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**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

### DEER MANAGEMENT

The Scottish Parliament's Environment, Climate Change & Land Reform (ECCLR) committee has reported that urgent changes need to be made to the way in which wild deer are managed, monitored and culled in Scotland. This report follows the committee's consideration of Scottish Natural Heritage (SNH)'s review of deer management [Nov 16]. The report acknowledges that the overall deer population has been declining over the past decade but says that the animals are still having a significant impact on the natural heritage. The committee calls for greater focus and urgency to address the challenges of deer management across Scotland.

The ECCLR convener, Graeme Dey, said: "The committee welcomes the fact that some progress has been made but it's clear that some Deer Management Groups and SNH need to raise their game to deliver the step change needed. Habitats damaged by deer take a long time to recover. We simply can't go on like this if we're to achieve the Scottish Biodiversity Strategy targets. That's why we've outlined recommendations for SNH and the Scottish Government to act to protect and hopefully restore these habitats as a matter of urgency."

The key findings of the report are:

- The legislation which aims to protect the natural environment from deer impacts is not fit for purpose
- 50% of Deer Management Groups are not delivering an effective plan on the ground
- SNH, the organisation charged with protecting Scotland's natural environment, is failing to provide leadership in managing the damaging impact of deer

The committee found that current legislation, which aims to protect the natural environment from deer, is not fit for purpose and that 50% of deer management groups are not delivering an 'effective plan on the ground.'

SNH has previously said that 30% of native woodlands are under threat from deer. Suggestions have been made that it is impossible to distinguish whether the damage is done by deer or other herbivores. SNH acknowledged this, but said that deer are the most likely [Nov 16].

Sue Walker, of SNH, said: "We have been working closely with the sector for many years to address a range of deer management issues in Scotland. SNH led the development of a vision and strategy for sustainable deer management in *Wild Deer a National Approach, a Code of Practice and Best Practice Guidance*. These were produced in partnership with the sector. While there is legislation to regulate deer management, and some of it has been used, our approach has been to try and establish consensus and co-operation. Land managers and their staff have extensive expert knowledge of their land and how the deer use it. Gaining their support to secure public benefits is an effective and efficient way to ensure these benefits. Our review showed that many land managers in the uplands are managing deer populations in collaboration with each other and taking account of public interest. Equally, it showed that some are not yet doing so and we concluded that progress was too slow to allow the

Scottish Government to meet some of its targets. Furthermore, the SNH report clearly identifies a need to address the different issues of deer in the lowlands. We are encouraged that the ECCLR committee has accepted the key findings of our report and note their view that, while good progress has been made, more needs to be done where the voluntary approach is failing to deliver the necessary progress. We will carefully reflect on the report, taking it into account as we continue to advise the Cabinet Secretary on deer management in Scotland."

The Scottish Wildlife Trust (SWT), John Muir Trust (JMT) and RSPB Scotland fully endorse the key findings of the report, including a key recommendation to establish an independent working group to provide clear advice on the way forward for deer management in Scotland.

Dr Maggie Keegan, of SWT, said: "Meeting Scotland's biodiversity targets requires a step change in deer management. Unsustainable numbers of deer in some areas are preventing regeneration of native woodland and causing damage to other important habitats. While some good progress has been made in recent years, half of Scotland's Deer Management Groups are still failing to outline how they will prevent damage to designated sites including woodlands and peatlands. These habitats take years to recover and the longer we wait to act, the greater the cost of restoring them. This report represents one of the closest examinations of deer management in Scotland ever carried out."

Mike Daniels, of JMT, said: "Unsustainable deer management has been a running sore within Scotland's environment for decades. Our woodlands and peatlands deserve better. We are pleased that this cross-party committee has grasped the nettle on this issue and is asking for strong action from land managers and government regulators alike."

See: [ow.ly/Czld30av7YH](http://ow.ly/Czld30av7YH)

• SNH has been criticised for issuing permits to shoot hinds out of season, when they are breeding. The *Sunday Times* said that more than 200 licences had been signed off after the season ended in February.

• Responding to the Cairngorms National Park Authority (CNPA)'s proposed five-year plan [Mar 17], Duncan Orr-Ewing, of the Scottish Environment LINK deer task force said: "We welcome the CNPA's step in the right direction to promote sustainable deer management in one of Scotland's most outstanding areas for wildlife. This supports the CNPA's statutory objectives, which include the sustainable use of natural resources and the conservation of the natural heritage. Public interest objectives such as restoration of protected areas and expansion of native woodland should be a priority in the National Park and sustainable economic activity and community resilience should benefit from this."

"The LINK deer task force awaits the outcome of the cabinet secretary's consideration of SNH's recent review of deer management and we have encouraged the facilitation of a range of measures to improve deer management systems in Scotland, including better use of SNH's existing powers to reduce deer numbers where they are causing damage to the natural heritage."

**LOCH LOMOND PARK**

Loch Lomond & The Trossachs National Park has launched a public consultation on its draft *National Park Partnership Plan 2018-2023*, which aims to widen the park's 'social, environmental, cultural and economic benefits.' The plan's three priorities cover conservation and land management, visitor experience and rural development.

The consultation will run until 3 July. See: <http://bit.ly/2okuPkW>

• Figures published by the National Records of Scotland show that the number of households is projected to rise within the Cairngorms National Park by 6%, and by 1% for Loch Lomond & the Trossachs National Park. See: <http://bit.ly/2oWXAHg>

**BUTTERFLY MONITORING**

The annual UK Butterfly Monitoring Scheme found that the populations of 40 out of 57 species declined in 2016 across the UK. However, the small pearl-bordered fritillary, commonly found in Scotland, saw its numbers increase by 109% in Scotland between 2015 and 2016. The northern brown argus also saw a population increase of 38% in Scotland. However, the number of graying butterflies in Scotland fell by 61% on the previous year. Numbers of large white butterflies have fallen by 75% over the last decade. The pearl-bordered saw its population fall by 54%.

Across the UK, scientists said butterflies suffered their fourth worst year on record last year.

Professor Tom Brereton, of BC, said: "Worryingly, not even the pleasant summer weather of 2016 was enough to help butterflies bounce back from a run of poor years. The results show that butterflies are failing to cope with our changing climate and how we manage the environment. As butterflies are regarded as good indicators of environmental health this is hugely concerning for both wildlife and people."

The monitoring scheme is led by BC, the Centre for Ecology & Hydrology, British Trust for Ornithology and the Joint Nature Conservation Committee.

**LANARKSHIRE PEATLANDS**

Butterfly Conservation (BC) has been awarded a £98,000 grant from the Scottish Landfill Communities Fund and EcoCoLIFE to restore over 200 hectares of lowland peat bogs. The *Lanarkshire's Large Heaths and Mosses – Restoring Precious Peatlands* project will restore three lowland mosses between Carnwath and Forth. The mosses support large heath, small-pearl bordered fritillary and green hairstreak butterflies and emperor, lunar hornet, orange underwing and wood tiger moths. Planned restoration work includes scrub control at Cranley Moss and Braehead Moss Special Areas of Conservation, and blocking ditches at Blacklaw Moss Wood nature reserve. David Hill, of BC, said: "This is the largest project we have embarked on. These species have become isolated in small pockets. We are really hoping this project will help link those up and strengthen populations."

**STATE OF UK BIRDS**

*The State of the UK's Birds 2016 Report*, by a collaboration including RSPB, British Trust for Ornithology and SNH, said that 67 of the 247 species that breed or overwinter in the UK are of the highest conservation concern. Five upland birds were added to the Red List last year – curlew, dotterel, whinchat, grey wagtail and merlin. Scotland is one of the most important countries worldwide for breeding curlews, with half of the UK breeding population of one quarter of

the global total, but the species has declined by 64% over 45 years due to habitat loss. The puffin is one of eight species now at risk of global extinction. The wryneck is the first widespread breeding species to be lost for 200 years, with the last known breeding in Scotland in 2012. Golden eagle numbers have increased by 15% since the previous survey in 2003.

