, supported where appropriate by new infrastructure to address any gaps in provision

- Provision of facilities should be coordinated by a single entity, ideally an existing organisation

- Respondents favoured a consortium leadership model with strong industry representation

- Initially, the centre of innovation excellence will require public sector pump-prime funding but should, over time, become commercially self-sustaining

The report recommends establishing a steering group of supportive parties to explore how best to take the centre of excellence concept to the next stage, as a precursor to any further commitment. The study will also be an advisory input to the newly formed Industry Leadership Group tasked with overseeing the actions set out in the recently launched *Aquaculture Growth to 2030 Strategy*.

The findings of a second SAIC-commissioned study, mapping Scottish aquaculture innovation priorities to 2030 and conducted by Imani Development, are due to be published early in 2017. See: <http://bit.ly/2hnBKFm>

### INSHORE FISHERIES

St Andrews University has secured £1.73m from the Scottish Government to create a Scottish Inshore Fisheries Integrated Data System (SIFIDS). The project will modernise the way Scottish waters are managed by gathering and analysing data from fishermen.

Scotland's inshore waters have been under significant pressure from more than 1,500 fishing boats, often operating in remote areas, as well as other factors such as aquaculture, tourism and offshore renewables. SIFIDS will visually analyse catches as well as using computer simulations to

improve future plans. The funding package is part of £4m in grants from the European Maritime & Fisheries Fund.

### NEPHROPS FISHERY

*The Herald* reported that the New Economics Foundation (NEF) published a paper, *The Scottish Nephrops Fishery*, which called for tighter regulation of Scotland's inshore waters.

The report stated that creel fishing provides better value to Scotland than the trawl fishery, and that providing creelers with preferential access to some of Scotland's crowded inshore waters would bring much needed benefits to highly-dependent rural communities.

A YouGov survey found that 93% of those expressing an opinion backed calls for that type of modern fisheries management, an approach which is in widespread use internationally.

Charles Millar, of the Sustainable Inshore Fisheries Trust, said: "For too long Scotland's inshore waters have been close to a deregulated free-for-all, and the NEF report provides further evidence that this is economically counter-productive. It's time for the Scottish Government to change tack and support our small producers – particularly through modern spatial management."

### EU/NORWAY AGREEMENT

Negotiations between the EU and Norway over fishing quotas concluded with the European Commission deciding to proceed with the signing of the EU/Norway Agreement despite opposition from the UK and Ireland.

The agreement provides significant quota opportunities for a number of key North Sea stocks, and for Scotland delivers more in economic terms than the December Council. In 2016, based on 2015 average prices, around £100m worth of quota derives from EU/Norway compared to around £77m from the December Council (excluding nephrops).

The agreement sets total catch levels for a number of Scotland's key fish stocks in the North Sea whose management is shared with Norway. North Sea cod enters the landing obligation in 2017, so the final Total Allowable Catch (TAC) will comprise two elements: (a) the unadjusted quota which is expected to increase by 5% in 2017 to 35,334 tonnes; (b) an additional quota top-up of 3,886 tonnes (11%) to help the fleet to land what was previously discarded. The total TAC will therefore increase to 39,220 tonnes in 2017. North Sea whiting also enters the landing obligation in 2017, so the final TAC will comprise two elements: (a) the unadjusted quota which is expected to rollover for 2017 at 13,678 tonnes; (b) an additional quota top-up of 2,325 tonnes (17%). This means the final TAC will increase to 16,003 tonnes in 2017.

North Sea saithe stocks started to enter the landing obligation in 2016, so the final TAC in 2017 will comprise: (a) the unadjusted quota which is expected to increase by 55% in 2017 to 96,337 tonnes; (b) a small additional quota top-up of 3,950 tonnes (4.1%). This means the final TAC will increase from 65,696 tonnes in 2016 to 100,287 tonnes in 2017. North Sea haddock stock will be fully under the landing obligation in 2017, so the final fully topped-up TAC will decrease by 45% as per the scientific advice. This means the final TAC will decrease from 61,933 tonnes in 2016 to 33,643 tonnes in 2017.

North Sea plaice stock entered the landing obligation in 2016, so the final TAC in 2017 will comprise (a) the unadjusted quota which is expected to rollover in 2017 at 128,376 tonnes; (b) a small additional quota top-up of 1,541 tonnes (1.2%) giving a final total TAC of 129,917 tonnes

in 2017. North Sea herring stock is already fully in the landing obligation; the final TAC is expected to decrease by 7% in 2017 to 481,608 tonnes in 2017.

Cod and whiting are being brought into the landing obligation in the North Sea for the first time in 2017, and these stocks will be eligible for quota top-ups to help the fleet to land what was previously discarded. Haddock, saithe and plaice entered the landing obligation to varying degrees in 2016 so will attract further quota top-ups in 2017. Herring is already in the landing obligation and top-ups do not apply.

The agreement also includes a complex series of exchanges of quota and access between the parties on a range of stocks – the so-called ‘balance.’ The agreement for 2017 includes a number of quota stocks in Norwegian waters that will continue to be available to the Scottish fleet in 2017.

Fisheries minister, Fergus Ewing, said: “We’re pleased that the agreement now gives certainty on quota levels on some key stocks in the North Sea next year – this is particularly important for the cod and whiting that are introduced into the landing obligation in the North Sea next year. However, we feel the cost for this deal is excessive, where the Commission has chosen to give away 110,000 tonnes of blue whiting to Norway as well as increased access to our waters for Norwegian vessels in 2017, with very little direct tangible benefit to the Scottish fishing industry.”

