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26 June 2025

Dear Finlay,

Thank you for inviting me to give evidence on Part 1: Statutory Targets for Improving Biodiversity and Part 2: Power to modify or restate Environmental Impact Assessment Legislation and Habits Regulations, of the Natural Environment (Scotland) Bill (the “Bill”) on 4 June 2025.

During my evidence session my officials and I committed to write to the Committee to provide further evidence or clarity in relation to a few matters.

Part 1 of the Bill

Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill

I committed to write to the Committee about the provisions in the Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill (‘Welsh Environment Bill’) relating to duties on public bodies.

The Welsh Bill includes provisions that are intended to supplement the existing biodiversity duty on public bodies in Wales. It requires the Welsh Ministers to prepare and publish an *“environmental principles and integrating environmental protection statement” providing guidance on the interpretation and application of the principles*. There are provisions requiring the Welsh Government and Natural Resources Wales to have special regard to the environmental principles and environmental protection when making policy. The same requirement applies to other public bodies when making policies that require an Environmental Assessment.

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A broadly equivalent requirement is contained in the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 (the “2021 Act”) which introduced new duties on the Scottish Ministers (when making policies and legislation) and other public authorities (in situations where a decision requires an SEA) to have due regard to five guiding principles on the environment. The Act sets out that the duties should be carried out with a view to protecting and improving the environment and contributing to sustainable development.

The guiding principles are set out at section 13(1) of the 2021 Act, and are the principle of integration, the precautionary principle, the preventative action principle, the rectification at source principle and the polluter pays principle. These duties will ensure that consideration of protection and improvement of our environment is embedded in decision making across different policies and sectors. In effect, this will keep Scotland aligned with the environmental principles that guide policy development in the EU and will contribute to sustainable development.

As required by section 17 of the 2021 Act Scottish Ministers published guidance on the guiding principles and the duties introduced by the 2021 Act, in August 2023 - [Environment - guiding principles: statutory guidance - gov.scot](#)

However, I have asked my officials to consider carefully the provisions in the Welsh Bill to determine if there are approaches which we could take which would assist with ensuring our own biodiversity duty is effectively implemented.

Lastly, the Welsh Bill also creates a regulation making power for the Welsh Ministers to designate public authorities, which would have the effect of requiring those public authorities to take action to contribute to achieving the biodiversity target for which they have been designated.

I think it is important to recognise that addressing the biodiversity crisis needs a whole-of-society approach, with all of our public bodies playing their part. As discussed at Committee we need to ensure biodiversity considerations are mainstreamed policy development and delivery across all levels of government. I have asked my officials to look closely at the provisions in the Welsh Bill and consider whether there are provisions which we may wish replicate.

Programme Advisory Group (PAG) advice on target topics

I also committed to sharing the advice from the PAG on the target topics to be included in the Bill. That advice is shared in **Annex A**.

The Biodiversity Programme Advisory Group (PAG) consists of a group of external experts¹ and is chaired by the Scottish Government’s Chief Scientific Advisor for Environment,

¹ The membership of the PAG as of the 14 January 2025 comprises: Prof. Matthew Williams (chair), Scottish Government Chief Scientific Adviser – Environment, Natural Resources and Agriculture; Prof. Des Thompson FRSE, Leverhulme Fellow; Dr Helen McKay OBE FICF, Scotland’s Chief Forester; Prof. Jerry Wilson FRSE, RSPB; Dr Janet Fisher, University of Edinburgh; Prof. Rob Brooker, James Hutton Institute; Prof. Beth Scott, University of Aberdeen; Prof. Kirsty Park, University of Stirling; Prof. Pete Hollingsworth FRSE, RBGE; Clive Mitchell, NatureScot; Ben James, NatureScot; Prof. Davy McCracken, SRUC; Dr Phillip Boulcott, Marine Scotland; Prof. Anne Magurran, University of St Andrews; Dr Roasind Bryce, University of the Highlands and Islands.