**TAYSIDE BEAVERS**

SNH has commissioned the University of Exeter to lead additional survey work to provide an up-to-date estimate of beaver family numbers in Tayside [Nov 16]. The survey will help develop management and mitigation measures and will update the Tayside Beaver Study Group survey in the Tay catchment. SNH is also appealing to the public to record any sightings through the free Mammal Tracker app. The new survey will provide the opportunity to investigate some areas where beaver sightings have recently been reported but not confirmed, including the River Devon, the Balvaig and Garbh Uisge upstream of Callander, the Forth in the Carse of Stirling and the Black Water around Brig O'Turk. The project will be managed by Roisin Campbell-Palmer. Email: [beavers@snh.gov.uk](mailto:beavers@snh.gov.uk)

See: [www.brc.ac.uk/mammal\\_tracker](http://www.brc.ac.uk/mammal_tracker)

**FARMING****LEATHERJACKETS**

Scotland's Rural College (SRUC) said that there is a high risk of damage to spring cereals from leatherjacket (crane fly) grubs, and is also concerned that infestation will damage fields remaining in permanent pasture.

SRUC has conducted an annual survey of leatherjackets since the mid 1970s. Grub densities fluctuate from year to year, but over the past 20 years they have consistently risen, linked, it is believed, to climate change and wetter, milder autumns. The latest annual survey, undertaken in west and central Scotland between November 2016 and February 2017, showed that the average density recorded across the fields in the survey was 1.6m grubs per hectare.

Appropriate plant protection products have now been withdrawn from the market, and UK farmers now have no economically viable control method other than rolling – which is largely ineffective – and ploughing followed by thorough cultivations that can reduce populations by 50%. Other biological control methods are being trialled, such as spraying garlic and using insect-parasitic nematodes.

**SEA EAGLES**

*The Scottish Farmer* reported that the growing number of sea eagles is posing an increasing threat to the sheep sector. Research commissioned by SNH predicted that the number of sea eagles in Scotland will rise from 106 pairs of birds to 221 pairs in less than ten years, and that by 2040, there could potentially be between 889 and 1005 pairs [Oct 16].

Sybil MacPherson, of Argyll & Lochaber Sea Eagle Management Group, said: "Many farmers and crofters have already ceased breeding sheep on land which has been affected by predation over the last number of years. Some have been able to adjust their sheep management but in many cases, breeding ewes have disappeared from the most heavily affected areas. This has resulted in loss of businesses and resulted in land abandonment in some areas. As the population of birds is clearly increasing at a faster rate than anyone could have predicted in some areas, the problems associated with an unsustainable

population of the birds are escalating at an alarming and completely devastating rate ... The SNH report showed the expected increase in breeding pairs, but it did not mention the number of immature birds – sea eagles are five or six before they reach maturity – so it really only shows the tip of the iceberg when you consider the number of actual birds in the sea eagle population.

"We need a management plan that includes actions to deal with predation where passive measures have failed. It is regrettable that the hierarchy of NFU Scotland and others have, in my opinion, given insufficient importance to this problem. There seems to be a lack of understanding of the problem. Financial loss is only part of the difficulties. The fact that people quite rightly find the losses of sheep and lambs by dog worrying unacceptable frustrates those of us who continually have suffered similar impacts to our flocks, and have done for many years. It seems as if no-one who has not experienced the problem has any realisation of the difficulties of sheep farming in an area which experiences sea eagle predation."

Sea eagle management groups in the Highlands & Islands said that the Scottish Government and SNH have so far failed to deliver an acceptable management plan for the reintroduced species. SNH and RSPB Scotland have been asked why they have failed to monitor the impact of the sea eagle population on native avian and mammal species in the release areas, amidst local reports that the supposedly piscivorous predators are eating anything they can catch.

Calls are being made for more to be done, not only at lambing time when the sea eagles' main threat is to new born lambs and their mothers, but throughout the summer months and beyond, as many farmers believe that sea eagles, when hungry, will turn their focus to older, stronger lambs, and even to hogs, for many months of the year.

**AVIAN INFLUENZA**

Free range hens in Scotland, shut indoors since high-risk zones were designated in response to the H5N8 avian influenza outbreak, can now go back outside [Feb 17]. A prevention zone covering Scotland was lifted at the end of the month. The zone required bird keepers to put in place enhanced biosecurity measures prior to letting their birds outside, in order to reduce the risk of disease. The ban on shows and gatherings of poultry, waterfowl and game birds will remain in force until 15 May, when a new general licence will come into force.

Scotland's Chief Veterinary Officer, Sheila Voas, said: "We are now looking at the populations of wild birds to see what evidence there is of disease in them. We know that a lot of the migrating water fowl, which brought the virus to us in the first place, have left. We also know that resident birds are mating at this point so they are less mobile that they were. We're doing a bit of increased surveillance to look and see what's in our resident population."

**FERAL PIGS**

SNH held a meeting to discuss the numbers of feral pigs in Alyth, Perthshire. There were an estimated 20 and 40 feral pigs in the Alyth Hill area but Forest Enterprise Scotland, which manages the land, believe that most of the animals have now been controlled; it appears from camera-trap evidence that there are only one or two remaining. Alyth Hill includes a popular community woodland; however, there have been few sightings recently. However, there are more recent sightings from land further north, suggesting that some of the animals may have dispersed. Feral pigs are animals that may resemble wild boar, but are a mix of wild and domestic pigs and have been released or escaped from private collections.

SNH, along with Perth & Kinross Council, are asking for reports of any sightings or signs of feral

pigs. If land managers have experienced any damage, SNH would be interested to hear about its scale and impact; telephone: 08452 302050



## WOODLANDS

### ASPEN

Trees for Life has successfully encouraged the aspen tree to flower under controlled conditions, enabling it to produce seeds that can be used for propagation. Aspen is thought to have suffered more from deforestation than any other native tree in Scotland, largely because it rarely flowers or set seeds. This means that once lost from an area, aspen is very unlikely to return on its own. In Scotland, aspen reproduces mainly by new shoots growing from the roots of mature trees.

For the past 26 years, Trees for Life has taken root cuttings to propagate new aspens for its forest restoration work. Both male and female trees produce catkins; hand pollination is now successfully producing seeds, which will be sown in the Dundreggan Tree Nursery and allow Trees for Life to significantly increase the number of aspen planted, as well as enhancing its genetic diversity.

### COMMUNITY WOODLANDS

The National Forest Land Scheme (NFLS) has now been superseded by the Community Asset Transfer Scheme (CATS). It is now open for applications, and gives communities the opportunity to purchase or lease land or buildings from the national forest estate to deliver greater local benefits. NFLS helped 31 communities to own over 10,000 acres of land.

- There are 11 Scottish sites in the 'Making Local Woods Work' project, a three year, UK-wide, Lottery-funded programme led in Scotland by the Community Woodlands Association. Five of eleven supported groups acquired forests from Forestry Commission Scotland through the NFLS (Arkaig, Aigas, Glengarry, Kilfinan, SW Mull). The remaining six are Knoydart, Eigg, Argyll Small Woods Co-op, Green Aspirations (Stirling), Beechbrae (Blackridge) and Dunbar.

### CURR WOOD

The *Strathspey & Badenoch Herald* reported that Forestry Commission (FC) Scotland has granted a felling licence for four hectares of Curr Wood near Dulnain Bridge, Strathspey. However, opponents of the work claim that heavy thinning, clearfelling and new planting threatens two red list species – the pine hoverfly and twinflower; capercaillie populations have already been lost because of past felling operations.

FC Scotland said that machine exclusion zones had been put in place for all twinflower and hoverfly locations; thinning intensity is light and has been kept below normal practice.



## FISHFARMING & FISHERIES

### SEA-LICE

In its annual report, Marine Harvest said that 69% of its salmon farms in Scotland broke statutory sea-lice limits in 2016, over four times the average for the group's overall operations [Feb 17]. In 2016, the company harvested about 45,000 tonnes of salmon of Scottish origin, 5,000 less than in 2015. Mortality losses amounted to £6.5m while costs associated with sea-lice treatment and mitigation rose substantially.

