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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.

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CONSERVATION

ORKNEY NATIVE WILDLIFE

The Orkney Native Wildlife Project, a partnership between Scottish Natural Heritage (SNH) and RSPB Scotland, has received initial support of £64,600 from the Heritage Lottery Fund. The project, set to be the largest one of its kind in the world, will safeguard the unique and internationally important native wildlife of Orkney now and into the future by addressing the threat it faces from stoats, an invasive non-native predator [Jun 17].

The nine month development funding will help the partnership progress plans for an ambitious stoat eradication project before applying for a full grant of more than £3m in 2018. It has not yet been decided how best to cull the stoats, but different humane methods are to be trialled.

Orkney is free of predatory mammals. Stoats are native to the UK mainland but not to Orkney where they were first seen in 2010. They feed on small birds, eggs and small mammals such as the Orkney vole and therefore pose a threat to poultry, the Orkney vole and many birds which are part of Orkney's thriving wildlife tourism industry. Despite attempts to remove them since 2010, stoats have spread across the Orkney mainland and the connected isles. Now only the non-linked islands remain stoat-free.

Nick Halfhide, of SNH, said: "Orkney is spectacularly important for wildlife, and wildlife tourism is key to the local economy. Stoats are a major threat to the island's natural and cultural heritage and this project brings a partnership approach to supporting and securing the future of Orkney's important native wildlife."

WILDCATS

Scottish Wildcat Action (SWA) has announced that its five year project to save Scotland's wildcats is now to focus on five key areas following extensive survey work across nine areas. Evidence suggests that there are at least 19 wildcats in these five areas.

Roo Campbell, of SWA, said: "It is disappointing that we did not find evidence of Scottish wildcats in every area we undertook to survey, but we now have a very strongly defined area that we can focus all our attention on. Although it shows just how endangered the Scottish wildcat is, it also underlines how important our work is in the other priority areas where we have detected wildcats."

The wider-area surveys have helped to build up better biodiversity maps, such as that for Strathavon, where more than 20 other species were detected. This information has been shared with the local ranger service and landowners.

The Glenlivet Wildlife Group has received a grant to purchase trail cameras and will continue to monitor the area for wildcats, even though the Strathavon area has been demoted.

SWA's Trap Neuter Vaccinate Return programme was carried out in five priority areas – Morvern, Strathpeffer, Strathbogie, northern Strathspey and the Angus Glens. These areas represent a total of 676 square miles (1750 km²) of wildcat habitat. Feral cats present a threat to wildcats by hybridising with them and diluting the gene pool. Since November, a total 115 cats have been caught.

Wild-living feral cats are considered the greatest

risk to wildcats as they are more likely to live alongside wildcats, breeding with them and potentially transmitting diseases; they are also the most difficult to catch. 82 of the cats trapped were in the Strathbogie Wildcat Priority Area and catching such a high number will have an immediate impact on the risks to the wildcats there. See: www.scottishwildcataction.org

- The supercat campaign was launched by wildlife filmmaker Gordon Buchanan. See: www.scottishwildcataction.org/supercat

- The *BBC News* website reported that the Wildcat Haven group released a video of a 'pure' wildcat which was filmed near Huntly in Aberdeenshire. The group said that its purity had been verified by an independent expert at the National Museums of Scotland and that it was the first living wildcat to score full marks on an observation scale which determines its purity. The 21 point scale is a recognised measure of how much a wildcat has become hybridised with domestic cats.

Dr Andrew Kitchener, of the National Museums of Scotland, said: "Wildcat Haven approached me to comment on [the first] video footage, which shows one cat in the wild. The animal displays a number of characteristics of the Scottish wildcat, however not all of the characteristics which are used to identify the Scottish wildcat are visible in the video. While the cat in this video shows a high number of characteristics of the Scottish wildcat, there is not yet sufficient evidence to fully determine its purity."

However, SWA said that it was not news to them that a pure wildcat had been found and that the one in the video is 'extremely similar' to one which it had already identified. SWA then released a second video of a cat which was captured in the same area in December and questioned whether the cat in both videos was actually a pure wildcat at all.

The two organisations have different and long-held views on how wildcats should be protected. The SWA project, backed by the Scottish Government, is to breed and then release wildcats which contain a small degree of hybridisation with domestic cats. Independently funded Wildcat Haven believes that policy poses an even greater threat to populations of the pure animal and said the 'discovery' of a pure wildcat showed they could still be saved. It wants to create protected havens for them to expand naturally. Both groups have been involved in projects, sometimes in the same areas, to capture, neuter and release feral cats which live alongside wildcat populations.

MOUNTAIN HARES

The charity, OneKind, called for an end to mountain hare culls [Jul 17]. Responding in a letter to *The Herald*, Tim Baynes of the Scottish Moorland Group, wrote: "It should be recognised that Scottish managed moorland creates fantastic reserves for the species [mountain hares] and so they are found there in far higher densities than in other parts of their range in northern Europe. Controlled culls of certain species are carried out by different organisations, and culling of hares in this way is no different to managing deer or rabbit populations.

"Mountain hare populations move in cycles

and are only culled when numbers are high in order to prevent grazing damage to fragile habitats, tree planting schemes and for limiting the spread of tick-borne diseases such as louping ill and Lyme disease. Culling is normally undertaken by estate staff but on occasion, guests take part under the supervision of gamekeepers, similar to control of deer. This is not new and can provide a small source of income to the estate.

“Moorland keepers have extensive experience and use a variety of methods to assess population numbers and the appropriate level of control. A number of estates are working with the Game & Wildlife Conservation Trust and the James Hutton Institute (funded by SNH) to develop new methods of counting hares and this research should be completed later this year. Scotland’s Moorland Forum will also be publishing a best practice guide to management of mountain hares in the next few months.”

LYNX

The Lynx UK Trust has submitted plans to SNH to reintroduce lynx to Kielder Forest, straddling the Scottish Borders and Northumberland, following a two year consultation [Sep 16]. The Lynx UK Trust claims that the reintroduction of lynx, a woodland species, will help to control the red deer population and prevent overgrazing. Dr Paul O’Donoghue, of the Lynx UK Trust, suggested that sheep farmers should use guardian animals like llamas to guard herds from lynx. Compensation payments for any sheep killed would be paid out of money raised by lynx ecotourism.

The *Courier* reported that profits from ecotourism could also be used for lamb welfare. The Lynx UK Trust quoted a National Animal Disease Information Service estimate that between two and six million lamb deaths occur in the UK every year. These deaths, they say, could be avoidable with the provision of better shelter, nutrition and healthcare.

Steve Piper, of the Lynx UK Trust, suggested that these losses were the result of chronic under-funding and criticised a lack of leadership on tackling the problem. He said: “We’ve had two years of the National Sheep Association (NSA)’s reality-defying claims that six lynx will threaten the UK’s sheep industry and food security, but they’ve had almost nothing to say on the millions of lambs lost to welfare basics whilst they were busy doing that. I consider that extremely poor representation of the industry; sheep farming needs solutions to the problems it faces, not scaremongering.

“A sheep welfare grant programme funded by lynx ecotourism can help local farmers with things like building lambing shelters, effectively delivering vaccinations and other critical early-life care, maintaining fencing to reduce road kills; basics they need to do the exceptional job everyone knows British farmers are capable of. Even a fractional improvement would mean a lot more healthy sheep and a huge reduction in financial losses. Ecotourism potential in Kielder is certainly worth millions of pounds over a five-year trial. We’ll help advise interested farmers on how they can take advantage of that, but what we really want to ensure is that some of the money is going directly to helping with the biggest threats to sheep; exposure, disease and malnutrition.”

Part of the trust’s plan is to establish a visitor centre in Kielder acting as a hub for local tourism operators as well as collecting money from tourists to help fund the trial and provide benefits to the local community. A spokesperson for the NSA said that animal welfare was crucial to farmers and lamb losses were to be anticipated because of environmental reasons. The NSA also rejected

a compensation system and claimed it would be complicated and controversial.