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Natural Resources and Agriculture. The PAG has been brought together to advise the Scottish Government on the development of the three aspects of the Strategic Framework for Biodiversity. They have already provided advice on the Strategy, the first Delivery Plan and are playing a key role in the 4-Step process to select targets. Annex A sets out the process and advice received by the PAG in relation to target topics set out in the NE Bill.

To further the scientific rigour of the process to select target topics, a sub-group of NatureScot's Scientific Advisory Committee has provided scrutiny on the process the Scottish Government has used to elicit expert advice from the PAG and is providing a peer review function of the advice provided by the PAG.

Update on Stakeholder Engagement

I committed to provide you with an update on our next steps for stakeholder engagement, in relation to the development of the statutory targets that will be set out in secondary legislation, should the Bill be passed by Parliament.

My officials have written to stakeholders inviting them to join online webinar sessions which will provide an overview of the process to develop quantifiable targets, updates on the wider biodiversity governance and monitoring and evaluation, as well as plans for future stakeholder engagement.

They are designed to help inform stakeholders across multiple sectors and organisations of the process that has been followed to date, and next steps.

The dates for the first webinar sessions on an 'Introduction to Statutory Nature Restoration Targets' are as follows:

- Tuesday 01 July
- Monday 07 July
- Thursday 17 July

The objective of this first session is to provide an overview of the policy development of targets and overall progress as well as general information on Part 1 of the NE Bill (targets) and progress on governance, monitoring and evaluation. Officials will also set out future engagement opportunities for statutory targets. I will continue to keep the Committee updated as we progress this important work

Target setting criteria

I thought it may be helpful to clarify the criteria that are being used for setting the targets. Target setting criteria for selecting targets were developed in Step 1 (policy framework) of the process to select targets. This step involved setting out the considerations and divisions regarding the purpose and form of targets, i.e. the type, number and timescale, and the criteria for selection.

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The criteria for targets were set out in the [2023 consultation](#) on the Strategic Framework for Biodiversity and have been used throughout the development of targets. Nearly three quarters of respondents to the consultation agreed with the criteria set out, with comments that they represented a good starting point which could evolve as knowledge develops and new legislation comes into force.²

The criteria to be taken into account in the selection of targets are:

- Alignment with the Scottish Biodiversity Strategy high-level goals and outcomes.
- Alignment with the Global Biodiversity Framework (GBF) targets, metrics and indicators.
- Alignment with EU's environmental standards including with the Nature Restoration Law.
- Synergy with existing and forthcoming Scottish Government legislative frameworks and strategies, e.g. the emissions reduction targets; Climate Change Plan, and Scottish Climate Change Adaptation Programme (SCCAP).
- Targets that will galvanise cross sectoral and cross portfolio action.
- Targets that are SMART (Specific. Measurable. Achievable. Realistic. Timebound) in line with Convention on Biological Diversity (CBD) guidance.

We will continue to use this set of criteria which will be fundamental to the development of the detail of targets to be set in the secondary legislation.

Role of Environmental Standards Scotland (ESS)

Environmental Standards Scotland (ESS) proposed role as the Independent Review Body (IRB) for the statutory targets, is to provide independent, expert scrutiny of the Scottish Government's reporting and reviews of the targets, and to ensure that decisions are based on sound scientific advice. As set out in the policy memorandum the IRB will have the following functions:

- review each report prepared by Scottish Ministers on monitoring progress towards meeting targets (3 yearly progress report);
- review each report prepared by the Scottish Ministers reviewing all targets and target topics (10 yearly full targets review);
- assess the manner in which Scottish Ministers seek and use independent advice in compliance with carrying out reviews for targets and target topics (both ad hoc and 10 yearly reviews);
- prepare a report on the above matters and submit this to Scottish Ministers to then be laid in parliament.

Section 2E(1)(c) as inserted by section 1 of the Bill into the Nature Conservation (Scotland) Act 2004 states that Ministers must “not less than once in each 10-year period carry out a review and prepare a report.” There are also provisions which allow Ministers to carry out ad hoc review on any aspect of the targets whenever they consider it appropriate.