A Marine Harvest spokesman said: "Disappointingly, several factors, including abnormally high water temperatures for extended

periods, insufficient cleaner fish capacity, limited access to non-medicinal treatment systems and extraordinary lice pressure, singly or in combination, precluded optimal control and hampered full application of our strategy in Scotland." New non-medicinal lice treatment methods, including thermolicers, had generated 'new challenges' particularly at its Greshornish site on the Isle of Skye [Nov 16].

Alf-Helge Aarskog, of Marine Harvest, said: "Sea-lice remain our number one challenge, and as such will continue to be our top research and development priority for the foreseeable future. Uncontrolled, sea-lice impact fish welfare, survival and growth. However, it has become apparent that sea-lice numbers can be brought under control through increased use of non-medicinal treatment methods. Although we still have a way to go, we increased our use of non-medicinal tools in 2016 and expect to reap the benefits of our efforts going forward."

### PORTREE FISHFARM

Highland Council has approved The Scottish Salmon Company's plans to install ten cages at the Outer Portree fishfarm in the Sound of Raasay. The proposed fishfarm is alongside the applicant's existing Torvaig fishfarm. There are 19 objections to the proposal, including one from Portree & Braes Community Council. Derek Dowsett, of Skye District Salmon Fishery Board, said: "The prospect of lice infestation or disease spreading just 500 metres from one site to the other within such a vast biomass, and the subsequent threat to wild salmonids, could at worst bring the wild populations of fish within the River Varrigill to unrecoverable levels." The cages would be located on a migration route for wild salmon and trout.

### BLOODY BAY

The *Daily Record* reported that around 20,000 salmon escaped from Scottish Seafarms' fishfarm at Bloody Bay on the Isle of Mull. The breach is thought to have been caused by seals. 1,300 wrasse, used at the site as cleaner fish, also escaped. The fish were scheduled for harvest next year.

### SALMON EGGS

The *Sunday Times* reported that 61 million eggs (90%) used to farm Scottish salmon in 2015 were imported; 86% came from Norway and the remainder from Iceland and Eire. Domestic egg production dropped to 7 million in 2015. Salmon farming companies are centralising broodstock and selective breeding operations to ensure steady production and minimise loss from disease.

However, the Global Alliance Against Industrial Aquaculture is concerned that importing fish ova could introduce parasites and disease to Scottish fishfarms. A spokesperson said: "Major producers of farmed salmon are trading on the internationally recognised image of Scottish salmon yet farm Norwegian strains. The Scottish Government, if they truly support Scottish salmon, should immediately stop imports of foreign ova."

Scott Landsburgh, of the Scottish Salmon Producers' Organisation (SSPO), said: "All of the eggs used by the Scottish salmon farming industry hatch and complete their life cycle in Scotland. Scottish provenance is defined by the environment in which the fish are grown from hatching through to harvest."

### FISHFARMS & SEALS

The *Herald* reported that the US National Oceanic & Atmospheric Administration (NOAA) bans the import of any fish that does not meet US standards, and it is illegal to intentionally kill or injure seals in any commercial US fishing operation. NOAA

is compiling a list of foreign fisheries; Scotland has been given four years to comply by 'demonstrating that they have eliminated the intentional mortality or have the required procedures in place.' The salmon industry has given a 'clear intention' to reduce the numbers of seals shot to zero [Sep 16]. The farmed salmon export trade to the USA is currently worth almost £200m a year.

About 1,600 seals were killed under licence from the Scottish Government in the six years to 2016, with almost 100 shot by fishfarms and fisheries in 2016. Marine Harvest killed 21 seals, the Moray Firth Seal Management Group (comprising salmon fishery boards) killed 18, Scottish Sea Farms shot 12 and Cooke Aquaculture shot eight. Grieg Seafood Hjaltland has stopped all seal killings and now uses econets to protect the salmon from seals.

Scott Landsburgh, of SSPO, said: "It is our ambition to develop exclusion techniques that eliminate the need to shoot seals. However, the law permits the shooting of seals where exclusion methods have proven ineffective."

### SALMON & SEA TROUT

Scotland's chief statistician has published the salmon and sea trout fishery statistics for 2016.

The total reported rod catch of salmon (retained and released) for the season is 55,109. The total has dropped from the highest on record in 2010 each year to 2014. Reported rod catch recovered slightly in 2015 and 2016 and is currently 80% of the previous five-year average.

The proportion of the rod catch accounted for by catch and release is the highest reported since these figures were first recorded in 1994. In 2016, 98% of rod caught spring salmon was released, as was 90% of the annual rod catch.

Trends in rod catch vary among individual stock components. Reported catch of spring salmon shows a general decline since records began in 1952 and, although there is some indication that catch has stabilised in recent years, it remains at a historically low level. Overall catch of salmon and grilse in later months, on the other hand, showed a general increase up to 2010, after which it fell sharply over the next four years before recovering slightly in 2015 and 2016.

Catch and effort for both fixed engine and net & coble fisheries are the lowest since records began in 1952.

Salmon Conservation Regulations for Scottish stocks came into force in 2016 and included measures to prohibit the killing of fish in coastal waters and in estuaries and rivers where the stocks were determined to be in poor conservation status [Nov 16]. Of the 126 assessable areas, 88 were assessed as being in poor conservation status (grade 3) in 2016.

Fishery statistics reported for 2016 provide a first view of the impact of these management measures on the catches of salmon:

- Total retained catch (all methods) fell from 22,776 in 2015 to 8,443 in 2016
- Total retained catch (all methods) of spring fish fell from 213 in 2015 to 101 in 2016
- Catch and release in the rod and line fishery rose from 84% in 2015 to 90% in 2016
- Although individual fisheries may have been impacted by the regulations, there is no evidence to support a contention that fisheries in grade 3 areas suffered a disproportionate drop in catch compared to fisheries in areas with moderate or good conservation status where killing of salmon was permitted.

The total reported rod catch of sea trout (retained and released) for 2016 is 18,054. Catches have declined over much of the period since 1952, when records began. In 2016, they were the third

lowest on record and 84% of the previous five year average. The proportion of the rod catch accounted for by catch and release in 2016 is 81%, the highest reported since these figures were first recorded in 1994. Catch and effort for both fixed engine and net & coble fisheries are the lowest since records began in 1952.

### LOCH CARRON

The *BBC News* website reported that the Loch Carron flame shell reef near Plockton in Wester Ross has been 'intensively' dredged for scallops. The destruction of the beds in the sea loch has been filmed by divers. The reef is not within a Marine Protected Area (MPA) and can be legally dredged. Many of the flame shell beds that used to be found off the west coast of Scotland have now disappeared and Scottish Natural Heritage considers large beds to be rare.

Howard Wood, of the Community of Arran Seabed Trust (COAST), said: "It's a complete failure of Marine Scotland's inshore fishery management. We're way behind other countries. Norway and other Scandinavian countries would not allow this in inshore waters. We need to bring our inshore fisheries up to modern-day standards."

He said that the damage would also have an economic impact on the local area, as scallop divers who had been sustainably fishing the reef for many years had now lost a valuable source of income.

Local resident and marine biologist, Sue Scott, said that the same dredger had visited the area twice in April, making repeated passes close to the shore. It is thought to have been the first time in 10-15 years that a dredger has come to the area. She said that the reef, which covers about a square kilometre, had been 'wrecked.' She said: "Divers have seen hundreds of dead and dying flame shells. The seabed has been ripped up and there's damage to marine life – starfish with legs missing, dead squat lobsters, dead spider crabs and smashed sea urchins. It's just devastating. [Dredgers] really should be banned from fishing so close inshore. My quibble is with the law not the dredgers."

Bertie Armstrong, from the Scottish Fishermen's Federation (SFF), said that scallop dredgers were an economically-important part of the market. He said: "There are local jobs in local communities from scallop dredging. Not all scallops can be hand-dived. It has its place, but the market cannot be supplied just by that. Secondly, MPAs exist that protect flame shell beds and we are great supporters of that. But you can't protect all the flame shell beds, all the time, everywhere."