The Lynx UK Trust has also been in discussions with landowners over the past year about a trial reintroduction of lynx in Argyll and Inverness-shire, regarding potential release sites.

Dr Paul O’Donoghue, of Lynx UK Trust, said that over-population of deer in Scotland was damaging forest habitats and restricting forest regeneration; he said that lynx were noted for controlling deer by influencing behaviour, by keeping herds moving through the forest, spreading out their browsing sustainably. Similarly, lynx presence around pine martens should influence them to spend less time on the forest floor where they find capercaillie nests; an ‘exploding’ pine martin population was having a negative impact of the capercaillie population by eating eggs, which he said was a classic example of the negative impacts that come with removing species like the lynx from an ecosystem.

An area of 10,000 square miles of land has been identified for the proposed pilot which Lynx UK Trust said could comfortably home for 250 lynx. The area would stretch from Loch Lomond and the Trossachs into the West Highlands.

Ewen Maclean, of Ardgor Estate on the western side of the proposed lynx habitat, said: “We’re very supportive of any effort to re-balance the natural environment. I think this is something that can bring a huge benefit to our forests and add to the fantastic ecotourism offering already in the region.”

Andrew Bauer, of NFU Scotland, said: “This is a far more complex matter than those pressing for the release of lynx would have anyone believe. On the forest edge, there will be significant predation of ewes and lambs and no amount of warm words and reassurance will convince any farmer or crofter otherwise. This sham consultation exercise does not, in any way, equate to an application for release in Scotland.”

Helen Todd, of Ramblers Scotland, said that reintroducing lynx could improve biodiversity and woodland regeneration, but it would need to be properly supported by local communities and managed.

Andrew Bachell, of the John Muir Trust (JMT), said that JMT supported in principle the idea of a trial reintroduction of the lynx, under licence, in the right place and under the right conditions – but only if it involved from the outset all those who had a potential interest in the outcome.

HEN HARRIERS

RSPB has fitted 24 hen harrier chicks with satellite tags in the UK this year. The majority of birds fitted with transmitters were in Scotland, as part of the EU-funded Hen Harrier LIFE Project. Harriers were also tagged in Wales and the Isle of Man [see GENERAL ENVIRONMENT below]

This is the third consecutive year that hen harriers have been tagged as part of the project; 6 were tagged in 2015 and 12 tagged in 2016. The increase in the number of tags deployed in 2017 was made possible by the company LUSH.

Blánaid Denman, of RSPB, said: “By satellite tracking more hen harriers than ever before, we’ll gain a clearer picture of where these birds are spending their time and what exactly is happening to them. We’ve already discovered previously unknown nesting and winter roosting sites, as well as been able to pinpoint where natural deaths and illegal killings have occurred. It’s both infuriating and utterly heartbreaking to see these beautiful birds, year after year, disappear off the radar. Something needs to change. A system of grouse moor licensing would not only

protect hen harriers but also tackle wider damaging grouse moor management practices, such as heather burning on deep peat and inappropriate drainage.”

From September, it will be possible to follow a selection of this year’s tagged hen harriers, together with last year’s surviving birds at: www.rspb.org.uk/henharrierlife

- 16 shooting estates are taking part in the Heads up for Hen Harriers project this year. Monitoring cameras will be put on their land to protect hen harrier nests.



FARMING

UIST GEESE

The *Herald* reported that North Uist crofters have warned that agricultural activity will disappear within ten years because of damage caused by geese. An estimated 10,000 greylag geese are now resident on the islands all year round, and barnacle geese are increasing in number. Five years ago, an estimated 1,000 barnacle geese would temporarily visit North Uist on migration. The number is now 5,000 and the geese are staying for longer. Traditional methods of working the land are integral to retaining the biodiversity of the landscape and attracting a variety of rare bird species to the machair.

GM CROPS & BREXIT

Rural Economy Secretary, Fergus Ewing, has written to the UK Secretary of State for Environment, Food & Rural Affairs, Michael Gove, to seek assurances that it will not impose cultivation of genetically modified (GM) crops against Scotland’s will.

Mr Ewing sought confirmation that current EU opt-out provisions on the cultivation of genetically modified crops, which have allowed Scotland to adopt its GM-crop free approach, will continue following Brexit.

UPLAND SHEEP

The *West Highland Free Press* reported that the £6m Scottish Upland Sheep Support Scheme was introduced to help stem the decline of sheep production in the hills. A producer is paid for young female lambs retained over the winter for future breeding, if the vast majority of their holding is classed as being of poor quality. The scheme is supposed to be targeted at small hill farms, but NFU Scotland and the Scottish Crofting Federation claimed that it was being misused, with large scale farmers taking advantage of the scheme. Changes are proposed which will ensure that upland sheep farmers will receive priority for the funding.

LESS FAVOURABLE AREA SCHEME

A parliamentary statement by Fergus Ewing revealed that the Scottish Government is planning to reduce support for less favourable areas by £40m to £419m [Mar 17]. He set out revisions to the Scottish Rural development Programme which will run until 2020. The agri-environment climate scheme will be cut from £350m to £308m [Jun 17].

GREENING

The *Herald* reported that new greening guidance for the Common Agricultural Policy 2018 has been published by the Scottish Government [Jul 17]. Andrew McCormick, of NFU Scotland, said: “There are several very positive and hard-won changes to the government’s greening rules for 2018 that will be welcomed by Scottish farmers. These include the new Ecological Focus Area (EFA) options on agroforestry, hedges and the ability to repair drains on fallow land plus changes to the provisions for field margins, green cover and nitrogen-fixing crops. Temporary grass eligibility rules are also being amended. One downside is the new EU requirement that bans the use of plant protection products on many EFA options.

“While a very detailed document, first reading has also raised a number of queries and NFU Scotland has gone back to the Scottish Government for clarification on some of the rules around the EFA, in particular on hedges and the grazing of margins.”

FUTURE OF CROFTING

A public consultation on the priorities for future crofting law has been launched by the Scottish Government. The Crofting Law Act of 1886 secured a number of rights for crofters; Fergus Ewing stressed that these remain important.

He said: “What we now need is a transparent framework that is understandable and workable in practice. Legislation that complements the future of crofting. As we look forward, we must see how crofting best contributes to the rural economy and how it can help in re-peopling Scotland’s rural areas. I believe it is sensible to approach crofting reform from an open perspective as the legislation can take many different forms. That means we may be looking at a range of options, from a tidy-up or a consolidation exercise through to a clean sheet approach.”

Scotland has more than 20,000 crofts, with more than 33,000 people living on them, while the sector contributed £85.8m to the economy in 2016.

The consultation closes on 20 November. See: <http://bit.ly/2xr00iq>



WOODLANDS

TWEED VALLEY

Forest Enterprise Scotland is consulting on a management plan for the Tweed Valley Forest Park in the Borders. The Park is made up of seven forests, Cademuir, Glentress, Cardrona, Caberston, Elibank & Traquair, Thornielee and Yaireach, along the River Tweed between Peebles and Selkirk. See: <http://bit.ly/2v8ikmn>

RHODODENDRON

The Herald reported that a study by Scottish Natural Heritage (SNH), Aberdeen University and the James Hutton Institute in Argyll, Kintyre and Lochaber found that native plants, normally found in Atlantic oak woodlands, had not returned to areas cleared of invasive rhododendron between 1984 and 2014.

Weed eradication programmes now need to be supplemented by reseedling for the original plant community to re-establish. It is thought that the deep shade cast by rhododendron throughout the year causes local extinction of native grasses and herbaceous plants; mosses and liverworts continue to survive as they can tolerate the darkness.

WANDERWRANG WOOD

Arnbathie Developments Ltd and Dandara Ltd appealed after Stirling Council failed to issue a decision over a planning application for 129 houses at Wanderwrang Wood, near Dunblane. A Scottish Government reporter dismissed the appeal and refused planning permission, citing a lack of agreement on affordable housing and childrens’ play areas.