² [Tackling the Nature Emergency: Consultation on Scotland's Strategic Framework for Biodiversity](#), p50
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We view the requirement for at least a 10 year review, and the ability to have an ad-hoc review of the targets, as adequate. It is necessary to ensure that there is a robust series of monitoring and evaluation of the data and evidence available, without it being overly administratively burdensome.

However, Officials will continue to engage with the ESS to clarify how the process and functions, as set out on the face of the Bill, will be undertaken in practice. We will consider with ESS any suggestions relating to additional functions and provisions for them being able to trigger a review of targets.

The Bill creates specific functions for ESS, but the Bill does not seek to curtail any existing powers and functions ESS already has. ESS' powers and functions are set out in Chapter 2 of Part 2 of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 and include: monitoring and investigating public authorities' compliance with environmental law, the effectiveness of environmental law and how it is implemented and applied in Scotland. That Act also sets out the steps ESS can take to secure public authorities' compliance with environmental law, and improvements in the effectiveness of such law or in how it is implemented.

As ESS officials highlighted in their evidence to the Committee, these existing powers and the way the Bill is expressed provides them with flexibility in deciding how to undertake their scrutiny role. For example, they envisage the opportunity to undertake a deep dive into one particular aspect of the targets and look at how well it is being delivered.

Biodiversity Data Collection

We recognise the importance of robust data to support the development and monitoring of statutory targets. Part of the process we are currently undertaking is to work with experts to identify appropriate indicators to use for the targets. However, the required monitoring of biodiversity is an ongoing programme of work which is wider than simply providing data to support reporting on statutory targets.

Monitoring progress towards the outcomes of the Scottish Biodiversity Strategy is essential, but requires addressing numerous challenges, from the inherent complexity of nature restoration to incorporating technological advances, for example LiDAR. We have been working with NatureScot to develop a strategic approach to the selection of indicators for monitoring Biodiversity in Scotland, building on the significant monitoring already taking place across Scotland. This process is seeking to ensure that we have a suite of indicators that will allow us to meaningfully track progress, align with other areas of monitoring in Scotland and are fit for purpose i.e. are robust, provide timely data and are cost effective. The information from these indicators will be a key element of the wider Monitoring and Evaluation approach that is currently being developed around the Strategic Biodiversity Framework.

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Legislative framework for offshore waters

Further to the responses provided in my letter to you dated 30 May 2025, and the subsequent discussion at the Committee session on 04 June, I would like to clarify the legislative framework governing the Scottish offshore region.

The UK Parliament generally retains legislative competence for the Scottish offshore region (i.e., waters between 12 and 200 nautical miles), however one notable exception to this is that the Scottish Parliament has holds legislative competence for the regulation of sea fisheries throughout the full extent of the Scottish zone. Additionally, certain decision-making functions related to marine planning, licensing, consenting and conservation in the offshore region have been executively devolved to Scottish Ministers. For example, this enables the development of a single Scottish National Marine Plan that integrates both Scottish inshore and offshore waters under the respective Scottish and UK 'Marine Acts'.

However, I reiterate that targets for improving biodiversity would not automatically apply in the Scottish offshore region without further devolution of powers.

Finally, the Committee should note that the Marine Strategy Regulations 2010 apply to the entirety of the UK's marine waters, and place specific duties and obligations on Scottish Ministers in relation to the development and implementation of the UK Marine Strategy ("the Strategy"). The primary objective of the Regulations is to ensure that the UK takes the necessary measures to achieve or maintain Good Environmental Status (GES) in its marine waters. The Strategy is developed through collaboration and cooperation across the UK, as well as with neighbouring countries, and comprises periodic assessments, the setting of targets and indicators, monitoring programmes, and the implementation of measures to achieve or maintain GES.

Part 2 of the Bill

I would like to reiterate that The Bill will introduce a bespoke power, made in and tailored for Scotland, to modify the 1994 Habitats Regulations and legislation that forms the EIA regime, plugging a legislative gap caused as a result of EU exit. The new delegated power will allow the Scottish Government to respond to evolving circumstances and provides the flexibility to adapt to future requirements, including by maintaining or advancing environmental standards. Before making use of the power, Ministers will be required to consult anyone who may have an interest in, or be otherwise affected by, the changes being proposed.