Phil Taylor, of Open Seas, said: "Such reckless damage for the profit of just one boat is subsea scandal. It brings shame on our seafood industry, damages the future of the fishing industry and the productivity of our sea. Recent measures designed to manage scallop dredging are totally inadequate. For the sake of our fishing long term, we need fundamental reform of the way we spatially manage bottom-towed fishing." He said that the SFF did not represent the interests of 80% of the vessels operating inshore which use creel or dive methods for harvesting shellfish.

Open Seas has urged the Scottish Environment Minister, Roseanna Cunningham, to investigate the issue. A spokeswoman for the Scottish Government said: "These reports are worrying and will be investigated. But it is worth noting that there are already strong measures in place to protect valuable marine habitats around our coastline. We work closely with local communities and the inshore fisheries groups to review what, if

any, additional protective measures are required. We will continue this dialogue as we seek to balance the need for legitimate and responsible fishing activity whilst simultaneously preserving our incredibly diverse marine environment."

*The Herald* reported that Dr Richard Luxmoore, of the National Trust for Scotland, said: "[Flame shells] protect their nests under a fragile roof of bits of shell and other material held together with fine byssus threads. Ripping through this with the heavy metal teeth of a scallop dredge is like dropping a bunker-busting bomb on a nursery school. The destruction is just appalling.

"Two years ago, the Scottish Government commissioned an economic study of the impacts of fishing in the inshore zone which concluded that the use of trawls and dredges in these waters caused damage that was totally disproportionate to the profits that it brought to a relatively small number of fishermen. The clear outcome of this research was that Scotland would be economically far better off if all such damaging fishing methods were banned within three kilometres of the shore. It is time that the government took heed of this advice and acts to protect the marine life that is one of Scotland's natural treasures" [Nov 15].

Iain Turnbull, of NTS, said: "While I understand that those in the fishing industry must make a living, there has to be a balance. By trashing the sea floor like this not only are they destroying important species like the flame shell, but they are also limiting the sustainability of their own industry. It is unforgivably short-sighted. It is time we recognised that important conservation landscapes don't stop at the water's edge. While we are all greatly concerned that the prospect of Brexit may bring a weakening in existing environmental protections, there is a great argument for expanding them now to safeguard more of the sea floor. In April last year Wester Ross was awarded Biosphere status by UNESCO. Their 'Man & the Biosphere' Programme aims to promote a sustainable symbiosis between man and his environment with sustainable development to the fore. This kind of short-term exploitation, which undoubtedly has long-term impact on rare species cannot be considered to be sustainable in anyway. By using such destructive mechanisms these fishermen are only making it more difficult for future generations to continue the traditions of fishing sustainably in Wester Ross."

See: <http://bit.ly/2pW6mpa>

### RAZOR CLAMS

The *BBC News* website reported that the Scottish Government has authorised a controlled trial of electro-fishing for razor clams following a consultation [Aug 16]. Rural Economy Secretary, Fergus Ewing, said that the trial would investigate the size and potential for commercial razor clam production and ensure fisheries could be operated sustainably with appropriate harvest rates. Marine Scotland will now consult on the best locations for trials to take place.

Mr Ewing said: "Responses to our consultation and previous research suggests that, where properly applied, electro-fishing can be a sustainable and safe method of harvesting razor clams in a way that is less intrusive than traditional methods like dredging. We will now undertake scientific trials in specified areas to ensure we fully understand the potential of the industry, and how we best access the economic possibilities in this area."

Mark Ruskell MSP said: "Dredging the seabed for razor clams has a horrific impact, but to switch to electro-fishing instead won't allow our precious marine environment to recover. EU laws that protect the environment should not be undermined by the Scottish Government in its

eagerness to grow industries beyond the carrying capacity of the ecosystems they rely on."

Liane Veitch, of environmental lawyers ClientEarth, said: "Innovation in fishing is more important than ever, but we need to make sure that any policy changes are backed up by good scientific evidence. There is currently very little information about the environmental impacts of electro-fishing for razor clams, and in particular what the medium to long-term impacts on the seabed might be. We encourage the Scottish Government to assess this as part of the pilot study. If the environmental impacts turn out to be lower than currently approved methods, it will be critical to make sure this gear is used sustainably – that it won't over-exploit razor clam populations – and that it is effectively monitored and controlled."

*The Herald* reported that Nick Underdown, of Open Seas, said: "Illegal electro-fishing has been going on for the past decade. Many people, fishermen included, rightly expressed serious concerns about making it legal. Fergus Ewing and Marine Scotland have effectively given up on enforcement, choosing instead to create legal routes to market which would enable illegal electro-fishing to continue damaging the seabed. It's revealing that Marine Scotland concludes electro-fishing to be less damaging than scallop dredging, a practice it permits, with only a few exceptions, throughout our seas and even inside some MPAs. This is a poor start to our Scottish Government's control of the Crown Estate and our seabed."

Alex Kinnimouth, of RSPB Scotland, said that the present illegal, unregulated and unreported razor clam fishery was clearly unacceptable. The authorities seemed to have lost the battle to stamp it out. There is a real risk that this highly efficient fishing method could cause 'spoots' to be wiped out in areas that were being repeatedly targeted. He said: "Alternative capture methods such as dredging, are highly disruptive to the seabed. So on the basis of the most recent published research, a closely regulated fishery using electricity, perhaps on a pilot basis, with tight controls on method, quantity of catch, and where it can occur could be seen as the least worst option."

Permissions to undertake electro-fishing would require the Scottish Government to inform, but not seek permission, from the European Commission.

See: [www.gov.scot/Publications/2017/04/2084](http://www.gov.scot/Publications/2017/04/2084)



## MARINE

### YTHAN SEALS

*The Press & Journal* reported that the Scottish Government has designated the northern side of the mouth of the River Ythan, near Newburgh, as a haul-out zone for grey seals [Nov 15]. From 4 May, it will be an offence to intentionally or recklessly disturb seals on the Ythan Estuary. Forvie National Nature Reserve currently recommends that people go no closer than 492 feet from the seals, but these are regularly flouted. Anyone breaching the new rules could face fines of up to £5,000 and potentially six months imprisonment.

Ythan Seal Watch advises people to view the seals from across the water, at the south side of the estuary, to avoid disturbing the colony; it will protect any seals outwith the haul-out zone. There have been problems with drones being launched from the south bank and disturbing the colony.

### HUMPBACK WHALES

A report by the International Whaling Commission said that Scottish inshore waters present a high mortality risk for humpbacks, making their presence here unsustainable. Recent years have seen a slight increase in sightings around Scotland; several have been seen in the Firth of Forth this year.



*STV News* reported that Dr Steven Benjamins, of the Scottish Association for Marine Science, said: "Several humpback whales were caught in the years between 1900 and 1930. For decades after that the species was unrecorded in Scottish waters. What we are seeing is a slight but noticeable increase in the reports."

A new code of practice is being prepared for creel fishermen. Entanglements with creel lines can be a danger to fishing boats as humpbacks can cause capsizes. The guidelines could save other animals such as basking sharks, minke whales and leatherback turtles.

**STRANDINGS**

37 marine mammals were washed up on Scottish beaches in March; these include 11 harbour porpoise, seven common dolphins (four in the Western Isles alone), Risso's dolphins on both Orkney and North Uist, a white-beaked dolphin in Orkney, bottlenose dolphin in Shetland and nine grey seals, a minke whale and a sperm whale on Tiree. The Scottish Marine Animals Stranding Scheme is carrying out tests to establish causes of death.

- British Divers Marine Life Rescue successfully refloated a sub-adult 20 foot (6.1m) minke whale near Elie in Fife.