**EU/FAROE FISH DEAL**

This year’s EU/Faroe negotiations have resulted in a rollover of fishing opportunities for the Scottish fleet. However, the Faroes has not yet notified its intended quotas for blue whiting and Atlanto-Scandian herring – reciprocal access to each other’s waters plays a part in these negotiations. The current deal therefore restricts access, but may be revisited once the Faroese have notified their intended quota levels, expected to be in January 2017.

At previous negotiations, European Commission negotiators claimed that, in 2014, the level of access to mackerel for the Faroes was fixed at 30% for the full five year agreement [Dec 15]. Fergus Ewing said: “This was not made clear to EU delegations at the time and was not recorded anywhere. The Scottish Government position was that access must always be open to annual review and this level in itself was too high. Whilst the access for mackerel has stayed at 30% it is at least a step forward that it was part of the negotiation and not simply a fixed feature as had been previously suggested.”

**FISH QUOTAS**

An agreement has been reached by the EU Fisheries Council at the annual December meeting. Increased quota has been approved for key species including cod and whiting, which will now be under the discard ban for the first time.

There is a 16.5% increase in the amount of cod that can be caught in the North Sea, while whiting catches could rise by 17%, anglerfish by 20% and 53% for saithe. Deals negotiated in Brussels included strong increases for Norway lobster (nephrops) and for monkfish. The talks also secured extra flexibility around where vessels are able to fish. This will remove current constraints around fishing for northern shelf haddock, and provide more choice over fishing grounds, resulting in reduced costs for vessels.

Fergus Ewing said: “Translated into individual species, we were successful in obtaining increases for fish quotas for 16 out of 23 key Scottish stocks, such as cod, saithe and mackerel.”

However, there was a 40% cut to haddock quotas for both the North Sea and waters west of Scotland. Mr Ewing said: “There was a cut in the quota to the North Sea, but it’s slightly more complicated than that because last year there was an error and the quota was artificially inflated and there was a much smaller level of haddock actually caught. Therefore, in real terms, there is not such a cut, but overall these are extremely strong results for Scottish fisheries.”

The Herald reported that Bertie Armstrong, of the Scottish Fishermen’s Federation, said that the deal was ‘largely positive’ and would bring welcome economic stability to fishing communities. He said: “With Brexit now looming, fishermen can look to the future with real optimism as we are on the cusp of an exciting new era as a coastal state with full control of our 200 mile exclusive economic zone. This will give us the opportunity for fairer shares in catching opportunity and better fit-for-purpose sustainable fisheries management, which will benefit our coastal communities.

“Although the outcome of the talks is good for the fishing fleet, we are concerned about the potential difficulties caused by more species coming into the discard ban regime. Fishermen hate discarding, but there is the worrying potential of mixed species fisheries closing down early because the catch allocation of one type of fish has been fully utilised. This is something that will have to be monitored very closely over the coming months.”

An extra 1,500 tonnes of Arctic cod quota is coming to the UK following an increase at the EU/Norway talks [see above] which will be available for ‘swaps’ with other countries to bring in additional quota of stocks that may be running short in the North Sea, such as cod, haddock, whiting and saithe, which is particularly important with more stocks coming under the discard ban in 2017.

Mike Park, of the Scottish White Fish Producers’ Association, said that the annual Fisheries Council had produced a mixed but positive bag for Scottish fishermen. He said: “Given that the discard ban or landings obligation will apply to cod in 2017, it was hugely important that cod quotas were increased to more closely represent the numbers on the ground, so that is very welcome. Through the commitment of Scottish fishermen to sustainability, North Sea cod stocks have recovered markedly in the past while, which is why we have entered cod into the Marine Stewardship Council process for accreditation. But less welcome is the reduction in haddock quotas to redress a previous ‘error’ by the scientists.”

Leslie Tait, of the Shetland Fishermen’s Association, said: “The uplifts for cod, saithe, ling and monkfish are particularly welcome, especially with cod being subject to the discard ban from 1 January 2017. The major demersal stocks are in very good health and that’s largely due to the efforts and sacrifices of fishermen stretching back a decade and more. The unfortunate error in the haddock science does not give fishermen any feeling of security when planning their business for the future with huge fluctuations of quota from year to year.”

He said that, even after a year of the discard ban/landings obligation for whitefish species such as haddock and plaice, it was still not clear to fishermen how the rules would work in practice when applied to a greater number of species.

• The BBC News website reported that Shetland has had its best year for fish landings since 1987; more than 357,000 boxes of white fish were brought ashore at Lerwick and Scalloway.

**NORTH SEA**

The Centre for Environment, Fisheries & Aquaculture Science said that models for 2025 suggested that sea water temperatures off the UK would continue to rise. Squid are now being caught at 60% of survey sites in the North Sea, compared with 20% in the 1980s. Summer squid fisheries have expanded around the Moray Firth, as part of the effort to reduce overfishing of more traditional species such as haddock and cod. Sardines and anchovies are also thriving, but cod stocks are heading north towards Norway, whereas plaice are moving across the North Sea from the Netherlands towards Scotland.



**MARINE**

The West Highland Free Press reported that the South Skye Seas Initiative (SSSI) is hoping to secure £300,000 of Lottery money through the Coastal Communities Fund, in conjunction with Sea Change from Wester Ross, for a project which they say will safeguard the marine environment and create jobs. However, there have been concerns that the project has been launched without demonstrating community support, and could threaten the livelihood of those who currently make their living from the sea.

The group’s mission statement sets out plans to gather species and habitat data around the Loch Eishort, Loch Slapin and Loch Scavaig areas, with the intention of ‘zonal mapping’ of the seabed before identifying future development opportunities. Key aspirations include kelp farming on ropes, scallop ranching and marine tourism opportunities ‘including wild swimming, snorkel trails and sub-aqua.’