Ongoing Discussions with UK Government

I would like to provide clarity on my response to a point raised by Mark Ruskell, regarding the powers contained within the Energy Act 2023. Part 13 Chapter 1 of the Energy Act 2023 contains provision for the relevant public authority (i.e. Scottish Ministers in inshore waters), to determine strategic compensation to mitigate adverse environmental effects from relevant offshore wind activity. Discussions with the UK Government on the implementation of these provisions are ongoing. My officials are continuing to work closely with the UK Government as the policy develops and positive progress is being made.

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While this progress is welcomed, the abovementioned provisions in the Energy Act 2023 relate specifically to offshore wind and do not apply to emerging technologies such as wave and tidal power, nor to any activity on land required to transmit electricity generated offshore or in relation to work that may be required at ports and harbours in order to deliver offshore renewable energy projects. The provisions of Part 13, Chapter 1 of the 2023 Act are designed to support the expansion of offshore wind energy in the UK while ensuring that environmental responsibilities are met in a strategic and coordinated way. The scope and purpose of these provisions within the 2023 Act are separate and distinct from the powers within Part 2 of the Bill: the provisions within Part 13 Chapter 1 strategically manage environmental compensation for offshore wind projects, whereas Part 2 of the Bill seeks to restore regulatory powers to the Scottish Ministers to amend or update EIA and Habitats Regulations.

During the evidence session, there was a discussion to clarify existing powers to amend the Conservation (Natural Habitats, &c) (EU Exit) (Scotland) (Amendment) Regulations 2019 (the Habitats Regulations). In a previous session, stakeholders stated that they consider Regulation 9D of the Habitats Regulations provides flexibility to amend protected sites, and highlighted a DEFRA policy paper which they believe supports their interpretation of this regulation. As I advised during the session, the policy paper was produced by a previous UK Government and there is no guidance to support it, nor evidence of the regulation being used in this way in practice. The Scottish Government's view is that the provisions in Regulation 9D do not permit individual sites within the site network to be adapted in the ways that may be required to mitigate the effects of climate change. My officials will engage with DEFRA to clarify the UK Government position on the use of Regulation 9D to amend the Habitats Regulations.

Ongoing Stakeholder Engagement

Following on from consultation and evidence sessions to date, I will continue to engage in further discussions with stakeholders and consider the recommendations made by Committee with regards to Part 2 of the Bill. I met with Scottish Environment LINK on 25 June 2025 to discuss these provisions and my officials will coordinate further meetings over the summer.

During my evidence session, I committed to follow up with Members on several issues. My officials will arrange further meetings to discuss the outcomes of discussions with DEFRA, as well as potential alternatives to a non-regression clause, and to discuss how a 'substantial' change could be defined in the legislation.

I hope that you find this information helpful. I look forward to your report on the Bill and will carefully consider any recommendations that the Committee makes.



GILLIAN MARTIN

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ANNEX A

Advice from the Independent Biodiversity Programme Advisory Group (PAG) on target topics for setting statutory targets for improving biodiversity

Executive Summary

Statutory nature restoration targets within the proposed Natural Environment Bill will form a key part of the Scottish Government's delivery framework for the Scottish Biodiversity Strategy. It is critical that expert advice is sought for recommendations on the targets to be considered for the Bill. The Biodiversity Programme Advisory Group (PAG) was brought together to discuss, shortlist and recommend a suite of high-level target topics to be considered in the Natural Environment Bill. Through a number of pre-meetings, a questionnaire and a one day workshop the PAG has recommended the following seven target topics:

1. Ecosystem integrity and health
2. Habitat condition and extent
3. Threatened species status
4. Civil society understanding, benefitting from and contributing to nature
5. Investment in nature
6. Enhancing environmental status for nature
7. Positive outcomes for biodiversity in public sector and government policy

Introduction and background

Statutory nature restoration targets (herein referred to as 'targets') are a key part of the Scottish Government's Biodiversity Strategic Delivery Framework, which includes the overarching Scottish Biodiversity Strategy (SBS), the 5 year rolling delivery plans and the Natural Environment Bill which provides the framework for statutory targets.