**SEAWEED FARM**

The *BBC News* website reported that trials have begun on a one hectare (2.4 acres) site off Lismore, near Oban to create one of the UK's first seaweed farms [Mar 17]. Seaweed is grown on lines which sit just below the surface of the water; this site could produce 100 tonnes of seaweed which could be used for food, beauty products, animal fodder and biofuel.

Dr Adrian Macleod, of the Scottish Association for Marine Science (SAMS), said: "The main thing is quality, so if you're producing seaweed for food you want to have control over the life cycle so you can produce a product which is high in the desirable compounds you're after.

"So, cultivating in this way gives us a lot more control over the quality and the species that we're growing. We also need to look at ways to produce systems for cultivating seaweed which automate the seeding, harvesting and the storage of the seaweed products. And in this way we hope to create an industry that is both economically viable and an industry which is great for the future."

Dr Phil Kerrison, of SAMS, said: "We're working on a number of different projects and they are aimed mainly at the production of biofuels but also working with companies who are using it for food or as animal fodder. So there's many different uses for this crop. Scotland's got excellent conditions for seaweed. They're cold species, these kelps that we're growing. They like nice, cold nutrient-rich conditions and we have a plethora of areas around here that are perfect."

Currently, 96% of the world's farmed seaweed is grown in Asia, and less than 1% from the UK.

**POLITICS & PARLIAMENT**

**CROWN ESTATE**

Powers over the revenue and management of Crown Estate resources in Scotland were transferred to the Scottish Government on 1 April [Jan 17]. Scottish Ministers will now have control over thousands of hectares of rural land, approximately half of Scotland's foreshore and leasing the seabed for rights to renewable energy.

Crown Estate Scotland (Interim Management) will ensure continuity, while ministers finalise

a long term strategy to manage assets, worth in total £271.8m in 2015/16 and generating a gross annual revenue of £14m.

**GAMEBIRD LICENSING**

The Environment Cabinet Secretary, Roseanna Cunningham, has written to the Environment, Climate Change & Land Reform (ECCLR) committee outlining her thoughts on vicarious liability, general licence restrictions, firearms licensing, and her initial thoughts on the usefulness of introducing a state-regulated licensing system for gamebird hunting [Feb 17].

She wrote: "In conclusion, I would emphasise that our experience in this area is that there is no short cut to securing hard evidence of criminal behaviour. Changes to the law can only go so far, and always will need to be accompanied by effective, professional law enforcement. A licensing scheme may be a useful addition to the toolbox, but it will still depend on someone gathering evidence of wrong-doing in order to justify removal of a licence to operate a business."

Following the publication of the Scottish Government's gamebird licensing review [Feb 17], and the receipt of Ms Cunningham's letter, the ECCLR committee had a brief discussion about the gamebird licensing petition [Jan 17] and has agreed to take evidence from the petitioner (the Scottish Raptor Study Group). The committee will then take evidence from a panel of stakeholders including RSPB Scotland, Scottish Gamekeepers' Association, Scottish Land & Estates and Scottish Natural Heritage.

The Scottish SPCA has published a briefing note for all MSPs to encourage their support of a minor change in legislation and approve an increase in investigatory powers for the SSPCA [Mar 17, Jan 15] and GENERAL ENVIRONMENT below.

It addresses six key points:

- What enforcement powers does the SSPCA currently have?
- Why can't the SSPCA currently fully investigate all wildlife crimes?
- Why does the SSPCA require additional powers to bring investigations involving wild animals into line with crimes involving other animals?
- How can the SSPCA help improve the rate of successful wildlife crime investigations?
- Would collaboration work?
- What would be required to authorise the SSPCA to seize evidence of a wildlife offence?

The Scottish SPCA has clarified that all that is needed is for the words 'or inspector' to be inserted in appropriate places in Section 19 of the Wildlife & Countryside Act.



**GENERAL ENVIRONMENT**

**GOLDEN EAGLE**

RSPB Scotland reported that a satellite-tagged golden eagle (338) had stopped transmitting suddenly on the North Glenbuchat Estate in Strathdon [Mar 17]. RSPB Scotland said that five golden eagles have gone missing on the estate in recent years.

The estate has now released two videos which, it claims, shows that the raptor was alive after contact was lost with it. Police Scotland has searched the estate for the tracker or the eagle, but nothing has been found.

Laura Sorrentino, of North Glenbuchat Estate, said: "The RSPB allegations against the estate have been reckless and defamatory and

the matter is now in the hands of our lawyers. The RSPB seems to accuse first and think later without caring about the damage it does. Our head keeper filmed what he believed was the 'missing' eagle on Thursday and further footage was filmed on Saturday afternoon and photographs were taken on Saturday evening. Because of the light and distance between the bird and the keeper, we cannot be as certain that the Saturday afternoon footage is the same eagle but the head keeper is more confident that the later photographs could be the 338-tagged bird. We have submitted both to police and what this does show is that eagles not only exist on our estate but are welcome.

"We may well have been able to assist the RSPB further with its investigation into why the satellite tag on 338 stopped working but its representatives were hooded and kept their faces covered when they visited the estate with police on Wednesday. We found this extraordinary as there has been no allegation of wrongdoing or criminality by the police.

"The estate has been actively looking for the eagle since it was made aware that the satellite tag had ceased transmitting. We are a small estate surrounded by other sporting estates. We firmly believe the issue of satellite tags needs very close examination, as there is evidence of them developing faults ... The estate is shocked by the clear implication that the estate may have been involved in the disappearance of this eagle. There was an incident six years ago when a dead eagle was found on estate land and at that time the estate issued a very robust statement condemning the poisoning of birds of prey and emphatically denying any involvement. There is no evidence that the estate has been involved in wrongdoing or criminal activity."

Police Scotland stated that RSPB staff who assisted them on the search did not have covered faces, as alleged by the estate.

Ian Thomson, of RSPB Scotland, said: "We notified Police Scotland, in line with Partnership for Action Against Wildlife Crime in Scotland protocols, who concurred that the circumstances were suspicious."

**VICARIOUS LIABILITY**

The vicarious liability prosecution of landowner Andrew Walter Bryce Duncan, who was alleged to be vicariously liable for the crimes committed by gamekeeper William (Billy) Dick in April 2014, has been dropped by the Crown Office & Procurator Fiscal Service (COPFS).

Mr Dick was convicted in August 2015 of killing a buzzard on the Newlands Estate, Dumfriesshire [Jul 16]. Vicarious liability proceedings began in August 2015 and the case has been repeatedly adjourned since then with a total of 13 court hearings and two trial dates assigned but then later dropped. The third trial date was set for this month. These repeated delays were due in part to Mr Dick's appeal against his conviction.

COPFS said that it was 'not in the public interest to continue' but did not provide any further detail. To date, there have only been two successful prosecutions/convictions of vicarious liability since it became law in January 2012. *The Raptor Persecution UK* blog said: "Whatever the reason for dropping the prosecution, this result does not reflect well on the efficiency of wildlife crime enforcement measures in Scotland."

- The *Raptor Persecution UK* blog reported that COPFS has also dropped long-running cases against gamekeeper Stanley Gordon, alleged to have shot a hen harrier on the Cabrach Estate in 2012, and gamekeeper Craig Graham who was alleged to have set and re-set an illegal pole trap on the Brewlands Estate, Angus Glens in 2015. No

explanations have been given for either one of these decisions.

**‘ROSS-SHIRE MASSACRE’**

The *BBC News* website reported that the police investigation into the deaths of 12 red kites and four buzzards in Ross-shire is now no longer active [Mar 14]. Police Scotland said that this was because of a three-year time bar on the offences that were committed in the Conon Bridge area. The birds were killed by pesticides banned under UK-wide legislation. Police Scotland and RSPB Scotland said that they were disappointed that no-one had been charged.

Divisional Commander Chief Superintendent, Philip Macrae, said: “Every line of inquiry has been explored as part of our investigation into the deaths of these birds of prey, including large scale searches and a detailed investigation by CID and wildlife officers. We liaised closely with a number of partners including the NFU Scotland, RSPB Scotland and the Scottish SPCA as well as COPFS. The inquiry has been regularly reviewed for any new lines of inquiry and it is therefore very disappointing that there has been insufficient evidence to progress this case any further.”