Dr James Merryweather, of SSSI, said: “We of SSSI have always considered the local creel fishermen and the mussel farm to be integral to Sleat life and the Sleat community. We have never considered interfering in their operations. In fact, if invited, we would always heartily support them. We are the same people who — with Sleat’s almost unanimous support — co-ordinated community objection to four fishfarm planning applications (2012-2015), installations that had the potential to deprive local fishermen of valuable prawn creeling seabed west and south of Suisnish. We actually defended local fishermen’s right to fish locally.”

Salmon & Trout Conservation Scotland has pledged backing for SSSI.

**CROMARTY FIRTH**

Campaign groups around the Cromarty Firth said that they have only two options to disagree with a decision made by the port concerning ship-to-ship transfers in the Cromarty Firth – an appeal to the board of the port authority itself, or to raise a legal action [Nov 16]. Neither the Scottish Government nor the Scottish Public Services Ombudsman (SPSO) can intervene. There are calls for MSPs to be given powers that will allow them to hold the Cromarty Firth Port Authority (CFPA) to account.

The CFPA was created by an act of parliament in 1973, but was devolved along with other such Trust Ports in Scotland. Since 2003 it has appointed its own board members without ministerial scrutiny. In 2012, Transport Scotland produced guidance for the good management of trust ports which said: “Trust ports are independent statutory bodies, governed by their own local legislation and, run by independent boards who manage the assets of the trust for the benefit of stakeholders.” It listed these stakeholders, including ‘local and regional businesses’ and ‘the local community.’ 24 community councils around the Cromarty, Moray and Dornoch firths oppose the authority’s application to conduct oil transfer plans and have called on ministers to intervene.

A spokesman for Transport Scotland said: "The Scottish Government does not have a role in regulating commercial decisions or activities of a Trust Port, which must act in accordance with its local legislation. We would advise any stakeholder who has concerns to take these to the port board in the first instance but, ultimately, it will be for the courts to determine if a trust has acted outwith its powers."

A spokesman for campaign group Cromarty Rising, said: "It will shock many that a self-appointed board which has been entrusted by parliament to manage one of Scotland's great natural assets, the Cromarty Firth, is not publicly accountable unless you are in a position to take legal action. That simply can't be right. It should be answerable to the Scottish Parliament."

*The Herald* reported that the ship-to-ship proposal is expected to undercut an established transfer operation in Shetland by almost 70%. Cromarty Rising claims that the price is low only because it would be intrinsically less safe than what has been happening at Sullom Voe for many years, but CPFA says it has to be competitive. Transfers off Shetland take place in relatively sheltered waters between tankers tied alongside a jetty, with other vessels in attendance for safety. A Shetland Islands Council spokeswoman said that the charges at Sullom Voe reflected the fact that the council could not subsidise the harbour's operation; they also covered all the safety precautions including extra vessels. She said that Sullom Voe was a designated Site of Special Scientific Interest so there had to be environmental safeguards.

Economist Tony Mackay said: "I am surprised that CPFA wants to get involved in ship-to-ship transfers because it is a declining business. Most of the oil involved is from the West of Shetland fields and the Sullom Voe terminal is the obvious location for that work. This reinforces campaigners' fears that the oil would come from the Baltic States, using flag of convenience vessels, underlining how irresponsible the port authority's strategy is."

Dr Greg Fullarton, of Cromarty Rising, said: "The port authority's chief executive recently admitted to community council representatives that the ship-to-ship money was required to service the authority's loans for the £25m upgrade of facilities at Invergordon. Certainly it has a lot of debt to service, £6m, and they may have to borrow the same again for phase four of the work. But why on earth has it left itself so exposed financially, so dependent on an activity for which it had no consent, and still doesn't?"

• Cromarty Rising has submitted a petition to the Scottish Parliament's petitions committee. It calls on the parliament to 'consider and debate' the implications of the proposed ship-to-ship transfers, in particular to focus on the likely impact of such operations 'upon wildlife, tourism, local authority funding of clean-up and how it (the Scottish Government) may use its powers within the 12 mile tidal limits to protect the ecology, landscape, cultural heritage, air quality general environment and areas of high conservation value within or having continuity with the Firth.'

Furthermore, the petition seeks to ensure that environmental legislation within Scotland is sufficient to prevent such transfers of crude oil occurring in environmentally sensitive locations. MSPs are asked to ensure that stakeholders of Trust Ports, and specifically those of the Cromarty Firth Port Authority, have the power to hold such bodies to account. A Cromarty Rising spokesman said: "This could be by means of a Scottish Government appointed independent arbiter to help resolve disputes or other such means as

determined by parliament. Currently the only recourse for aggrieved stakeholders after raising an issue with the Port board is legal action, which immediately disadvantages communities and other stakeholders without the finances to be able to take this forward."

**OIL PLATFORMS**

Shell has lodged documents with the UK government's Department for Business, Energy & Industrial Strategy to close four oil platforms in the Brent field as they are no longer economically viable. The footings of the Brent Alpha platform would be left under sea level whilst the legs of the other three platforms – Bravo, Charlie and Delta, would remain. A public decommissioning consultation is expected to commence early in 2017.

Lang Banks, of WWF Scotland, said: "While removing these structures is not without environmental risk, neither is leaving them lying on the seabed to slowly break down over hundreds of years. Given the potential impact on the marine environment, we will be carefully examining the proposal."

**MICROBEADS**

The Scottish Government has confirmed that it will legislate to regulate the use of plastic microbeads in cosmetics, following an announcement from the UK government that it plans to work with the devolved administrations to ban microbeads in personal care products. Microbeads are washed down drains into the sea and damage the marine environment.