A four-step process has been developed for the selection and setting of targets that include:

1. Defining the Policy Framework - How will targets be set and within what parameters?
2. Describing, at a high-level, the key topics / areas that statutory targets should cover and why.
3. Assigning indicators to the proposed suite of targets - How to ensure targets can be measured and recommend which to select?
4. Setting quantifiable values to targets - What is the right value to set to the identified indicators and why?

It is imperative that the Scottish Government elicits the best scientific advice when developing statutory nature restoration targets so that they are selected and set in a way that maximises success against the vision and outcomes in the SBS. The Biodiversity Programme Advisory Group (PAG) is a group of external experts that have been brought together to advise on the development of the Biodiversity Strategic Delivery Framework. The

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PAG have already advised on the vision and outcomes of the SBS and the actions to go into the first 5-year delivery plan. Now, the PAG has been brought together to advise on the selection and setting of the targets. The first part in this process is to attain the PAG's advice for Step 2, which is: Describing, at a high-level the key topics / areas that statutory targets should cover and why?

This paper briefly outlines the approach taken to eliciting the PAG's advice before outlining the PAG's recommendations for high level target topics.

Workshop

A workshop was deemed the best format to obtain consensus from the PAG on their high-level target topic recommendations. The purpose of the workshop was to recommend target topics in answering the following two questions:

1. What is the minimum selection of target topics that will demonstrate whether Government is delivering the ambition of halting biodiversity decline by 2030 and, restoring and regenerating biodiversity by 2045?
2. Accounting for the target topics selected in Question One, are there any other outcome or output target topics that are critical to driving the action needed?

Prior to the workshop a 'long list' of target topic options were developed by SG officials and colleagues from NatureScot. In the week leading up to the workshop PAG members were sent a questionnaire asking them to prioritise target topics by asking them to select a maximum of ten target topics from the long list for each of the workshop questions. They were also given the opportunity to provide justifications for their selections and suggest additional target topics not in the long list.

The results of the pre-workshop questionnaire were used to inform the order of target topics discussed in the workshops, so that target topics deemed highest priority were discussed first. For the workshop the PAG were split into two groups and asked to answer the first question in the morning session and the second question in the afternoon session. At the end of each session the two groups were brought together and asked to form a consensus on the recommended target topics. At the end of the workshop a final recommended list of target topics was agreed upon.

Peer Review by NatureScot Science Advisory Committee

To add additional robustness to the process the recommendations from the PAG workshop were peer reviewed by a sub-group of the NatureScot Scientific Advisory Committee (SAC). The SAC reviewed each recommendation in turn over the course of a half day workshop and provided a review of the PAGs recommendations.

Recommendations and justifications

In total, the PAG recommended seven target topics. In some instances, target topics from the original long list were merged and in other cases more specific topic targets were recommended. The derived list also reflects the two different workshop questions asked. Recommendations 1-3 (see below) reflect target topics that will help demonstrate that the

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2030 halting biodiversity milestone and 2045 restoring and regenerating biodiversity vision have been met. Target topic recommendations 5-7 will help drive the action needed to meet these milestones. Recommendation 4 was seen as both an outcome target - increased connection of people with nature - and also a target that will drive action through that wider participation.

There have also been some amendments to the recommended target topics from the PAG workshop following the SAC review. This section therefore outlines the final recommended target topics from both the PAG workshop and SAC review.

The seven recommendations are (note – the order they appear does not reflect any prioritisation):

1. Ecosystem integrity and health
2. Habitat condition and extent
3. Threatened species status
4. Civil society understanding, benefitting from and contributing to nature
5. Investment in nature
6. Enhancing environmental conditions for nature
7. Positive outcomes for biodiversity in public sector and government policy

Ecosystem Integrity and Health

Description:

Ecosystem integrity is a measure of the completeness and functionality of an ecosystem and its ecological processes, and the resilience of the ecosystem in response to human pressures. The Convention on Biological Diversity (CBD) states that an ecosystem has integrity when: "... dominant ecological characteristics (e.g. elements of composition, structure, function, and ecological processes) occur within their natural ranges of variation and can withstand and recover from most perturbations". It is recommended that the CBD definition is followed to align with the Global Biodiversity Framework (GBF) Targets.