Detective Inspector Scott Macdonald, who led the inquiry, said: “I remain convinced, based on the advice of partners involved in the investigation, that the bait was laid for illegal pest control and not specifically to target the birds of prey, however they became the unfortunate victims of this illegal act. Using illegal pesticides is wholly unacceptable; it poses an indiscriminate danger to humans and wildlife alike.”

Duncan Orr-Ewing, of RSPB Scotland, said: “This appalling incident should act as a warning to anybody contemplating using illegal poisons in the countryside as to the possible risks to red kites and other vulnerable wildlife.”

**HARE COURISING**

Stuart Brunt, from Derby, has been convicted of hare coursing at Selkirk Sheriff Court. The offence took place at Tollshill Estate, near Oxton in the Lammermuir Hills. He had previous convictions of poaching and other wildlife offences and was ordered to carry out 80 hours unpaid work, disqualified from owning any dog for a year and fined £1,200.

• A teenager has been charged in connection with a hare coursing incident near Dalkeith in Midlothian.

**SSPCA SURVEY**

A Scotpulse survey into the public attitude to wildlife crimes in Scotland, commissioned by the Scottish SPCA, found that 78% of those polled are concerned about wildlife crimes and 87% agree that the Scottish SPCA should be fully authorised to investigate all crimes involving wild animals. 45% would report wildlife crime to the Scottish SPCA rather than to the police [Jan 15]. See POLITICS & PARLIAMENT above.

**NATURAL CAPITAL ASSET INDEX**

The Natural Capital Asset Index (NCAI) has been published by Scottish Natural Heritage (SNH). It states that after decades of decline until the 1990s, ‘natural capital stocks’ have stabilised or improved slightly between 2000 and 2015. For example, there have been improvements in the quality of coastal bathing water and the ecological status of lochs and rivers. For bogs, heathland and agricultural habitats, stocks have declined.

Environment Secretary Roseanna Cunningham said: “Scotland’s Economic Strategy recognises the influence of natural capital on financial,

social, manufactured and human capital. Natural capital is important as it includes environmental resources like plants, animals, air, water and soils which can benefit people and businesses across Scotland. Scotland became the first country in the world to publish a detailed report which monitors annual changes in its natural capital and it is encouraging to see our stocks have improved since the index first launched in 2011.”

Jonny Hughes, of the Scottish Forum on Natural Capital, said: “Our research with the Institute of Chartered Accountants of Scotland and the Institute of Directors Scotland shows that more than 75% of businesses recognise the huge importance of Scotland’s natural capital to their operations, and there is clear recognition of the urgent need for action. There are some promising signs in the Index that we are turning a corner on caring for Scotland’s environment.

“But there is a long way to go before we can begin to reap the economic, social and environmental benefits we will get from healthier stocks of natural capital. In order for the Index to provide a full picture of the nation’s natural capital we look forward to seeing its continued development to include Scotland’s marine environment.”

Threats to Scotland’s natural capital include invasive non-native species and climate change. The NCAI was included as the measure for the National Indicator ‘Increasing our Natural Capital’ in the National Performance Framework in 2016.

See: <http://bit.ly/2oE8Y1a>

**SCOTLAND’S SOILS**

A new website provides information about soils in Scotland. See: <http://ow.ly/xar030aAlpX>.

**LANDSCAPE MONITORING**

SNH has launched Scotland’s Landscape Monitoring Programme (LMP), a new way of tracking and reporting on ever-changing landscapes. The programme is accessible on SNH’s website and allows anyone to follow how Scotland’s dynamic landscapes have changed over the years by a combination of natural processes and human activities. Landscapes continue to evolve, strongly influenced by the choices that society makes about built development and land management. The LMP will set out a robust baseline and the information gathered through time will provide an accurate picture of change.

Key trends and their causes can be identified, together with their significance in terms of how people feel about them and respond to them.

The programme will develop in phases and enables Scotland to meet the European Landscape Convention’s requirement to monitor change. It also delivers the landscape component of the CAMERAS Environmental Monitoring Strategy, which supports the development of Scottish Government policy.

At the heart of the programme is a number of SNH’s Natural Heritage Indicators. Seven indicators have been published in the first phase of the programme, grouped into four themes: Landscape Qualities; Public Perception; Land Cover; and Built Development.

A fixed point photography citizen science pilot project is to be undertaken. This will use photographs uploaded by the public to show landscape change in the Wester Ross National Scenic Area. Six viewpoints are specified on the SNH website together with instructions on how to upload images.

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

The Cairngorms National Park Authority (CNPA) runs the Cairngorms Scenic Post project using physical markers at key locations

for volunteers to take photographs. SNH will evaluate the methodologies of the Wester Ross and Cairngorms projects with the aim of producing a replicable methodology for organisations and communities.

**NW HIGHLANDS GEOPARK**

The North West Highlands Geopark, Scotland’s first, faces losing its UNESCO accreditation after a funding crisis [Sep 15]. The community company which runs the geopark has now launched a crowdfunding project to raise £70,000; funding over the last three years has come from the Scottish Government. The last award was made in 2015, but on the basis that the park would become ‘sustainable and financially viable’ which the park board said was not possible in such a remote and sparsely populated area.

A statement on the North West Highlands UNESCO Global Geopark website, said: “As a charity we pay for our core staff through a mix of donations and product sales and due to circumstances beyond our control we’re really struggling this year. We have funding in place to carry out a number of exciting projects between now and 2020 but need a bit of an extra leg-up to keep our staff going for the next 12 months. Please do what you can to spread the word and keep your UNESCO Global Geopark going into 2018.”

The Rock Stop, in the old Unapool School near the Kylesku Bridge, is the geopark’s visitor centre and central hub.

Gail Ross MSP has lodged a motion at Holyrood supporting the crowdfunding effort. She said: “The work done by the North West Highland Geopark in promoting the unique geology in the North West Highlands, not only for local communities but also to visitors, is fantastic. However, they cannot continue to provide the services which they do without the money required to staff the park. Time is now running out for the future of the park.”

Dr Beth Taylor, of the UK National Commission for UNESCO, said that geoparks were areas of exceptional international geological significance: “The North West Highlands UNESCO Global Geopark is not only home to the oldest rocks and some of the most stunning scenery in the UK, it is also special because it is a community-led partnership that promotes natural and cultural heritage while supporting sustainable economic development. We strongly support the geopark’s drive to find funding as this will not only help to protect this unique environment for future generations, but also support the staff and communities who use the site to boost local economic development and international earth science education.”

See: [www.crowdfunder.co.uk/love-the-geopark](http://www.crowdfunder.co.uk/love-the-geopark)

**INDUSTRIAL POLLUTION**

The Scottish Environment Protection Agency (SEPA), is writing to 50 trade associations setting out SEPA’s plans for ‘one planet prosperity.’ SEPA said that progressive businesses would see environmental excellence as an opportunity, not a problem. The most successful businesses in the future will be those that are not just legally compliant, but which are also low carbon, low material use, low water use and low waste.

Over the next three years, SEPA will be developing 40 sector plans to encourage businesses in Scotland to go ‘beyond compliance.’ The first five will cover fishfarming, whisky, oil and gas decommissioning, landfill sites and metals recycling.

**AIR QUALITY PLAN**

*The Herald* reported that the UK Department for Environment, Food & Rural Affairs (DEFRA) applied to the High Court to postpone the publication of a report on updated clean air proposals until after the General Election on 8 June. The EU had

ruled that existing plans to meet regulated limits across the country were not sufficient and the UK government was ordered to publish an air quality plan by 24 April [Feb 17]. Client Earth had cited Glasgow as the 'most polluted city in Scotland' and criticised the government for the 'very last minute' application.