However, the 12.9 hectare site, near Keir roundabout, is designated as ancient woodland on SNH’s Ancient Woodland Inventory. It is also designated as green belt in Stirling Council’s Local Development Plan 2014.



FISHFARMING & FISHERIES

DPZ

The Scottish Environment Protection Agency (SEPA) is looking for the public’s views on a new proposal for Depositional Zone Regulation (DPZ) to regulate marine cage fishfarms, favouring the development of these in more exposed sites. SEPA would monitor impacts instead of the industry and new depositional zone limits would be established. The consultation closes on 30 September. Contact: dzr@sepa.org.uk See: <http://bit.ly/2uTEzq>

ARGYLL SALMON

The *BBC News* website reported that the 2017 catch from the River Awe in Argyll is projected to be the lowest since records began. Salmon & Trout Conservation Scotland (STCS) believes that the declining salmon count is the result of ‘intensive’ fishfarming in the area, and the spread of sea-lice at fishfarms.

STCS said that this year’s catch from the Awe has only been running at a third of the 2016 count, which was itself only just above the all-time low since records began in 1965. The 2016 total was 807 fish, but STCS said the 2017 catch may ‘struggle to reach 400’ with 30 weeks of the season already past. STCS said that juvenile salmon migrating from rivers in the south-west Highlands had to ‘run the gauntlet’ close to lice-producing salmon farms the whole way up the west coast before reaching the open ocean. STCS wants fishfarms moved into closed containment tank systems to prevent the spread of parasites, saying only this could allow both farmed and wild fish to thrive.

Andrew Graham-Stewart, of STCS, said that the numbers of mature West Highland sea trout had collapsed since the arrival of intensive fishfarming, and said that wild salmon numbers in the southern section of the West Highlands were also now in a decline which is ‘accelerating into a free fall.’ He said: “Despite all the warnings regarding the consequences of pursuing the unfettered growth of salmon farming without any meaningful controls to protect wild fish, successive Scottish Governments have blundered on with this policy.”

Roger Brook, of the Argyll District Salmon Fishery Board, said that rivers like the Awe were facing a very precarious future, and called on the government to make changes. He said: “The Scottish Government has promoted the continued expansion of the salmon aquaculture industry whilst refusing to implement adequate control on the siting of farms and the levels of sea-lice on the farms. We call upon the Scottish Government to insist that future farms are sited away from the probable migration routes. The worst existing farms, both in terms of location and lice control, should now be closed.”

• The River Lochy’s published rod catch was 33 up until the end of July, 27% of the five year average for the same period.

LAMLASH FISHFARM

The Scottish Salmon Company has withdrawn an application to expand the St Molios salmon fishfarm in Lamlash Bay [Nov 16]. This follows SEPA’s admission of errors in their ecological appraisal which wrongly predicted that the expansion would lead to a decrease, instead of an increase, of emamectin benzoate going into the South Arran Marine Protected Area.

PINK SALMON

The *BBC News* website reported that the Ness

Salmon Fishery Board has taken the ‘first ever footage’ of pink, or humpback, salmon spawning in UK waters [Jul 17]. The non-native salmon were filmed using the board’s underwater cameras in the River Ness near Inverness. Pink salmon have recently been caught by anglers in the rivers Ness, Dee and Spey and are believed to be related to fish introduced to rivers in Russia in the mid 1950s. These fish have since gone on to be found in rivers in Scandinavian countries.

Chris Conroy, of the fishery board, said: “This is undisputed proof that these non-native fish are attempting to spawn in our waters. We are forwarding this film to Marine Scotland to keep them aware of what is happening. It is, however, important to note that conditions in our rivers mean that the pink salmon eggs may not go on to successfully hatch - we will monitor the situation over the coming months. We don’t know why they are here or whether this is a one-off year for them or, ominously, a more regular feature. While the risks are unknown in terms of their interaction with Atlantic salmon and other Scottish fish, they are unlikely to have a positive impact.”

The fishery board has been using a drone fitted with a camera to monitor for pink salmon. It counted 15 pink salmon redds, the nests female salmon create in river beds.

• *The Herald* reported that Fisheries Management Scotland, which represents salmon fishery boards, the River Tweed Commission and rivers and fisheries trusts, said that pink salmon occur in at least 18 rivers in Scotland.

WRASSE

The Community of Arran Seabed Trust (COAST) said that, in the South Arran MPA, local fishermen are being paid by the Scottish Salmon Company to fish for wrasse but there is no publicly available information on wrasse stocks or landings, no restrictions on catches and no impact assessments required [Jun 17]. Wrasse are used as cleaner fish for sea-lice in fishfarms. COAST said that concern for wrasse stocks has been on the agenda of Scottish Inshore Fishery Groups ‘for years.’ The Wester Ross Fisheries Trust has made recent proposals for protecting wrasse.

SKATE

The Scottish Government has committed £390,000 to a three year research programme, led by the University of St Andrews in collaboration with Scottish Natural Heritage, to monitor numbers of common skate. Skate populations have declined by more than 90% in the past 100 years due to overfishing.



MARINE

STRANDINGS

41 cetacean strandings were reported by members of the public in July; 17 were found in June. The Scottish Marine Animal Stranding Scheme (SMASS), which logs the reports, said that seven species were involved, the harbour porpoise the most common to be beached at 22. The next most commonly reported cetaceans were minke whales and Atlantic white-sided dolphins with three each reported. Two Atlantic white-sided dolphins were from Shetland and one from the east coast. Of the three minke whales, two were from the west coast and one was from Orkney.

13 cetaceans were sighted beached on the east coast, four from the west coast, including the isles of Arran and Mull, three from Shetland and one each from the north coast and South Uist. Two long-finned pilot whales were reported from Shetland; a diagnosis of neurobrucellosis is suspected in the case of the Basta Voe stranding.

Other reports sent to the SMASS included two white beaked dolphins, from Orkney and the east coast. The remaining species were single strandings only, a common dolphin in Cromarty Firth and a Risso's dolphin in Orkney both were too decomposed for collection.

The other seven cetaceans were deemed too old or there was a lack of data to identify them. Four of them were from the west coast, one from the east and the other from the north.

Four common (harbour) seals – one from Shetland, two from Tiree and one from St. Andrews – were thought to be victims of grey seal predation.

22 harbour porpoises, 29 seals and four minke whales were amongst the animals found stranded.

- The *BBC News* website reported that a pilot whale was stranded on the shoreline near Inverness, one of a group of about 30 seen off the harbour entrance. The whale was euthanised.

ROCKALL MICROPLASTICS

The Scottish Association for Marine Science in Oban sampled deep-sea starfish and sea snails from the Rockall Trough off the Western Isles. Microplastics were found in 48% of the sample animals, living at depths greater than 2,000 metres. This is the first time that microplastic ingestion in deep-sea invertebrates has been quantified; a range of plastics were identified with polyester the most abundant, mainly in the form of microscopic fibres

Lead author on a paper, published in the journal *Environmental Pollution*, Winnie Courteney-Jones, said: "Microplastics are widespread in the natural environment and present numerous ecological threats, such as reducing reproductive success, blocking digestive tracts and transferring organic pollutants to organisms which eat them. More than 660 marine species worldwide are documented to be affected by plastics. There is much evidence of microplastics around coastal waters but little is known about the extent of plastic pollution in the deeper ocean."

COASTAL LANDSCAPES

Scottish Natural Heritage (SNH) has published Guidance on Coastal Character Assessment. This guidance is central to the planning and development process, providing the baseline information against which landscape and visual impacts are assessed.

Mike Cantlay, of SNH, said: "We've produced the guidance to help Marine Planning Partnerships, Marine Scotland, local authorities and landscape practitioners, as well as our own staff here at SNH. It will be referred to in our future advice on renewables projects and will be helpful for new aquaculture projects, as well as used to support marine planning."

The guidance will support the establishment of Regional Marine Plans, one of the priorities in delivering the Scottish Biodiversity Strategy.