Justification:

Ecosystem integrity was seen as a high-level target topic that is scalable, able to cover a wide array of factors relating to the overall 'health' of biodiversity and can be applied to 'modified' or productive ecosystems. It would allow us to assess whether we have met the key text in the vision of the SBS that states: "Our natural environment, our habitats, ecosystems and species, will be diverse, thriving, resilient and adapting to climate change". Ecosystem integrity also makes a direct connection to provision of ecosystem services – and so highlights that high integrity ecosystems deliver healthy air, water and soils for society, and hence sustain us.

Potential issues:

There was broad agreement that we do not currently have a way of measuring 'ecosystem integrity'. Work will be needed to determine which indicators best represent the target topic, with some development of new indicators possibly required, utilising newly available technologies. In addition, it was recognised that there will be lag time effects meaning that this target topic may be better suited to a longer target date.

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Related external targets:

GBF Goal A and targets 1 and 2, proposed EU restoration law targets on marine, forest, agriculture and urban ecosystems.

Habitat condition and extent

Description:

Habitat condition and extent includes the quality and extent of habitat types of importance to Scotland, including protected habitats.

Justification:

Habitat condition and habitat extent target topics were merged on the basis that neither extent nor condition alone would demonstrate whether SBS outcomes have been achieved. The focus would be on habitats that are of importance to Scotland and internationally, and habitats that are important to society but historically underrepresented in policy e.g. urban and peri-urban habitats. For some habitats (e.g. peatlands) the focus needs to be on habitat quality as the extent is less likely to change. Whereas for others (e.g. native woodland) both the extent and condition need to be improved. Within this target topic the condition of protected areas will also be included.

Potential issues:

There will need to be a consideration as to which habitats are included within this target topic as by their broadest definition habitat extent and quality could be all encompassing which has implications for measurement and assessment. There was clear agreement from the PAG that it should not only focus on protected habitat sites.

Related external targets:

GBF Goal A and targets 1 and 2, proposed EU restoration law targets on marine, forest, agriculture and urban ecosystems and UK Environment Act.

Threatened species status

Description:

The term 'threatened species' comprises species that are under threat now, species that have populations that are declining and species that may potentially be under threat in the future. It combines the target topics of species at threat of extinction, species abundance and distribution, and population size of exploited species. This target topic would also consider genetic diversity.

Justification:

Focusing on threatened species allows for an assessment of how well targets on habitat restoration and ecosystem integrity are performing. While the assessment of threatened species incorporates species abundance, species distribution and exploited species population target topics, it does so in a way that removes the inherent risk of bias associated with these target topics when considered as a whole due to varying levels of data availability across different taxonomic groups.

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For this reason, the PAG recognises that there is a need for a selection of species to be considered, to ensure informed and sustainable allocation of resources. Criteria that could be used to select species within this target topic include: species endemic to Scotland that are in real trouble (i.e. at extinction risk), species that provide a 'litmus test' for the performance of habitat restoration, species that Scotland hold significant populations of that are at threat globally, and finally, species that may be common but under severe threat of decline.

Potential issues:

There will likely have to be difficult conversations around probable losses of some species in the face of current climate projections (even if Net Zero is achieved). Although we are well set up for species monitoring there was a recognition that if monitoring is expanded to cover a wider range of species, this could be linked to the improved engagement from civil society in biodiversity outlined in target topic 4.

Related external targets:

GBF Goal A and targets 4, 5 and 9, proposed EU restoration law targets on pollinators, marine, forest, agriculture and urban ecosystems and UK Environment Act.

Civil society understanding, benefitting from and contributing to nature

Description:

Society and the communities therein are more informed about their impact on nature and what nature provides them. In turn, society contributes more to restoring nature and reaps the benefits of this restoration. This target topic will cover addressing education and skills gaps surrounding nature within society. Businesses include their interaction with nature within decision making.