Andrea Leadsom, the UK Environment Secretary, told MPs in an emergency statement that it was 'not appropriate' to publish the plan during the pre-election period, or purdah, and pledged to unveil the draft proposals on 30 June. She said that the move would not delay the implementation of the plans and insisted ministers were deeply committed to improving air quality. She said: "In accordance with the guidance covering both the local and general elections, the proprietary and ethics team in Cabinet Office have told us it would not be appropriate to launch the consultation and publish the air quality plan during this time. I also want to make very clear that we now have entered a period of time where we are strongly advised not to be publishing consultations and so what we are trying to do is a very short extension, which we do not believe will make a difference to the implementation of our plans but at the same time we are safeguarding our democracy."

However, the High Court rejected the government's application, and gave a new deadline of 9 May for the plans to be made public. Mr Justice Garnham refused to grant permission to appeal, and said that the government would have to go direct to the Appeal Court if it wishes to appeal the decision. The court ruled that there was 'no adequate explanation' to back up the government's assertion that a delay in publishing the draft plan would not delay its implementation, adding that the impacts of air pollution were 'exceptional public health circumstances.' The judge said that purdah does not affect the outcome of a High Court case, and is 'not a trump card to be deployed at will by one litigant.' The government must comply with the court order like anyone else.

## WILDFIRES

The *BBC News* website reported that the Scottish Fire & Rescue Service said that gamekeepers' adherence to the national Muirburn Code had helped to keep the incidence of wildfires low so far this year. Gamekeepers and moorland managers have been cutting areas of heather to create firebreaks to control muirburns, and also using leaf blowers to restrict the spread of flames. Seasonal burning and cutting, when conducted in adherence of the Muirburn Code, is one of the most effective means of significantly reducing the risk of damage from wildfires on moorland. Muirburns are done between October and April to rid land of old vegetation and encourage new growth of heather, which provides cover and food for ground-nesting birds, including grouse. If uncontrolled, muirburns can become damaging wildfires.

## VACANT LAND

Scotland's chief statistician has released the 2016 *Scottish Vacant & Derelict Land Survey*. The total amount decreased by 253 hectares (2%) from the previous year, to 12,435 hectares in 2016. 321 hectares were brought back into use and 142 hectares that were naturalised (93 hectares of which is for a former surface coal site in East Ayrshire). This balances against 165 hectares of new derelict and vacant land reported by local authorities, along with a net increase of 45 hectares due to changes in existing sites.

The most common new use for derelict and urban vacant land was residential, with 62% (199 hectares) of the land that was brought back into

use since the previous survey reclaimed for this purpose.

Of the 165 hectares of new derelict and urban vacant land reported by local authorities, the most common previous land uses were related to manufacturing or other general industrial uses, which accounted for 75 hectares or 45% of new land reported.

There has been a cumulative increase of 1,064 hectares (9%) in the total amount of derelict and urban vacant land recorded since 2010, from 11,372 hectares in 2010 to 12,435 hectares in 2016. However, when excluding derelict mineral sites, there has been a cumulative decrease of 741 hectares (8%) in the total amount of derelict and urban vacant land since 2010. Of the 12,435 hectares recorded in the 2016 survey, 2,156 hectares (17%) were classified as urban vacant and 10,279 hectares (83%) were classified as derelict.

East Ayrshire recorded the largest amount of derelict and urban vacant land, containing 2,457 hectares (20% of the Scottish total). Highland has 1,342 hectares (11%), North Ayrshire 1,330 hectares (11%), North Lanarkshire 1,222 hectares (10%) and Glasgow City with 1,111 hectares (9%).

30.3% of Scotland's population are estimated to live within 500 metres of a derelict site in 2016, a figure that varies by local authority area from 0.6% in Orkney, 0.9% in Shetland and 4.6% in Na h-Eileanan Siar to 61.1% in Glasgow, 61.7% in West Dunbartonshire and 73.4% in North Lanarkshire.

For those sites where the previous use is known, 36% of derelict land recorded in 2016 had been previously used for mineral activity (3,606 hectares), 19% for defence (1,906 hectares), and a further 19% for manufacturing (1,859 hectares). The most common previous use for urban vacant land, where previous use is known, was agricultural (18%, or 328 hectares) followed by residential development (17%, or 318 hectares).

3,189 hectares (28%) was thought to be developable in the short term, with an expectation of development within five years. 2,918 hectares (26%) is seen by local authorities as being uneconomic to develop and/or is viewed as suitable to reclaim for a 'soft' (non-built) end use.

See: [www.gov.scot/Publications/2017/04/3409](http://www.gov.scot/Publications/2017/04/3409)

## EUROPARK

The *Sunday Herald* reported that developers, Orchard Brae, are planning to build Europark, five new 'villages' on fields between the M8, Carnbroe, Cairnhill and Calderbank in North Lanarkshire. Orchard Brae said the 3,000 home development is about 'breathing new life into underused green space' and will improve and extend the green network. The development's 'green heart' will include a riverpark, community orchards and allotments.

## PLANNING

The Scottish Government has raised the maximum planning fee to £125,000 to better reflect the cost of large applications made to local councils. John Low, of the John Muir Trust, said: "It's another step towards protecting our special landscapes as it should reduce applications for large scale developments in wild land areas that are clearly unsuitable."

## AN CAMAS MÒR

The *Strathspey & Badenoch Herald* reported that RSPB Scotland has submitted a response to the CNPA concerning the planning application for the An Camas Mòr development in Rothiemurchus Forest [Mar 17]. Dr Pete Mayhew, of RSPB

Scotland, said: "We are concerned that this planning application does not include any information on the potential impacts of the proposed housing estate on capercaillie. If approved, the development would roughly double the size of Aviemore, resulting in much larger numbers of people using the forests for recreation, including cycling and dog walking. This will inevitably increase disturbance for capercaillie. However, the current plan does not include any measures to ensure the already dwindling population of this rare species will not be negatively impacted by this development."



## ENERGY

### WINDFARM UPDATES

**Highland:** The John Muir Trust (JMT) has negotiated with the Scottish Government for a settlement of £75,000 as a contribution towards legal costs in the Scottish Court of Session in trying to establish that consent for the Stronelaig windfarm, in wild land, was lawful [Jul 16]. In court, the expenses were claimed to be more than £189,000 – far more than originally quoted. These costs were met from donations.

However, Scottish & Southern Energy is to pursue JMT for costs through an action to Enroll for Costs and have declared these at £350,000, three times what was previously intimated in the original action.

**Perth & Kinross:** *The Herald* reported that RDS Element Power Ltd's seven turbine Tullymurdoch windfarm at Alyth won an appeal against local resident, Helen Douglas, at the Court of Session, who was opposed to its construction [Dec 16]. Ms Douglas has now launched an appeal at the Inner House into the decision. She is concerned that the construction will disturb the breeding season of one of the few remaining wildcats in the area and has asked that any works on the site, or on the cable route linking it to the Welton of Creuchies windfarm, take place outside this period of March to August, as advised by SNH on a neighbouring site. However, the planning authority is not obliged to restrict its conditions to those advised by SNH.

The female wildcat is believed to have bred on the proposed windfarm site for the past two years. RDS said that construction work would be easier in the summer and has not set conditions to protect wildcats. A council spokesman said: "A comprehensive suite of planning conditions were imposed as part of the 2014 consent and as part of the 2015 consent subject to the legal challenge. These included conditions that catered for the protection of wildcats as well as other protected species and wildlife. The developer has now begun the turbine development at Tullymurdoch on the basis of their 2014 planning consent."

**Scottish Borders:** Council officials had recommended approval of LE20's eight turbine Howpark windfarm near Grantshouse [Mar 17]. A decision has now been deferred for more detailed reports on any potential noise impact from the scheme.

### TIDAL POWER

Scotrenewables Tidal Power Ltd's floating tidal turbine, SR2000, has run at full capacity and produced 2 MW of power at the European Marine Energy Centre in Orkney. The turbine, said to be the most powerful in the world, will now be used as the basis for a commercial version which could go into operation at the end of next year.