The guidance was tested in a project commissioned by SNH for Orkney and the north Caithness coast. See: www.snh.gov.uk/docs/A2058838.pdf; <http://bit.ly/2wx5z1F>

MARINE WILDLIFE

The Partnership for Action against Wildlife Crime Scotland (PAW Scotland) is urging boat and marine craft operators to respect Scotland's marine wildlife or they could risk endangering themselves and the mammals. Cetaceans are protected under the Conservation (Natural Habitats) Regulations 1994. It is illegal to disturb them and anyone convicted of doing so, whether deliberately or recklessly, can face a fine up to of to £5,000 [Jun 17].

Sergeant Andrew Mavin, of Police Scotland, said: "We've received several reports of boat operators getting far too close to cetaceans, sometimes apparently following them to get a good photograph. These animals are extremely powerful and people shouldn't get too close for obvious reasons. There is also a possibility of injury to the animals themselves from boats and other marine craft. There are clear guidelines available for watching marine wildlife, so ignorance of the law is not an excuse. I encourage anyone witnessing a suspected crime to contact police Scotland on 101 as soon as possible. Details of the boat or craft are essential to help us identify the operator."

Police are investigating several incidents where sightseers have gone too close to the marine mammals including one when a visitor taking photographs off Shetland allegedly circled a pod of killer whales too closely off and split the pod. There have been concerns that dolphins are being distressed at Chanonry Point in the Moray Firth and also in Aberdeen Harbour. Reports have been raised about tourist vessels going too close to humpback whales at St Cyrus National Nature Reserve in Montrose as well as continuing fears over jet skiers going too close to dolphins on the River Tay, particularly near Broughty Ferry.

Dr Fiona Manson, of SNH, said: "I'd encourage anyone visiting the coast for wildlife watching to read the Scottish marine wildlife watching code. It provides clear advice on how to act responsibly to keep within the law and also on how to get the most out of your wildlife watching. If approached by cetaceans, boat operators are advised to reduce speed and cruise on a steady course heading away from the creatures. They are also advised to avoid rapid changes of direction and high revving engines, as this can disorientate the creatures, and never to put a boat in the way of the mammals escape out to sea – for instance, by blocking them in a harbour or bay."



POLITICS & PARLIAMENT

BREXIT & ENVIRONMENT

Roseanna Cunningham, the environment minister, is concerned that the EU Withdrawal Bill will damage efforts to protect and enhance the environment and that the UK government will attempt to take control of devolved powers. She said that the Scottish Government has set itself more ambitious targets than the UK government in areas such as climate change and the circular economy, and will suffer if UK-wide policies are imposed rather than negotiated. Around 80% of Scots environmental law originated at EU level. This includes legislation around waste management, pollution and regulations, biodiversity, flooding and drinking water quality.

The Climate Change (Scotland) Act 2009 sets targets to reduce Scotland's greenhouse gas emissions by at least 42% by 2020, compared to the UK target of at least 34%. Unlike the UK, international aviation and shipping are included in Scotland's statutory targets. The Scottish Government is currently consulting on proposals for a Climate Change Bill that include raising the Scotland's 2050 emissions reduction target.



GENERAL ENVIRONMENT

UPLAND VISION

Scottish Natural Heritage (SNH) has published *Scoping a Strategic Vision for the Uplands* report [Jul 17].

David Gibson, of Mountaineering Scotland, said: "Scotland's uplands are of international significance, and a source of public good, providing employment, income, inspiration and pleasure, with resultant economic, social, health, wellbeing and other benefits. This report demonstrates the extent of support from a wide range of sectors for the development of a coherent upland strategy. Our main interest is in the mountains and wild land. These open landscapes are under ever-increasing pressure and we believe these must be managed through the development of an agreed and overarching policy. Clearly that will require leadership. We urge Scottish ministers to seize the initiative and respond to the report and its recommendations by appointing an organisation, or perhaps an individual, that would be seen by all sectors as independent and neutral, to lead the process."

Mr Gibson said the eventual strategy would have to balance a wide range of benefits different sectors want from the uplands, including forestry, crofting, carbon capture, renewable energy, biodiversity – as well as recreational interests such as hill walking, climbing and snow sports. Other identified recreational interests identified in the report included deer stalking, grouse shooting and wildlife watching.

FINDHORN BAY WILDFOWLING

The *BBC News* website reported that a proposed solution to resolve a dispute over the shooting of wildfowl on the Findhorn Bay Local Nature Reserve in Moray appears to have failed [Sep 16]. A new voluntary permit system had been suggested for Findhorn Bay after lengthy negotiations between hunters and local anti-shooting campaigners, which would see no shooting on Mondays as well as Sundays.

The Scottish Association for Country Sports (SACS) said that the scheme had been launched without consultation with its members, and could not be imposed. Alex Stoddart, of SACS, said: "We represent the majority of ordinary men, women and young people who engage in sustainable and responsible harvesting of wild quarry. SACS and our members at Findhorn Wildfowling & Conservation Association have worked long and hard to attempt to find a middle way between the interests of local hunters and the interests of more recently settled residents who have an ideological objection to wildfowling. In a modern Scotland, such a lack of community engagement is appalling." It is believed they are now refusing to adhere to the permit system or to take part in any further talks.

The British Association of Shooting & Conservation (BASC) agreed in principle to the new deal. Colin Shedden, of BASC, said: "BASC has been involved in recent discussions involving wildfowling on Findhorn Bay and is supportive of the voluntary approach for the coming season. We hope that this will give wildfowling on the Bay a sustainable future. We expect that any lessons learned from this approach will guide the more permanent arrangements envisaged by Moray Council."

Moray Council urged wildfowling who use Findhorn Bay to sign up to the voluntary permit scheme. Councillors said that all involved should make the voluntary system work, to avoid the need for a bye-law. The permit scheme was drawn up after rival petitions were lodged by groups opposed to shooting at the bay and by the shooters themselves.

The shooting season starts on 1 September and runs to 20 February.

RAPTOR PERSECUTION

Following an SNH study suggesting that 41 out of 131 satellite-tagged golden eagles had been illegally killed or gone missing in suspicious circumstances between 2004 and 2016 [May 17], RSPB Scotland

has now added data suggesting that 25 tagged red kites and eight tagged hen harriers have also been illegally killed or disappeared in suspicious circumstances between 2009 and 2016. It has produced a map showing that the incidents cluster around shooting estates.

Ian Thomson, of RSPB Scotland, said: "These clusters are almost entirely coincident with land dominated by driven grouse shooting management. Harriers and kites have clearly been targeted in other regions, notably but not exclusively upper Strathspey, Strathnairn and the Lowther Hills of South Lanarkshire. How many non-tagged birds are being killed, unseen and never found? Our laws are failing our birds of prey. While we warmly welcome recent announcements by the Scottish government to establish panels to look at the environmental impact of the grouse shooting industry and the potential for regulation, we need urgent action to bear down on this ongoing criminality."

Tim Baynes, of Scottish Land & Estates' Moorland Group, said: "The reality, corroborated by official statistics, is that incidents of persecution of birds of prey are at an all-time low and that populations of birds such as eagles and red kites are on the rise. Many grouse moors host good populations of breeding eagles, harriers, merlin, buzzard and short-eared owls. Rather than always criticising and never acknowledging the benefits of grouse moors, it would be more constructive for all moorland stakeholders to work more closely together to develop ways of protecting species and ensuring their recovery." He claimed that grouse moors were also beneficial for ground-nesting birds such as lapwings, curlew and golden plovers.