Justification:

This target topic addresses some of the indirect drivers of biodiversity decline, specifically people's disconnect with nature and the consequent lack of recognition of the value and importance of nature. This target topic covers both an outcome focus (with people having a better understanding of nature and their connection to it and impact on it) and an output focus (more contribution to restoration effort from society). It is widely recognised that for the biodiversity ambition set out in the vision and outcomes of the Scottish Biodiversity Strategy to be met it needs to be embedded within society. This target topic specifically addresses biodiversity and society.

Potential issues:

There may be challenges in quantifying and measuring against this target, meaning indicator development work may be required. Given the output and outcome split within the target topic there may be a requirement for multiple target dates when setting a target e.g. targets for communities contributing to nature restoration before 2045 and targets for society benefitting from restored nature by 2045.

Related external targets:

GBF targets 16, 21 and 22.

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Investment in nature

Description:

Both public and private investment in nature (direct restoration, community and skills) to enable the delivery of targets relating to ecosystem integrity, habitats and threatened species. Investment should be outcome focused and is seen as a key enabler of the other six target topics.

Justification:

There is a recognition that there is a large deficit in resources available to meet the vision and outcomes of the SBS. Selecting a target to increase both financial and community investment in nature from both the public and private sector commits future resources to deliver for nature restoration.

Potential issues:

When setting this target, it may be difficult to agree on investment figures. This target may therefore need to be adaptive in the future to allow flexibility in allocating resources in response to the performance of the outcome targets; recognising that in-built flexibility cannot lead to scaling back resource commitments. In addition, setting and measuring targets around private sector investment may be difficult in quantitative terms. There is also an argument for incorporating this target topic within target topic 7 as ensuring positive outcomes for nature in public sector and government policy will likely drive increased investment. There are also risks around treating this target in purely financial input terms with respect to 'green washing'.

Related external targets:

GBF goal D and target 19.

Enhancing environmental conditions for nature

Description:

The pressures that inhibit thriving biodiversity are relieved so that nature has the best conditions to recover. In broad terms this addresses the drivers of biodiversity decline not covered by the other target topics, including: direct exploitation, pollution, and Invasive Non-Native Species (INNS).

Justification:

There was recognition among the PAG that the target topics have not yet addressed many of the direct drivers of biodiversity loss in Scotland. While action to address the drivers may be implicit in outcome actions set on ecosystem integrity, habitat quality and extent, and threatened species, the PAG felt that a specific target on addressing the outstanding drivers (direct exploitation, pollution, and Invasive Non-Native Species (INNS) is required. Having a statutory target to this effect will strengthen the case for addressing the drivers of biodiversity decline.

Potential issues:

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This outcome comprises a portfolio of factors and would require a potentially large number of indicators relating to the various pressures impacting on biodiversity. Some of these are already defined whereas others will need to be developed.

Related external targets:

GBF goal A and targets 5, 6, 7, 9.

Positive outcomes for biodiversity in public sector and government policy

Description:

Positive outcomes for nature are achieved across all areas of public sector and government policy.

Justification:

Embedding positive outcomes for nature across all aspects of local government, public sector and national government policy is deemed as a necessary target to drive action towards the outcome targets on ecosystem integrity, habitats and threatened species. In the same way that government policy must contribute to the Net Zero climate change targets, this target places a similar emphasis on contributing positively to nature restoration targets.

Potential issues:

The PAG recognises that this replicates to some extent the current biodiversity duty requirements that are already in place but considers that this could be strengthened and made more effective by including these requirements in a new statutory target.

Related external targets:

GBF targets 10, 14 and 18.

Additional considerations

The SAC review of the recommendations also outlined the following additional considerations to be accounted for across all target topics:

- a) Inequalities should not be widened through any of the target topics, noting that diversity
- b) and Just Transition are important
- c) Target topics should not lead to perverse outcomes relating to 'offshoring' biodiversity impacts
- d) For the next stage in the process short baselines against a pattern of long term historic loss needs to be fundamentally considered.