**POLITICS & PARLIAMENT**

**BREXIT & EU DIRECTIVES**

A report by the Scottish Universities Legal Network on Europe warns that the loss of European Union (EU) law on nature and pollution is likely to create major problems and could lead to standards being relaxed by the UK government. The report, by environmental law academics from five universities, said: "Losing the EU law's enforcement edge and the EU Commission's oversight of the most important conservation sites may be especially problematic ... In the absence of EU law obligations, both Scottish and UK authorities may relax their standards on air quality. Brexit will entail the loss of a powerful means of scrutiny over how the UK manages its environment, with no obvious replacement for it. Instead, UK citizens will only be able to access national courts to complain about breaches of domestic environmental law."

Dr Annalisa Savaresi, from the University of Stirling and one of the report's authors, said: "Following withdrawal from the EU, existing regulatory and policy differences between Scotland and the rest of the UK may sharpen. Whether EU powers will, by default, go to the Scottish Parliament and other devolved administrations, or will be re-reserved to Westminster is yet to be seen. The latter question is likely to require discussion between central and devolved governments across the UK."

The environment secretary, Roseanna Cunningham, said that the report was a reminder of the 'deeply worrying' implications of the Brexit vote. She said: "But no-one should doubt our determination to protect and enhance Scotland's natural environment. Our membership of the European Union has driven up environmental standards and we have all benefited as a result. I am not prepared to see those benefits lost as a

result of the UK government's reckless approach."

Jonny Hughes, of the Scottish Wildlife Trust, said that it was vital for the Scottish Government to retain EU environmental standards. He said: "If these laws cease to apply or are watered down the health of our natural environment could be severely compromised. There have been a number of welcome assurances from the environment secretary that the Scottish Government will continue to adhere to the standards of protection currently in place. However, we believe it will be important to identify how any new legislation can be enforced in the long term."

See: <http://bit.ly/2hDPi27>

**SCOTLAND'S PLACE IN EUROPE**

The Scottish Government has published *Scotland's Place in Europe* which sets out the Scottish Government's position following the result of the EU Referendum in June 2016.

Stuart Housden, of RSPB Scotland, said: "Over the last 40 years, the European Union has significantly influenced the state of Scotland's environment – both positively through regulations such as the Nature Directives and negatively through unreformed agricultural subsidies. The outcomes that emerge from the coming negotiations, involving the Scottish and UK governments and the EU, have the potential to affect our environment and our wildlife for decades to come. Previously, RSPB Scotland has welcomed the Cabinet Secretary's stated commitments to continue the full implementation and enforcement of European environmental law. Her welcome proposals, since the referendum, to consult on marine SPAs demonstrated that this commitment was meaningful – but must be maintained across all areas of policy affecting the environment, particularly agriculture and fisheries.

"This paper correctly makes clear that the environment, and its protection, has benefited from European cooperation to date. RSPB Scotland strongly urges that the environment continues to be central to the negotiations, so as to maintain these benefits to the greatest possible extent. Like many organisations, we are already engaged in considering the environmental consequences of a range of Brexit options – and, as part of that process, will carefully assess the Scottish Government's proposals. Our trustees will wish to consider the results of this analysis and assess the impact of different options on our charitable objectives."

See: [www.gov.scot/Publications/2016/12/9234](http://www.gov.scot/Publications/2016/12/9234)

**COPFS**

The Scottish Parliament's Justice Committee is conducting a broad inquiry into the role and purpose of the Crown Office & Procurator Fiscal Service (COPFS).

Scottish Badgers, RSPB Scotland and Scottish Environment LINK all submitted written evidence discussing their concerns about how wildlife crimes are handled. The evidence from Scottish Badgers said: "Our recent analyses of evidence averages 60 reports of badger incidents per quarter – of which 40 are confirmed badger crimes. This is in stark contrast to the seven badger crimes recorded in police statistics in the year 2013/14, none of which were brought to prosecution."

The *Raptor Persecution UK* blog said that, once again, [the Scottish Badgers evidence] calls in to question the veracity of the Scottish Government's annual Wildlife Crime Report, which has already been criticised for its exclusion of a number of confirmed raptor persecution crimes. The disparity between the annual crime figures recorded by Scottish Badgers and those recorded by Police Scotland is enormous, and again undermines any

confidence that is to be had from the Scottish Government's annual Wildlife Crime Report. All three submissions to the Justice Committee share a common theme – there is repeated criticism of the chronic lack of communication and engagement from the Crown Office with organisations that have played key roles in wildlife crime investigations.

See: <http://bit.ly/2hlatq5>; <http://bit.ly/2hvaJ3w>; <http://bit.ly/2hlan1F>

#### LAND FUND

Overall funding for land reform will be increased by £3.4m in 2017, with the existing Scottish Land Fund budget maintained at £10m. The additional funding will further plans introduced in the Land Reform (Scotland) Act 2016 Bill to allow the Scottish Government's programme for land reform to be taken forward, including establishing the Scottish Land Commission and a Register of Controlling Interests.

#### LAND RIGHTS

The Scottish Government has opened a consultation on the *Land Rights and Responsibilities Statement*, which will underpin a range of Scottish Government strategies and will also have a significant impact on the work of the new Scottish Land Commission which becomes operational in April 2017 [Nov 16].

See: [www.gov.scot/Publications/2016/12/6806](http://www.gov.scot/Publications/2016/12/6806)

#### DEER REPORT

*The Herald* reported that Richard Cooke, of the Association of Deer Management Groups (ADMG), gave evidence to Holyrood's environment committee on Scottish Natural Heritage (SNH)'s report on deer management [Nov 16]. The report said that the current regime, under locally constituted deer management groups, had failed to control the damage from growing deer populations. The review said that it was 'not confident that present approaches to deer management will be effective in sustaining and improving the natural heritage in a reasonable timescale.'