The *RaptorPersecutionUK* blog reported that Ian Thomson had written a blog examining the 'disappearance' and/or illegal killing of satellite-tagged red kites and hen harriers. He said: "More pairs of hen harriers bred successfully on one RSPB reserve on Islay in 2017, than on the grouse moors of Aberdeenshire, Kincardineshire, Angus and the Scottish Borders put together. In fact, RSPB nature reserves hold 10% of Scotland's breeding population of hen harriers, with 46 pairs in 2016." See: <http://bit.ly/2hrryjk>

The *Herald* reported that Mr Thomson said that estates should be licensed amid ongoing concern over the protection of persecuted raptors [Apr 17]. He said: "Self regulation has failed. We'd like to see a situation where a right to shoot has to be dependent on both sustainable and legal management of our uplands." Tim Baynes, of the Scottish Moorland Group, said that licensing of grouse moors is a draconian measure and open to abuse. He said: "Continued moorland management is not only economically beneficial but is of huge benefit to many other moorland birds, some of which are endangered including the curlew, which is on the red list for birds of conservation concern."

HEN HARRIER MISSING

RSPB Scotland reported that a young, satellite-tagged hen harrier has disappeared near Ballater in Aberdeenshire. *Calluna*, a female harrier, was tagged at a nest on the National Trust for Scotland's Mar Lodge Estate, part of the Hen Harrier LIFE project. The bird fledged from the nest in July and left the area in early August. However, transmissions ended on 12 August [see CONSERVATION above]

WILDLIFE PERSECUTION

The *BBC News* website reported that a man is due to stand trial at Inverness Sheriff Court, accused of selling parts of birds on websites including a sea eagle, buzzard, kestrel and barn owl.

HARE COURSING

The *BBC News* website reported that Ryan Spence, from Teeside, has been fined £5,000 at Selkirk Sheriff Court after admitting using dogs to hunt wild hares on Tollishill Estate near Lauder in the Borders [Jan 17]. He was also disqualified from having custody of dogs for five years and also fined another £1,320 for failing to appear in court on previous occasions. He was charged under the Protection of Wild Mammals Scotland Act 2002. Fellow gang members Anthony Webster, from Suffolk and Stuart Brunt, from Derby, were fined £600 and £1,200 respectively. Both were disqualified from keeping dogs for a year and ordered to carry out 80 hours unpaid work.

SCOTTISH COASTLINE

A new mapping tool, *Dynamic Coast: Scotland's National Coastal Change Assessment* (NCCA) has been developed. Led and managed by the Scottish Government and SNH, research was carried out by the University of Glasgow. Coastlines were studied dating back to the 1890s, to plan for the future of Scotland's coastal landscape. The NCCA tool uses more than 2,000 maps and one million data points to make its predictions. It identifies past erosion and growth rates, and projects the data forward to show the potential change to Scotland's coastline. Nearly a fifth of Scotland's coastline is at risk of erosion, threatening some of the country's most prized land and infrastructure within the next 30 years.

The Environment Secretary, Roseanna Cunningham, said: "Since the 1970s the rates of coastal erosion has doubled, and that pace will not slow down any time soon. In fact, it will probably get worse and faster. The Dynamic Coast tool is a great new innovation that could help protect existing infrastructure and heritage sites from significant environmental change and damage. More than 9,000 buildings, 500 km of road, 60 km of rail track, 300 km of water supply lines and vital airport's runways, such as Islay, are protected by natural defences; however some of these already face serious damage and it's vital that local authorities, transport agencies and other planning bodies investigate how they can work together to manage coastal change before it's too late. Tools such as this will enable them to do just that."

Professor Jim Hansom, of the University of Glasgow, said: "Since the 1970s the extent of erosion is up 39%, the erosion rate has doubled and accretion extent (growth of sediment deposition) is down 22%. This is what we'd expect with climate change. That means we are seeing a net loss of our coastline. The clock is ticking and we need to start adapting to avoid unnecessary costs."

Professor Robert Furness, of SNH's scientific advisory committee, said: "Our research shows there is a lot of work to be done to protect Scotland's coastal infrastructure. Fortunately, about £13 billion worth of property, roads and other infrastructure is already protected by natural features such as beaches and dunes, with another £5 billion worth lying behind engineered defences. So nature itself protects many massively valuable assets. However, we must also be aware that £400m worth of property, roads and infrastructure lies along coastlines that could be affected by erosion by 2050."

SNH said that more than 20 coastal golf courses have already acknowledged erosion problems. These include links in the Western Isles, Highland, Dumfries & Galloway and the Trump resort at Menie in Aberdeenshire.

The research was funded by CREW (The Centre for Expertise in Water).

CLIMATE CHANGE

The *Sunday Herald* said that a report, for the UK Committee on Climate Change, stated that an estimated 180,000 residential properties in Scotland are currently at risk from flooding, with the number predicted to rise as the climate deteriorates. The report warned of a 50% increase in sewer flooding over the next few decades as the system is inundated by heavy rain. It flagged up risks to electricity generation, transport and other key networks. About 150,000 hectares of arable farmland are at high risk from river flooding, and an estimated 7% of Scotland's prime agricultural land is within flood risk areas. Along with flooding and coastal erosion, climate change will also bring higher temperatures, so that up to half of Scotland's prime agricultural land will be at moderate to severe risk of drought by the 2050s, particularly in Tayside and Fife, and water use is likely to be restricted. Higher temperatures could boost the spread of livestock diseases, including foot and mouth, bluetongue and liver fluke. Serious epidemics are predicted to become the norm by the 2020s, especially in the north and west of the country.

An increase in forest fires is forecast, as well as major impacts on migratory birds, fish and mountain plants. There was a significant risk for species such as ptarmigan and mountain hares and the possibility of no snow cover below 900 metres by the 2080s.

The report predicted that mean summertime temperatures in Scotland would rise by up to 4.5°C by the 2050s, while winter rain could increase by up to 30%. The sea level around Edinburgh is expected to rise by between 20 and 40 cm by 2090.

- Professor James Curran, formerly of the Scottish Environment Protection Agency, called for Scotland to join up the Loch Lomond & the Trossachs and the Cairngorms National Parks to help counteract the declining ability of natural vegetation to absorb carbon. He said that ministers should consider reconnecting natural habitats all the way from Balloch to Grantown, then look, beyond that, to link across to Lochaber and the Tummell and Tay valleys.

BEN NEVIS SNOW

The *BBC News* website reported that, for the first time in 11 years, there is no snow on Britain's highest mountain, Ben Nevis. Across Scotland, only three snow patches have survived – one on Aonach Beag in Lochaber and two on Braeriach in the Cairngorms.

Iain Cameron, who surveys snow patches in Scotland's hills and writes annual reports for the Met Office, said: "The situation this year is mainly down to a lack of snow last winter. The summer is not a main factor. The ambient temperature over the summer was not much different than it has been before." He said that a cool, dry spell would be needed soon for the surviving patches to cling on, but was of the opinion that all the snow will be gone before the middle of September.

GLEN CRERAN QUARRY

The *Oban Times* reported that Argyll & Bute Council have refused an application for a quarry at Glasdrum in Glen Creran. Planners said that the proposal is not consistent with the local development plan [Oct 16]. A&L McCrea planned to extract sand and gravel at Glasdrum. The council said that there were five quarries producing sand and gravel within a 30 mile radius, and that the applicants had not demonstrated a need for the new quarry. The proposal was supported by nine businesses and 1,359 objections, including from Appin, Ardhattan, and Duror & Kentallen Community Councils.

DUNDEE GULLS

The Herald reported that almost 200 seagulls, including 30 chicks, have been shot this year in Dundee. Dundee City Council had previously tried noise deterrents, plastic owls, anti-landing systems and netting. 401 gull eggs were also removed. Gulls are protected under the Wildlife and Countryside Act 1981, which makes it illegal to kill, injure or remove any wild bird. Shooting gulls is only ever considered as a last resort, where it has been demonstrated every non-lethal alternative has been exhausted. It is thought that warmer weather in cities has induced the birds to reproduce in larger numbers.

HAIRSTREAK BUTTERFLY

The white letter hairstreak butterfly has been discovered in Scotland for the first time in 133 years. A single butterfly was spotted near Paxton in Berwickshire. Butterfly Conservation Scotland is now working to see if a breeding colony has been established in the area; if confirmed it would take the total number of resident butterfly species in Scotland up to 34. The butterfly has been in decline in the UK since the 1970s because of Dutch elm disease and is of high conservation priority status. There are only two previous records – in Dumfries in 1859 and near Dunoon in Argyll in 1884.