- The Subsea Power Hub (SPH) is being tested by EC-OG in Shapinsay Sound, Orkney and is 'performing well.' The unit will be left to operate autonomously over the summer. The SPH is a ground-breaking hybrid drive system, with a

vertical axis turbine; a marine energy convertor produces energy which is stored in a lithium-based unit.

**UCG**

*Fife Today* reported that Cluff Natural Resources has surrendered its licences, for underground coal gasification (UCG) beneath the Firth of Forth, to the Coal Authority [Oct 16].

Andrew Nunn, of Cluff, said: "In the absence of a supportive policy on UCG emerging from Westminster and the indefinite extension of the UCG moratorium in Scotland, the company has notified the Coal Authority, as the responsible authority for issuing UCG licences, that it is relinquishing its nine UCG licences. Given the uncertainty around the future of these assets which has existed for some time, these licences had already been fully written down in the company's 2015 accounts."

**FRONTIER OILFIELDS**

Hurricane Energy has trebled its estimate on the volume of recoverable oil at its Lancaster field in the West of Shetland area. The Halifax field, part of the Greater Lancaster Area, could contain as much as a billion barrels, making it the largest undeveloped discovery in British waters [Mar 17]. Lancaster's recoverable resource is now estimated at 593 million barrels, based on a 25% recovery rate with at least a 50% chance of achieving it.

**BRENT DECOMMISSIONING**

The *BBC News* website reported that Shell has lodged plans with the UK government to decommission the Brent oilfield, east of Shetland [Jul 16]. The company wants to leave the legs of three of the platforms in place rather than removing them; it said that the safety risks associated with trying to remove them outweigh 'minimal environmental benefit.' Each of the platform legs are made of concrete and/or steel and weigh about 300,000 tonnes.

WWF, Greenpeace UK, the Marine Conservation Society, Friends of the Earth Scotland, International Environmental Organisation KIMO, Whale & Dolphin Conservation, the Scottish Wildlife Trust, and RSPB Scotland have joined together to object to the plan.

Lang Banks, of WWF Scotland, said: "Despite some 3,000 pages of documents, it has not been possible to come to a view on Shell's decommissioning proposal due to insufficient information being provided by the company across several key areas. The internationally-agreed OSPAR rules set out very clear criteria and procedures for operators to follow in carrying out such assessments, but we do not believe they have been adhered to with regard to disposing of the Brent platforms. The material presented by Shell cannot be clearly cross-referenced to the OSPAR requirements meaning we cannot assess whether or not there is a solid case for the derogations sought.

"We are therefore left with no choice but to reject Shell's plans in their current state and have asked for key further information to adequately assess their proposals. Given the enormous size of the rigs and the iconic nature of the Brent field, its decommissioning is being watched closely, both here and globally, and it should therefore be aiming to set the highest possible benchmarks for the rest of the industry to follow. If done right, it could open the door for this country to lead a new multibillion pound, global decommissioning industry that could create thousands of jobs as we continue our transition away from fossil fuels."

Dr Doug Parr, of Greenpeace UK, said: "The plans in their current form don't allow

international law to be upheld, because it's not possible for regulators to really understand what the proposition is. We don't think they have explored options fully, we don't think they have justified the options they want to carry through and we think they should go back and properly do their homework. We won't rule in or out taking direct action on this or frankly any other campaign because we don't talk about our campaign plans in detail in advance. What I can say is that we are going to continue to monitor and to watch and make sure international law is upheld and Shell does the right thing in doing so."

A consultation on Shell's decommissioning programme for the Brent field has now closed.

A spokeswoman for the UK Department for Business, Energy & Industrial Strategy said: "Any decommissioning plan will be carefully considered by the government, taking into account environmental, safety and cost implications, the impact on other users of the sea and a public consultation."

- The first major decommissioning project in the North Sea has been completed with the removal of the Brent Delta platform from its concrete legs. More than 100 platforms are forecast to be completely or partially removed over the ten years.

 **TOURISM & RECREATION**

**DRUMLEAN ESTATE**

*The Herald* reported that the Loch Lomond & Trossachs National Park Authority (LLTNPA) won a legal challenge at the Court of Session's decision to uphold its appeal upholding public access rights at Drumlean Estate, between Loch Ard and Ben Venue, near Aberfoyle. The case was over three locked gates and a 'Danger Wild Boar' sign erected by the estate.

Judges found in favour of LLTNPA's argument that the estate was blocking members of the public from enjoying rights of 'responsible access' granted by the Scottish Parliament's land reform legislation. As a result, the owners will now need to take steps to comply with an enforcement notice originally issued by the park authority in 2013.

Gordon Watson, of LLTNPA, said: "The park authority has a duty to uphold the right to responsible access granted to the public by the Land Reform (Scotland) Act 2003 so we are delighted with this decision. We took legal action against the estate in 2013 following complaints from members of the public that access to an area between Ben Venue and Loch Ard was being blocked by locked high gates and prohibitive signage and after repeated attempts by us to resolve the issue with the owners directly ... It has been a long road to get to this point but we are delighted with this decision for the clarification it provides to other access authorities but most importantly for the public who can continue to enjoy their access rights within this area of the National Park."

The initial judgement, at Stirling Sheriff Court in 2015, found against the LLTNPA. An appeal was immediately lodged at the Court of Session.

Mr Watson said that the vast majority of landowners within the National Park, from those of small land holdings to large estates, respected the provisions and responsibilities that come with the land reform act and worked positively with the park.

Brendan Paddy, of Ramblers Scotland, said: "We welcome the National Park's efforts to secure this result, which serves as an important reminder that landowners using locked gates, high

fences and prohibitive signs to block responsible access should be a thing of the past. We believe it is vital that authorities always challenge attempts to block walkers, campers or other recreational users – so that everyone can enjoy the health and social benefits of Scotland's wonderful outdoors."

**CAIRNGORM MOUNTAIN**

A £4m masterplan has been agreed between Highlands & Islands Enterprise (HIE) and Natural Retreats to improve year-round facilities at CairnGorm, including an artificial ski slope. Scotland's ski centres suffered one of their worst-ever seasons in 2016/7. The development, which remains subject to planning approval, also includes plans for a wrap-around viewing platform on the Ptarmigan building and demolition of the old ticket office.

**FIFE CORE PATH**

A gate has been locked at Newton Farm preventing access along core path 507, linking Lochgelly with Cowdenbeath in Fife. The blockage has since been further reinforced using high wooden fencing, black anti-theft paint and nails. Fife Council is trying to resolve the problem, which began last summer.

**SUILVEN PATH**

A major programme of path repairs and upgrade work costing £200,000 has begun to address erosion on Suilven in Sutherland. Increasing popularity, fragile soils and harsh climate have led to the rapid deterioration of the most popular approach to the mountain, beginning at Glencanisp. An eroded 1.55 mile section of the route will be repaired to prevent further damage and maintain public access. The construction phases which will run through the late spring and early summer of 2017 and 2018.

The Suilven Path Project is a partnership between the community landowners, Assynt Foundation, and the John Muir Trust (JMT) which is managing the project. Funding has been committed by the Heritage Lottery Fund, whilst the JMT has so far raised over £75,000 towards the work, including £18,000 which it won in a European-wide online poll in 2015 [Oct 15].

**HEBRIDEAN WAY**

The 156 mile Hebridean Way is a new long distance walking route, consisting of waymarked routes, existing tracks, roads and newly created paths which link all ten islands. Six causeways and two ferry crossings are used to link Vatersay to Lewis. It complements the separate 185 mile cycling route, launched last year.

 **NEWS OF ORGANISATIONS**

**LAND COMMISSION**

The new Scottish Land Commission has now been formally established and started its work [Nov 16]. It was set up as part of the Land Reform (Scotland) Act 2016 to review law and policy and make recommendations to the Scottish Government.

Based in Inverness, it has five land commissioners, a tenant farming commissioner and support staff. Andrew Thin is the chairman. An interim corporate plan for 2017-18 has been published which outlines the commission's priorities for the first year.

**SLE**

Douglas McAdam of Scottish Land & Estates (SLE) is stepping down as chief executive of the organisation.



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