Mr Cooke said that the report appeared 'rushed and incomplete' and said its focus on deer numbers and densities was 'fatally flawed.' He said: "It is unfortunately characterised by errors, inconsistencies and contradictions, and is to my mind biased. It is written to suit the conclusions, which are a counsel of despair to which ADMG does certainly not subscribe. I'm particularly sorry to be forthright about an agency with which we have long worked closely and well, but I need to convey the sense of frustration and injustice which our members feel at the negative tone of this report."

He said that some deer management groups are much further forward than others in terms of management plans: "We now have a fairly good spread [of groups] throughout Scotland and even if it is a mixed bag they can now all be monitored and while some are clearly not as good as others and not as far down the road they can be improved through the monitoring."

In a written submission, Michael Laing, of the Glenelg Deer Management Group, said that the SNH report stated that the number of deer in the area was between 12 and 15 *per* square kilometre. However, the group's research found only 11.

Drew McFarlane Slack, of Scottish Land & Estates, said: "We'd like to underline the point that many deer managers in Scotland will really feel disappointed and disheartened by the SNH report. That report has done nothing to help deer managers in Scotland carry on with their work in the way they have been doing it. It is discouraging,

it is disincentivising. What I would like to see is SNH properly funded to assist us."

Simon Pepper, from the independent think tank Forest Policy Group, said: "Whilst there may be some dispute about details, the overall thrust of the report is very robust. I think suggestions that it was prepared with bias or with bad faith are very unfortunate. SNH has no motivation to exercise bias in this at all. Indeed, I can't speak for SNH but I'm pretty sure they would be the first to celebrate if there was genuine evidence in here that we were going to be meeting targets on time. Certainly I feel that stronger, clearer support now from the relatively new Cabinet Secretary indicating a much clearer government resolve behind SNH's powers in this would be very helpful indeed."

Duncan Orr-Ewing, of Scottish Environment Link's deer subgroup, said that SNH had 'bent over backwards' to support the voluntary approach to deer management. He said: "I think I'm coming to the conclusion that the voluntary approach just simply isn't adequate and SNH needs support from government to use the powers that they've got and to deliver a more functional deer management system."

Ian Ross, of SNH, said: "We've been working for many years with the deer sector to support long-term solutions to manage deer and the environment sustainably. We have recorded significant improvements in some aspects of deer management over the past two years. But we found there are some areas where progress is taking place too slowly. Recent improvements are encouraging but we believe more action is needed. We're committed to supporting future work to resolve these issues and look forward to discussing options with the Scottish Government and the deer sector."

Scottish Environment LINK states in written evidence that the SNH review illustrates the inadequacies of the current regulatory system. For example, only three out of 11 voluntary Control Agreements have met habitat targets; SNH has been unable to use its powers to follow up with compulsory Control Schemes, shown over nearly 60 years to be unworkable; SNH's powers are limited to preventing damage, not restoring degraded habitats; the overwhelming emphasis of effort is on red deer and designated sites for biodiversity and widespread impacts of all four deer species in the rest of the country are largely neglected.

See: <http://bit.ly/2hA3R3v>

The committee is expected to report back, with recommendations, in the New Year.



## GENERAL ENVIRONMENT

### POLLUTION PROSECUTIONS

Robert J Carruth, a farm partnership, was fined £8,000 at Paisley Sheriff Court for pollution of the Locher Water following a discharge of slurry at High Auchensale Farm near Kilbarchan, Renfrewshire. The partnership pled guilty to one charge of polluting the water environment as a result of failing to adequately maintain the sluice gates of the farm's slurry storage tower. A 1.5 kilometre stretch of Locher Water had been affected by the pollution incident, in addition to a small reservoir used as a water supply by local businesses downstream of the farm. Ecological samples found that over 70 fish of different species had been killed and damage had been caused to smaller invertebrates' species living in the watercourse.

• Norman Greer of Wharlawhill Farm was fined £6,000 at Perth Sheriff Court after a holed

slurry tank discharged into the South Queich River near Carnbo in Kinross. Over one kilometre of the river was polluted by 'discoloured and foaming' water.

### GENERAL LICENCES

Scottish Natural Heritage (SNH) announced the changes it was making to the 2017 General Licences that permit the killing of some species of protected birds under certain circumstances, following a consultation. Licences are issued annually to allow land managers (and certain others) to kill a range of protected species such as some species of gulls, magpies and crows in situations where they are causing serious damage to crops or livestock; are a threat to public health or safety; or to the conservation of wild birds. These licences effectively allow unrestricted and un-monitored killing of listed species.

SNH has now said they will allow meat baits in certain cage (clam) traps again; the practice was banned a few years ago because it encouraged birds of prey to enter the traps and SNH commissioned research that confirmed this. SNH also said that there is a commitment to 'explore new and responsive licensing solutions to prevent agricultural damage by ravens.'

*The Raptor Persecution UK* blog said that on-going concerns that have not been addressed include (but are not limited to) compliance with European environmental legislation, welfare concerns, poor trap design that allows indiscriminate species trapping, year-round use (as opposed to seasonal use), ineffective regulation of trap users, ineffective monitoring of trap use (*ie* number and species caught/killed) and the inability to identify an individual trap user.

RSPB Scotland expressed concern at SNH's response to the consultation. RSPB Scotland does not believe that this approach will contribute to wider and helpful Scottish Government efforts to tackle wildlife crimes against birds of prey.

Although the licences permit some actions that are justified and necessary, RSPB Scotland has demonstrated over many years that this system can be used as 'cover' for the criminal destruction of birds of prey, particularly through the abuse of cage traps. Over a long period of time RSPB Scotland has suggested that the use of cage traps should be restricted seasonally to target the right species, and that these traps should not be placed in woodland or on the open hill where the risk of bird of prey by-catch is highest. Detailed evidence has been submitted to SNH to support this advice.