Paul Kirkland, of Butterfly Conservation Scotland, said: "We don't have many butterfly species in Scotland so one more is very nice to have. Although Dutch elm disease occurs in Scotland, we still have a good amount of wych elm, so hopefully it will prosper and spread, although its arrival here is almost certainly due to the warming climate."

SHETLAND MONKEYFLOWER

The *BBC News* website reported that Shetland's monkeyflower, a new flower, has been discovered in Shetland by the University of Stirling. It was a non-native species introduced to the British Isles 200 years ago, probably from Alaska.

The yellow monkeyflower, *Mimulus guttatus*, spread rapidly but on Shetland it doubled the number of chromosomes so that the Shetland monkeyflower has a bigger flower with a wider throat than its ancestors. Unusually, the new plant has doubled its genome without hybridisation.

See: Violeta Simon-Porcar *et al.* 2017 Recent autopolyploidisation in a wild population of *Mimulus guttatus* (*phrymaceae*) *Botanical Journal of the Linnean Society*.

AN CAMAS MÒR

Cairngorms National Park Authority (CNPA) granted permission in 2014 for a 1,500 home new town to be built at An Camas Mòr, at the Rothiemurchus estate near Aviemore [Apr 17]. This was subject to a planning condition that the new town's impact on landscape and ecology was reviewed once the first 630 homes were built.

The CNPA has now granted planning permission in principle for An Camas Mòr for a further three years. The developer submitted a fresh application to vary the wording of a planning condition which restricted the development to 630 houses until a review of its impact on the landscape and ecology could be carried out. The CNPA approved a change to the wording of the condition to incorporate a more phased approach.

A new Habitat Regulations Appraisal will replace the planning condition with alternative measures that will result in restrictions on public access. The appraisal proposes, for some areas, no off-path walking or outdoor recreation; removing informal mountain bike tracks; deliberate re-

vegetation of some paths; targeting a reduction in use of some formal paths and reduced parking including blocking informal parking. This includes measures at some areas at a distance the proposed new town, such as Garten Woods and Inshriach.

Gavin Miles, of CNPA, said: "Having appraised the application, the proposed development is acceptable and complies with local development plan policies. We are, however, recommending a suite of conditions and other measures that will manage the development. There is a requirement for the applicant to demonstrate that there is not a significant impact on landscape and ecology and to prove there will be no significant adverse effects to capercaillie in Badenoch and Strathspey as a result of the proposals before any development can start."

Brendan Paddy, of Ramblers Scotland, said: "The An Camas Mòr proposals include a new planning condition which could seriously affect public access to woodland in a large part of the national park, far beyond the boundary of the new town. The plans are likely to significantly impact recreation and tourism – and include limits on off-path walking in some areas, removal of some paths and restrictions on informal mountain biking. While we are disappointed with the result, we will now focus on working with the CNPA and fellow recreation and conservation partners to secure the best possible outcome for all – including with a sound Recreation Management Plan. In particular, we will work to ensure that residents, tourists and outdoors enthusiasts can continue to enjoy responsible access in this beautiful part of Scotland.

"The changes could have a serious impact for residents, walkers, dog-walkers, cyclists, horse-riders and anglers for an indefinite period, yet they have not been discussed with outdoor recreation bodies – or apparently even the park's own access forum. We support all efforts to protect wildlife and plants using the robust processes laid out in the Scottish Outdoor Access Code, but sadly these appear to have been ignored so far. Given that promotion of outdoor recreation is one of the aims of the park authority, its planning committee must not grant approval before outdoor bodies and local communities have been properly consulted."

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

LOCH LOMOND PARK

The *parkswatchscotland* blog states that the Loch Lomond & Trossachs National Park Partnership (LLTNPA) was asked by parkswatchscotland for copies of all management plans that been agreed, as part of the LLTNPA plan. The LLTNPA said that plans had been agreed with 18 private businesses, which equates to 29% of all privately owned land in the National Park, but would not release any of the plans on the grounds they were commercially sensitive. Parkswatchscotland said that how land is being managed in National Parks is a matter of public interest and should be public, and so asked for a review of the decision under the Environmental Information (Scotland) Regulations 2004.

In response, LLTNPA claimed that the land management plans are so full of commercially sensitive information – which can be exempt from publication under the Freedom of Information Act in certain circumstances – that they cannot be released. These plans relate to the park's statutory objectives to conserve the landscape and wildlife, promote public enjoyment of the countryside and sustainable use of resources. The LLTNPA is therefore excluding from public scrutiny all agreements made with landowners to manage deer numbers and reduce the impact of deer grazing on the environment; agreements

made with landowners to improve recreational infrastructure, such as car parks or campsites; agreements made with landowners about how land could be managed to reduce the risk of flooding; plans to protect vulnerable species or to control predators and plans for future developments, such as hydro schemes. Parkswatchscotland said that this is contrary to national policy under the Land Use Strategy for Scotland, which states: "People should have opportunities to contribute to debates and decisions about land use and management decisions which affect their lives and their future."

The Cairngorms National Park Authority does publish estate management plans.

BALLACHULISH CRAYFISH

The *BBC News* website reported that the Lochaber Fisheries Trust has successfully cleared a quarry pond at Ballachulish of invasive North American signal crayfish [Apr 15]. The trust said it has been five years since a crayfish had been found in the pond, suggesting eradication efforts have been successful. Highland Council, SNH and the Lochaber Fisheries Trust were involved in the eradication project. Thousands of crayfish were killed with a poison used to control bed bugs, but harmless to mammals and birds.

PARK OF KEIR

The Scottish Government said that planning permission in principle will be granted for the £37.5m Park of Keir development near Dunblane, which includes 12 tennis courts, a golf academy, hotel, houses and visitor centre [Sep 16]. King Group, the developers, had appealed to the Scottish Government after the plan was rejected by Stirling Council. Ministers decided the centre was of national and regional importance, and would benefit Scottish sport. The plan was approved, subject to conditions, despite a government-appointed reporter recommending that the appeal be refused.

The conditions include a commitment from the developer to contribute to affordable housing and education in the area, an agreement that no further housing will be built on the site and that the sports facilities are affordable and accessible to the general public.

The reporter said: "A development of this scale ... would seriously erode the openness of the green belt between Dunblane and Bridge of Allan, and have a significant negative impact on its core role and function to maintain the separate and distinct identities of these towns and to protect their landscape settings ... The proposals are contrary to policies which aim to protect the green belt and special landscapes, avoid inappropriate development in the countryside, reduce dependency on the private car and promote sustainable forms of development." He said that he was not persuaded that there is a compelling local need for a new tennis complex at Park of Keir and said: "A national centre to develop coaches, train elite players and host competitions would not be best developed in a countryside location away from Scotland's main centres of population".

Mark Ruskell MSP said: "For 30 years communities have successfully fought to protect this precious landscape from property developers, it's totally unsuitable for housing, but local plans and the conclusions of a lengthy public inquiry have been ripped up by the Scottish Government. The proposal will not make Park of Keir a national centre for tennis or golf, it's about as far away from deprived communities who need local facilities as you can get, this decision has more to do with appeasing celebrities and developers with deep pockets than securing a sporting legacy."

Campaign group Residents Against Green Belt Erosion said that it would seek a judicial review of the decision.

WILD LAND

Wildland Ltd was unsuccessful in a judicial review to halt the development of the Creag Riabhach windfarm in Sutherland [see ENERGY below]. The Court of Session highlighted Highland Council's assessment that the only major impacts will be from Ben Klibreck and Ben Hee, but campaigners claim the windfarm will be seen from several peaks.

A spokesman for Wildland Ltd said: "Let there be no doubt – this development is a substantial incursion into the wildland area between Foinaven, Ben Hee, Arkle, Ben Hope, Ben Loyal and Ben Klibreck – from whose summits this industrial-scale development will be highly visible. We suspect the same can be said for Sulven, Quinag and Canisp in Assynt as well. This particular proposal always seemed so substantial in an area renowned for its scenery, its wildness and nature. It is troubling in the extreme that, despite the special qualities of this and other areas of wild land, the Scottish Government has not afforded them the protection under law that they so clearly deserve and need."

David Gibson, of Mountaineering Scotland, said: "While we respect the decision of the court, the decision of the minister to approve this windfarm will render an extraordinary, world-renowned, wild and open landscape completely ordinary. This outcome emphasises why the Scottish Government must change its present policy. Wild land areas must get the same absolute protection as National Scenic Areas and National Parks. Time is running out for Scotland's most precious natural asset – its landscape – as more and more wild land is eroded by development. The irony is that there is no need for the Creag Riabhach development – there is already enough operational and consented capacity to meet the Scottish Government's generation target."

The John Muir Trust (JMT) noted that the ruling does not express a view on the rights and wrongs of the application but focuses solely on the legality of the decision-making process. Andrew Bachell, of JMT, said: "We were surprised and disappointed by the original decision, not least because it seemed to fly in the face of eight previous decisions by the Scottish Government to reject major energy developments affecting Wild Land Areas. We would now ask the Scottish Government to use the forthcoming Planning Bill to bring consistency and clarity into the decision-making process by bringing Wild Land Areas into line with National Scenic Areas where major wind farm developments are deemed 'unacceptable' in Scottish Planning Policy. The current ambiguity in the status of Wild Land Areas devours time and money, and can involve councils, planning officials, energy companies, conservation organisations, government ministers, government agencies, lawyers and judges deliberating over a single application."

**ENERGY****WINDFARM UPDATES**

Dumfries & Galloway: An appeal to the Scottish Government by 2020 Renewables for eight turbines at Loch Hill has been dismissed. The main reason given was the landscape and visual impact across the east Glenkens and over to Loch Ken and the impact on settled, smaller scale landscape. This is the second scheme proposed by the developer in this location that has been refused.

• RES' plans for 14 turbines at Annabaglish, near Glenluce, were unanimously refused by planning, following the same recommendation by planners.

• Plans for Burcote Wind's ten turbine Longburn windfarm near Carsphairn have been refused by councillors [Jul 17]. Planning officials had advised refusal due to the cumulative impact in the area. Mountaineering Scotland (MS) had raised concerns about the windfarm due to its impact on Cairnsmore of Carsphairn and said that it would 'close the circle' of turbines around the peak. Burcote Wind said that MS had not objected to previous plans for 20 turbines on the same site.

Highland: Anders Povlsen, of Wildland Ltd, has lost a judicial review to overturn Scottish Government approval for the 22 turbine Creag Riabhach Wind Farm in Sutherland [Jun 17]. The windfarm is to be developed on a site on the Altnaharra Estate; Mr Povlsen owns adjacent estates in a Wild Land Area [see GENERAL ENVIRONMENT above].

Lord Boyd of Duncansby, who heard the judicial review, said Wildland Ltd's position appeared to be that no windfarm whatsoever should be allowed on designated wild land areas. The judge said: "That may be, but that is a political decision and not one for the courts." Lord Boyd said that 2014 Scottish planning policy provided more rigorous protection for wild land than that previously in place, and said: "It is not, however, an absolute protection against any development."

He said that different developments in size and location each brought their own specific location issues and environmental statements. The judge said: "The impact on wild land will differ one from the other and the potential benefits of the developments will also no doubt differ. It is not for the court to make assessments as to why decisions on individual applications might reach different results. These are planning judgements for ministers on the facts of each case applying the policy in force at the time."

In the court action, it was claimed that ministers had shown 'clear and consistent decision-making and safeguarding of wild land' in rejecting other projects in different parts of Scotland. It was also claimed that Creag Riabhach Wind Farm was the first case in which consent was given for commercial turbines within wild land.

Western Isles: Four townships – Melbost & Branahue, Sandwick East Street, Sandwick North Street and Aginish – lodged applications to the Crofting Commission for a community windfarm on common grazings west of Stornoway, Lewis. However, before the commission was able to act, Lewis Wind Power, a private consortium owned by EDF and Amec-Foster-Wheeler, lodged a hostile bid with the Land Court to build a 36 turbine windfarm on common land, seeking to develop the area with or without crofters' consent [Mar 16].

The landlord for the proposed site, the Stornoway Trust, has signed a 70 year lease to EDF and Amec for the development. Lewis Wind Power has insisted their plans will benefit crofters. A spokesman for EDF said: "The Land Court will make sure the crofters on the Stornoway windfarm land get a fair deal in respect of the income they will receive in return for having windfarm infrastructure on their land."

SOLAR FARM

The BBC News website reported that Moray Council has granted Elgin Energy planning permission for a 20 MW solar project on the 47 hectare Speyslaw site on the Innes Estate near Urquhart. 80,000 solar panels are planned, which would make this the largest solar farm in Scotland. The project will include a substation and 20 inverter stations. All cabling at the site

will be underground, allowing sheep to graze around the panels. Elgin Energy said that existing field boundaries will not be disturbed and mature hedgerows would provide generous screening for the site. A habitat management plan must be approved by the council before works can begin.

The company has also applied for planning permission for a 50 MW project at the former RAF Milltown airfield, near Elgin.

KITE POWER

Kite Power Systems received approval for research and development at West Freugh near Stranraer in Dumfries & Galloway [Oct 16]. However, it was limited to between mid-April and mid-September to protect hen harriers and white-fronted geese. The firm has now asked to have that extended by a month saying it would have no likely significant effect. It said a report on birds in the area had concluded that the species concerned were not present at West Freugh until mid-October.

However, the company said that it would commit to having an experienced ornithologist on site between 16 September and 15 October.

OFFSHORE WIND

The Herald reported that RSPB Scotland is applying directly to the UK Supreme Court for an appeal of the decision by the Scottish Government to allow the 450 MW Neart na Gaoithe windfarm and three other major windfarms in the Firth of Forth and the Firth of Tay. The Inner House of the Court of Session had dismissed the RSPB's application for permission to appeal to the UK Supreme Court [Jul 17]. Planning consent for the four projects was initially revoked by the courts following a petition from the RSPB arguing the installations would have a huge impact on protected sea birds.

An RSPB spokesman said: "The RSPB has long recognised the urgent need to tackle climate change and the key role that renewable energy has in reducing emissions. That is why RSPB Scotland has worked with the Firth of Forth offshore wind developers and Scottish ministers for almost ten years to try and help offshore wind progress in a manner that minimises impacts on seabird colonies. However, despite our efforts, Scottish ministers issued consents for all four projects in 2014, even though predicted impacts could result in major declines to our internationally renowned seabird colonies including gannets, puffins and kittiwakes that breed and forage in the region."

Anne McCall, of RSPB Scotland, said: "RSPB Scotland has not taken this decision lightly, however our concerns with the manner in which Scottish ministers' took their decisions in 2014 remain undiminished. Due to the implications of this latest decision for many aspects of our work we felt we had no choice but to apply to the Supreme Court. We are hopeful that our application is successful and that we are granted leave to appeal so these important issues of public interest can be considered in detail by the Supreme Court."

29 companies have formed the NnG Offshore Wind Farm Coalition to campaign in support of the Neart na Gaoithe offshore windfarm, saying it is the only major infrastructure project that is ready to build in Scotland next year. The coalition has written an open letter to RSPB Scotland which was published in a number of national newspapers. It said that the Scottish renewables supply chain can ill afford further delays in the project and calls on RSPB Scotland to recognise the serious social, economic and environmental consequences of ignoring the advice of the Inner House of Scotland's Court of Session and continuing to appeal this decision. It claimed that hundreds of jobs would be lost. The coalition appealed to RSPB Scotland to abandon further court action which it said was aimed at delaying the consented project.