Ian Thomson, of RSPB Scotland, said: "The SNH proposals are very poor and represent yet another missed opportunity to tighten up the regulation of bird trapping in Scotland. While we recognise that legal control of some bird species such as crows can have positive conservation benefits for wading birds, red grouse and some other ground nesting birds, the suite of licences that SNH propose to publish for 2017 provides no framework for improved monitoring or enforcement, and simply maintains a system that is mostly unaccountable. Despite SNH's own field trials demonstrating increased likelihood of catching protected birds of prey when using meat baits, these are now to be permitted again. These licences also have, as yet, no improved mechanism for registration of trap operators, and provide no idea about how much trapping is going on, or its impact."

RSPB Scotland is also concerned that far too wide a range of bird species are allowed to be trapped without any evidential justification. There is, for instance, no published evidence that rooks pose a threat to the conservation status of other wild birds. Despite this, they remain on the licence for bird conservation even though their own population in Scotland has been in long term decline.

Ian Thomson said: "It is inexcusable that a rational review by SNH of species that can be killed has not occurred, meaning that a species like the rook, which can actually benefit farmers through eating pest insect species, and has undergone a significant population decline, is still allowed to be routinely killed. Also, given that a significant proportion of trapping and killing of crows is undertaken on land managed intensively for game shooting, the suspicion remains that the general licence is used not for wild bird conservation, but in order to produce unnaturally high densities of gamebirds for shooting. This would be an illegal use of the general licence but we have seen no evidence that SNH wish to investigate this issue."

#### STAFFIN HOUSING

The *West Highland Free Press* reported that six affordable homes are planned by the Staffin Community Trust on common grazing land in Stenscholl, Staffin in north Skye. SNH is concerned about their visual impact on the Trotternish National Scenic Area. A planning application is to be submitted to Highland Council in summer 2017.

#### LOCH LEVEN OSTRACODS

*Cytherissa lacustris*, a tiny ostracod, has been discovered in Loch Leven, Kinross by Professor David Horne of Queen Mary University of London. The crustacean had previously been recorded at only two other locations in the British Isles including one in Loch Assynt and a site in northern England.

#### GLEN CRERAN QUARRY

The *BBC News* website reported that over 1,000 objections have been lodged against A & L McCrae Ltd's proposal to extract sand and gravel from Glen Creran, Appin in Argyll. It is planned to remove 15,000 tonnes of material annually over five years from the quarry. The landowner said that the site would be restored to pasture land.

Mike Russell MSP said that the glen was part of an 'extraordinary landscape' and the quarry should not go ahead. Tony Kersley, a local campaigner against the quarry, said that the sand extraction operations would be disastrous for tourism and nearby Sites of Special Scientific Interest.

#### MULL OTTERS

66 otters have been killed on roads on the Isle of Mull in the last four years. Mull Otter Group members have now installed roadside reflectors at four hotspots, costing £525 each, which illuminate the verges when headlights approach. It is hoped that this will warn the otters that it is not safe to cross the road.

- A five year study, now at the end of its fourth year, is investigating the cause of death of otters on Mull. The bodies of the dead mammals are being recovered and frozen before being transported to Cardiff University for *postmortem* tests. Very few dead otters were not killed on the road. At least 26 otters were found dead in 2015, but these were just the otters found and reported to Mull Otter Group. 14 were found dead in 2016. The total otter population on Mull is unknown.

#### CONONISH GOLD

Scotgold Resources has applied to the Loch Lomond & Trossachs National Park Planning Authority to extend an ore processing trial at Cononish near Tyndrum until March 2018. 2,400 tonnes of ore have been processed, and the company wants to process a further 4,800 tonnes of material. The first gold from the mine has been sold at auction in Edinburgh.

#### GILLIES HILL

Gillies Hill, at Cambusbarron has been designated as a Local Nature Conservation Site (LNCS) by Stirling Council, the first in the area. The council has been investigating the possibility of designating Gillies Hill as a LNCS and as a Local Nature Reserve since 2013. Patersons Quarries Ltd plans to resume quarrying roadstone on the hill after 20 years; the results of a public inquiry are awaited [Aug 16].

#### HEN HARRIER

Another of the 2016 cohort of satellite-tagged hen harriers has been reported as 'lost' – presumed dead. The young male, *Beater*, hatched on the Glen Feshie Estate in the Cairngorms National Park; his tag last transmitted on 14 November from an area of upland pasture in the central Scottish Borders. The transmissions did not stop abruptly as in other recent cases, and there is no reason to suppose that 'anything illegal' has occurred.



## ENERGY

#### RENEWABLES TARGETS

Scotland has a target to deliver the equivalent of 100% of its electricity consumption from renewable sources by 2020. *The Herald* reported that the energy minister, Paul Wheelhouse, said: "Latest statistics show that 59.4% of gross electricity consumption was met by renewable sources in Scotland in 2015 – up by almost 10% in a year. This means that we exceeded our 50% renewable electricity target for 2015. In the New Year we will publish a draft energy strategy, alongside our draft climate change plan, which will outline a long-term vision for the future of energy in Scotland. The strategy will consider energy supply and consumption as equal priorities and demonstrate how to facilitate and capitalise on the transition to a low-carbon economy, securing the social and economic benefits for the people and businesses of Scotland."

Lang Banks of WWF Scotland said: "Analysis has shown that a 50% renewables target for all our energy needs by 2030 is not only needed, but that it is achievable. Ministers should now make this a Scottish Government target and bring in the policies needed in its forthcoming energy strategy."

#### WESTERN ISLES INTERCONNECTOR

The *BBC News* website reported that two major windfarms on the Western Isles, at North Tolsta and Stornoway, have planning consent but the existing interconnector to the mainland is at full capacity. A new interconnector will only be built if government subsidies are made available.