An article in the Scottish edition of *The Times* said that the RSPB's suggestion that the 64 turbine development would threaten local populations of seabirds was made despite a detailed environmental survey, commissioned from the British Trust for Ornithology (BTO), which estimated that the turbines would harm no more than 100 gannets a year. The article goes on to suggest that the companies behind the proposed development say that the impact of the scheme would be 'marginal' since there are 150,000 gannets nesting on nearby Bass Rock; 12,000 per year die of natural causes.

An editorial in *The Times* suggested that RSPB Scotland is 'stepping outside its charitable brief in mounting a legal challenge to Scottish ministers' and that 'nothing in the charitable guidelines within which it operates sanctions this kind of campaigning.' It said that the RSPB's legal challenge is 'undemocratic.'

The *RaptorPersecutionUK* website reported that figures given in the Scottish ministers' own assessment contradicts the '100 gannets a year' figure attributed to the BTO. It stated that the cumulative impact of this development was projected to cause additional adult mortality of 1,169 gannets per year; other seabirds would be affected as well, giving a cumulative total of 1,251 birds. See: www.gov.scot/Resource/0047/00470046.pdf

Furthermore, the BTO confirmed that it had not done any survey work in relation to the windfarm proposal and would be writing to *The Times* to ask it to correct this inaccuracy.

A spokesman for the NnG coalition said that technological developments in turbine design in the three years since the scheme was originally consented meant that the project required 60% fewer turbines than originally planned in order to generate the same amount of renewable power. He said: "The RSPB seems to be basing its objection on the original project which involve three other windfarms and many more turbines than are now planned."

Jonny Hughes, of the Scottish Wildlife Trust (SWT), said: "In the right locations offshore renewables can play a key role in reducing carbon emissions and help to reduce the impact of climate change on wildlife. However, in this case the scale and cumulative effect of these four developments are likely to have profound impacts on seabird populations and, in our considered view, these clearly outweigh the benefits of the scheme.

"It is very concerning that the decision to approve these windfarms was taken against the best scientific advice of the Scottish Government's own statutory advisers, who predicted a serious adverse impact on internationally important seabird colonies. Collision risk modelling shows that thousands of seabirds including puffins, kittiwakes and guillemots could be killed or displaced every year. SWT supports RSPB Scotland's legal challenge, and we hope that Scottish ministers will reconsider their decision and take a more incremental approach to the development of offshore windfarms. This would send the clear message that the most environmentally responsible approach to developing renewable energy is one that delivers a net reduction in carbon emissions while also safeguarding Scotland's internationally important wildlife."



TOURISM & RECREATION

SPEYSIDE WAY

The Cairngorms National Park Authority

(CNPA) and the owners of Kinrara Estate said that, following discussions with the estate's legal representatives, newly installed gates on Kinrara Estate driveways are to be opened [Jul 17]. Three electronic locked gates had prevented access along the Speyside Way. The CNPA had been investigating a potential contravention of section 14 (1) of the Land Reform (Scotland) Act 2003..

Kinrara Estate said that the gates had not been operated as intended when it authorised their installation and the intention was never to restrict access but rather to regulate access given concerns of anti-social behaviour and other issues.

Brendan Paddy, of Ramblers Scotland, said: "We strongly support the work of CNPA alongside the landowner to deliver such a quick resolution, avoiding what had the potential to be a costly and lengthy dispute. The locked gates had sparked an immediate response from residents, tourists and outdoors enthusiasts – highlighting just how much people value our world-class access rights here in Scotland."

GROUSE

Grouse shooting estates are anticipating a slow start to the season, which lasts until 10 December. Low bird numbers mean many estates are delaying the start of the season, with some preparing themselves for no shooting at all or reducing the number of days they are going to shoot. The Finzean Estate in Aberdeenshire has already cancelled its shooting programme, for the second year in a row, after a disappointing bird count. Perthshire and southern Scotland are expecting good bags, but areas of the Highlands suffered late snow and cold wet weather in June.

A survey of 45 grouse estates was conducted by seven regional moorland groups which found that £23.1m flowed directly into local businesses in trade generated by estate activity during one year. The sum does not take into account wages paid to gamekeepers or other staff.

The survey assessed financial accounts for 2015/2016. Holdings of all sizes across the seven moorland regions provided accounts, with the results showing the highest local expenditure and most employment stemming from larger, commercial driven grouse moors. Over the studied period, there was significant investment made in buildings, public path repairs and renewable energy projects as well as core grouse moor management.

Out of the estates in Perthshire, local businesses benefited to the tune of more than £4.2m; Grampian (£3.1m); Loch Ness area (£6.2m); Speyside (£4m) and the Lammermuir Hills in the Borders (£2.7m).

- The Scottish Country Sports Tourism Group said that its Game for Growth Strategy aims to increase the value of country sports to the Scottish economy by £30m by 2020, bringing the total to £185m. £23m flows directly into local businesses in trade generated by estate activity with the downstream spend in local businesses generated from each estate being on average £500,000.

FAIRY POOLS

Highland Council has agreed to allocate £100,000 towards efforts to improve facilities near the Fairy Pools on Skye [Jul 17]. The funding will be used to improve car parking, roads and toilet facilities near the pools.

- *The Herald* reported that Scott MacKenzie, gamekeeper on the Fearann Eilean Iarmain estate, said: "Na Cnocan (Fairy Glen) has been damaged through erosion from foot traffic and verges damaged by the high volume of traffic more in the last two years than in the last 50 years. The heavy foot traffic brought in by tour

operators has eroded the landscape beyond local recognition. These hills make up a number of crofts and a common grazing, the impact on those trying to make a living from their traditional way of life is becoming increasingly hard.

"Tourism-based businesses also have an obligation to put the correct message out to their potential customers – their role is key in good management. We are continually told that Skye must not stand still, it must move forward we must embrace tourism! This is what we all want, but laws and regulation should also change and move with the times to run along side of it."

He said that poor management of tourism on the island is to blame with too many people descending on a handful of visitor hotspots. "Tour companies have exacerbated the situation, doubling the amount of footfall with day trippers to the top three or four destinations and leaving little for the islands economy but doubling the erosion."

CAIRNGORMS SKIING

Highlands & Islands Enterprise (HIE) is using a helicopter to remove unused ski tow equipment, concrete bases and snow fencing from the Cairngorms ski area.

The *parkswatchscotland* blog reported that work has started to remove the West Wall chairlift at Cairngorm Mountain. It considers that both Natural Retreats and HIE are causing environmental damage and are also frustrating any chance of alternative development in Coire Cas by removing the infrastructure without consultation.

Aviemore Business Association has suggested mounting a community buy-out of the Ciste. The Save the Ciste group's alternative plan for Coire na Ciste could potentially have used some of the redundant infrastructure, including the concrete plinths identified as still being in a safe condition.

A Freedom of Information request produced an email sent to the Cairngorms National Park Authority (CNPA) from a consultant, which said that all the work to remove the West Wall chairlift would be done by hand tools and removed by helicopter. Parkswatchscotland said that this has not been complied with. Removal of redundant infrastructure did not require planning permission and therefore there was no legal requirement on HIE or Natural Retreats to produce a document setting out the standards they would use to carry out the works.

Parkswatchscotland said that the CNPA should call on the Scottish Government to bring removal of infrastructure in fragile mountain areas within the scope of the planning system, as are new developments.

The blog said that HIE appears to be paying for all of the Cairngorm Mountain Clear Up project, whilst the operator, Natural Retreats, appears to be contributing nothing [Apr 17].



NEWS OF ORGANISATIONS

COAST

Paul Chandler has been appointed as director of COAST, the Community of Arran Seabed Trust.

HWDT

The Hebridean Whale & Dolphin Trust (HWDT) has launched Whale Track, a new app which will transform the way that members of the public and boat operators can help with cetacean sightings. Whale Track is designed to work at sea and in remote coastal communities and includes a species identification guide. It was funded by the Heritage Lottery Fund.