Don MacKay, of developer EDF, said: "The connection for the island here is not dissimilar to the kind of connection you would have for an offshore site and these are significant investments and significant infrastructure projects that allow these to be connected into the national grid. That's what makes the cost difference and that's why it really does need a support mechanism to make them viable."

Angus Campbell, leader of Western Isles Council, told BBC Scotland: "In the past we couldn't get connected because we weren't regarded as onshore wind. We argued for a separate case for the islands and are now being told we might be treated as onshore wind and because [subsidies for] that have stopped, we would be the first to suffer. Morally, I do believe that's wrong."

The minister for Business, Innovation & Energy, Paul Wheelhouse, said: "The Scottish

Government repeatedly sought assurances from the UK government about their plans to support these key renewable energy projects, which will have a huge positive economic impact for the islands through the 'contracts for difference option' process and the UK government have effectively misled both Scottish ministers and indeed the communities that are affected by this.

"The truth is that the UK government has set out a position where they refuse to give any more subsidy to onshore wind projects, but by their own consultation in September 2013 they concluded that, and I quote here 'this was a separate class of renewable generation and warrants special treatment and potentially different levels of support from other onshore wind.' This is an example of the UK government having a massive 'volte-face' to the great detriment of the island authorities, the areas and their communities and a refusal to accept really that they are completely wrong in this."

A consultation on island onshore wind closes on 31 January.

#### WINDFARM UPDATES

**Perth & Kinross:** Helen Douglas took RDS Element Power Ltd to the Court of Session in an attempt to stop plans for a windfarm at Tullymurdoch Farm, Alyth. She claimed that the local authority did not properly assess the proposed windfarm's impact on wildcats and a pair of ospreys, nesting within 300 metres of the turbines.

However, Lord Kinclaven ruled that the proposed scheme was legal. Ms Douglas said: "Destruction of our natural heritage masquerades as the pursuit of green energy. My sadness after this judgment is immense. In addition, I have to meet the costs. My passion for wildlife has probably bankrupted me."

**Sutherland:** The John Muir Trust wrote a letter to *The Times*, following its coverage of the decision to consent the Creag Riabhach windfarm near Lairg [Oct 16]. The article said that 'locals' backing the windfarm had Doncaster, Dunfermline and Fraserburgh addresses with no apparent connection with the area. The proposed windfarm is on the Altnaharra estate, owned by Jim Gray, of the Gray & Adams transport company which has branches in Doncaster, Dunfermline and Fraserburgh. Mr Wheelhouse had justified his decision to consent by saying the project had 'popular support from the local community council and public alike.'

The JMT wrote in the letter: "The article included a moving account of the potential impact on a local business and its owners who are neighbours of the Creag Riabhach site. It's worth highlighting that neither Highland Council nor the government thought a public local inquiry was required. However, the government has since recognised that its decision letter has incorrect statements while you highlight that a high number of supporters' letters (a major justification for ignoring the impacts on wild land) may have largely been sent by, or influenced by, those who would benefit economically.

"The flawed decision process, overseen by the energy minister Paul Wheelhouse, demonstrates that the Scottish planning system needs to change. The JMT objected to this scheme because of its impacts on our natural heritage with five turbines being in a 'wild land area' (WLA). The JMT congratulated Mr Wheelhouse, as a former environment minister, for bringing in WLAs into planning, 'recognising the need for significant protection' from wind developments. This decision contradicts that previous stance and throws that protection into doubt with no opportunity to

challenge it, except through our prohibitively expensive court system.”

• Anders Povlsen, owner of 11 estates in Scotland, is launching a judicial review into the decision to allow the Creag Riabhach windfarm. The turbines will be visible from several of Mr Povlsen's properties. His spokesman, Thomas MacDonell, said: “We are concerned about the proliferation of windfarms in the area ... We think there are contradictions with the government [policies] over this. We feel it's an industrialisation of our precious land. Our passion for our landholdings in Scotland is to maintain their wild and natural beauty ... If the consent stands we will consider our investment strategy in that part of the world. It would change the whole atmosphere of that area.”



## RECREATION & TOURISM

### LOCH LOMOND PARK

The Loch Lomond & the Trossachs Park Authority Board considered proposals for a permit system and related signage which will facilitate the introduction of restrictive camping byelaws in the National Park [Oct 16].

David Gibson, of Mountaineering Scotland, said: “The Park Authority is rushing through the introduction of a set of appalling proposals which present a confusing picture to intending campers. If the proposals are approved, the lack of on-the-ground clarity about camping management zones and provision could lead to the criminalisation of people who might believe they are camping or resting at night during a journey, which would otherwise be within their rights by complying with the provisions of the Land Reform (Scotland) Acts and Scottish Outdoor Access Code. The proposed permit scheme will also impose costs of £7 *per* night on people who would otherwise be able to enjoy free access to the outdoors and as such is socially divisive, at a time when the Scottish Government is encouraging more people to get active.

“We still maintain that the Park Authority is resorting to byelaws which are wholly unnecessary as they, with Police Scotland, already had the powers to act against the limited few who cause nuisance and damage. We therefore call on the Park Authority Board to delay the introduction of the byelaws by 12 months to enable appropriate public consultation on the specific proposals for the permit scheme and signage.”

### MENIE LINKS

The *Sunday Herald* reported that the Trump Organisation has unilaterally dissolved the Menie Environmental Management Advisory Group (MEMAG), an expert group set up to oversee compliance with legal conditions to protect wildlife on the golf course at Menie Links in Aberdeenshire. The legal agreement that enabled the golf course to go ahead included a commitment by the Trump Organisation to establish and finance MEMAG, which involved Scottish Natural Heritage, the Scottish Environment Protection Agency, Aberdeenshire Council and others and started meeting in December 2009. Its remit was to advise the Trump Organisation on the minimisation of environmental damage and full compliance with planning conditions.

Donald Trump highlighted the importance of the group and said that the golf course at Menie was constructed to the highest standards under the ‘strict supervision’ of MEMAG. However, representatives from the Trump Organisation often failed to attend. MEMAG last met in

January 2013. In December 2013, Aberdeenshire Council decided that the group should be reviewed, and wrote to the Trump Organisation stating that the obligation to maintain MEMAG is a continuing one and that there was no time limit on the duration of the group. To date the council has not had a response. Councillor Martin Ford said that, to date, the council had not been told that MEMAG had been dissolved. He said that, if the Trump Organisation wanted to dissolve MEMAG, it would have to make a formal application to change the legal agreement it had made.

George Sorial, of the Trump Organisation, said: “Having successfully completed its scrutiny role for the construction of the championship golf course, MEMAG was dissolved ... More than 95% of the Site of Special Scientific Interest remains untouched and the ecological diversity of the site remains intact.” [Sep 16].

Dr Tom Dargie, an adviser on the Menie sand dunes until 2009, said: “No MEMAG input since 2013 means no information on habitat and species change in the crucial early years of golf course operation at Menie. MEMAG is a condition of planning consent and the complete inertia between Aberdeenshire Council and the Trump golf resort bodes ill for any future development in Scotland involving sensitive habitats, threatened species and protected sites.”

He said that other developers, such as at Coul Links in Sutherland, could promise environmental responsibility but then ignore it after winning planning permission without fear of sanction [Sep 16].

Dr Graeme Baxter, of Robert Gordon University, said: “Sadly, the existence and the effective operation of MEMAG appears to have been reliant on the whims and the finance of the Trump Organisation, so the true environmental impact of the golf course remains unclear.”

### GROUSE

Estates and sporting estates reported a favourable grouse season in terms of the tourism benefit to rural Scotland. Regional moorland groups said that there were 4,007 overnight stays from those taking part in country sports throughout the 2016 shooting season. Some grouse moors in Central Scotland had a ‘superb’ season, while others further east had poor stock due to a cold snap in late spring and days were cancelled.

• The Scottish Country Sports Tourism Group launched a new strategy, *Game for Growth*, which aims to increase the value of country sports to the Scottish economy by £30m over the next three years, bringing the total to £185m. VisitScotland will match the funding in a drive to boost the international online profile of Scotland's country sports.

Andy Wightman MSP lodged a Parliamentary Question concerning Visit Scotland's funding. It read: “To ask the Scottish Government whether it will provide a breakdown of the recipients of financial contributions from VisitScotland to the strategy, *Game for Growth Strategy – Country Sports Tourism in Scotland 2016*; what information it has regarding how each recipient will use this; what action it has taken to ensure that no money was provided to the owners or managers of landholdings on which crimes against wildlife have been committed; whether it will publish the strategy on its website, and what aspects of this it is supporting or plans to support with public money.”

### CORE PATHS

Since Scottish access rights were established in 2003, local authorities have developed a 17,000 kilometre network of their most important

routes, known as core paths. However, there is no requirement to include core paths on Ordnance Survey (OS) maps.

The National Access Forum has been discussing the situation with OS, which is assessing the case for making the change. Ramblers Scotland is calling for the public to say whether core paths should be marked on Scottish 1:50000 and 1:25000 OS maps.

Ronan McGarry, from the OS, said: “Many of the paths which make up the large route network already feature on OS mapping, they are not attributed as core paths. At OS we recognise that there could be benefits for including this information in our products and how valuable this level of detail is for helping people and communities to get outside. We are currently working with the project stakeholders on the core path data to see how it might be included in OS products. OS manages the geographic database for Great Britain and it is important that any information added to this database meets the highest standard of accuracy and quality.”

In some cases, core paths can allow walkers' access to areas not covered by the 2003 Scottish access rights, such as farmyards, and fields with livestock and crops.

See: [www.ramblers.org.uk/corepaths](http://www.ramblers.org.uk/corepaths)



## NEWS OF ORGANISATIONS

### COAST

The Community of Arran Seabed Trust (COAST) has taken ownership of the Lamlash tennis courts and pavilion. It is planned to develop a Marine Discovery Centre on part of the site; the existing pavilion will become COAST's Marine Protection Area headquarters. This community project will attract more tourists, encourage marine recreation and engage many more people with marine wildlife.

### CROWN ESTATE

The Scottish Government is creating an interim body to take over the revenues and management of the Crown Estate in Scotland from April 2017 when the Scotland Portfolio will be devolved to Scottish ministers under the Scotland Act 2016.

Amanda Bryan has been appointed as Shadow Chairing Member of Crown Estate Scotland (Interim Management) until the commencement date of the Crown Estate (Scotland) (Interim Management) Order 2017 with formal responsibilities beginning on 1 April 2017. Crown Estate Scotland (Interim Management) is being established as a public corporation, directed by its board, which will take on its asset management role from 1 April 2017.

• Andy Wells has been appointed as Head of Property for the Scotland Portfolio. The rural and coastal portfolio includes 37,000 hectares of rural land with forestry, farming, commercial and residential tenants; around half of Scotland's coastline with 2,380 agreements covering ports, harbours and marinas as well as 5,800 moorings.

### NTS

Stuart Brooks, formerly chief executive of the John Muir Trust, is to take up the new role of Head of Natural Heritage Conservation (Policy) at the National Trust for Scotland (NTS). Dominic Driver has been appointed as the Head of Natural Heritage, with overall operational responsibility for the NTS's countryside and island properties nationally.

### PLANTLIFE SCOTLAND

Dr Deborah Long has left Plantlife Scotland to become Programme Director of the GROW Observatory in Dundee.



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