



PUBLIC PETITION NO.

PE01383

Name of petitioner

Helen McDade on behalf of John Muir Trust

Petition title

Better protection for wild land

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to improve the protection for the best areas of wild land by introducing a new national environmental designation.

Action taken to resolve issues of concern before submitting the petition

Since its inception in 1983, the John Muir Trust has sought to take action itself to protect and enhance wild land in the United Kingdom in three ways – by conserving, campaigning and inspiring:-

- Conserving: by leading by example, offering guidance and advice on best practice, and by taking on ownership for estates containing wild land. Today we are responsible for the management of over 25,000 hectares of land, with a further 50,000 hectares being managed through partnerships with which we have an association.
- Campaigning: providing information to decision-makers, media and public to improve the impacts of policies applied and decisions taken on wild land
- Inspiring: mainly through the John Muir Award, the Trust engages with people of all ages and backgrounds to encourage them to connect, enjoy and care for wild places.

Often working with other environmental organisations, the Trust has put extensive resources into providing information and working with policymakers to gain improved protection of wild land. For instance, the Trust has:-

- Responded to relevant national and local government consultations to ensure that the issue of wild land protection is considered when developing or amending plans, strategies and legislation, including on National Planning Framework 2 and its Strategic Environmental Assessment, Scottish Planning Policy, various local development plans and individual planning applications;
- Provided evidence for Committees, Inquiries and elected members on the value of wild land and wild land management, including to the Economy, Energy and Tourism Committee on energy, to the Rural Affairs and Environment Committee and MSPs on Wildlife and Natural Environment Bill (ongoing), and on Sustainable Land Use Strategy (ongoing);
- Produced reports and briefings to promote the benefits of safeguarding wild land from inappropriate development;
- Met with and corresponded with Ministers, MSPs and other elected officials, to influence approaches to protecting wild land;

- Delivered over 100,000 John Muir Awards to children, youths and communities, raising awareness of wild land conservation benefits amongst the next generation of decision-makers;
- Worked in partnership with other landscape organisations, including Scottish Environment LINK, to produce reports and briefings to try and achieve better protection without the need for new legislation;
- Participated in the Scottish Landscape Forum whilst it existed, contributing to its Report to Scottish Ministers, March 2007, “Scotland’s Living Landscapes”;
- Signed the Scottish Landscape Charter

The Trust is concerned that these approaches have not been adequate to halt the attrition of wild land, nor has the current voluntary approach adopted for managing many adverse impacts. Without the direct intervention of the Scottish Government to conserve wild land for future generations, it will continue to diminish (for evidence, see background).

The Trust was very encouraged when the Environment Minister, Roseanna Cunningham, agreed that wild land protection in Scotland should be looked at in 2009 and she commissioned a Report from the Leeds University Wild Land Institute into the different ways in which wild land was being protected throughout Europe. This excellent Report has been produced but there is no indication that the Scottish Government intends to take further action on the key issues raised. The Trust discussed our proposal for a wild land designation in a meeting with the Environment Minister on 14 September 2010. She indicated that it was unlikely this would be considered by the Scottish Government at that time. The previous Environment Minister, Michael Russell, had indicated at a number of meetings with Scottish Environment Link, at which the Trust was present, that he wished to reduce the number of designations, not have any new ones. However, at that time, the new Planning Act was being brought into use and it was hoped that this would improve the decision-making process and lead to better outcomes. It is not the Trust view that there is evidence that this is the case, in relation to wild land.

Petition background information

The John Muir Trust has been running a petition to gather evidence of public support for better protection for wild land. At the time of this submission we had collected over 3500 signatures of support. Online signatures have been gathered at www.ipetitions.com/petition/wildlandcampaignscotland/signatures (total 1,400 at the time of submission). A further 2,121 signatures had also been collected at events, countryside fairs, festivals and political conferences. The number of signatures we have collected suggests that our concerns are shared by a wider public body.

Founded in 1983, the John Muir Trust is the leading wild land conservation charity in the United Kingdom. Working with people and communities to conserve, campaign and inspire, the Trust seeks to ensure that wild land is protected and enhanced and that wild places are valued by and for everyone. The Trust is not opposed to development in remote areas where it provides socio-economic benefits, particularly for remote communities, provided it does not diminish our best wild land resource and its ability to provide ecosystem services.

In the John Muir Trust definition, wild land is restricted to large uninhabited areas, of high scenic and wildlife value, with minimal evidence of human activity. The trust produced a wild land map in 2010 that shows the wildest 10% of the UK, i.e. what the Trust regards as the best wild land resource (see below). Detailed criteria and methodology used to create the map can be found in our Wild Land Policy. It is this definition which the Trust means when referring to “wild land” and other definitions, e.g. those definitions published by SNH and NTS in their policies, tend to be similar. The Trust uses the phrase “wild places” to refer to other areas which have wild characteristics but which, for instance, are smaller or show more human impact. It is also part of the Trust aims to protect and enhance wild places but this is approached

through working with people to encourage all to value it. It is not intended that this designation would refer to such “wild places”.

It is this top 10% wildest land in the U.K. which the Trust believes is indicative of the best wild land which should be considered for inclusion in a designation. However, this mapping is work done on a UK scale, not at a fine detail, and so the Trust welcomes work that SNH is doing to produce more detailed information and would expect discussion about the detailed boundaries – as there would be when developing any Bill or regulation. In particular, the fact that a building might be within the blue area of our indicative map should not be interpreted as meaning that it would then be defined as “wild land” – rather that the detailed mapping would identify such anomalies.

The Trust believes the evidence is that wild land in Scotland is under threat from development and at risk of losing its unique qualities and this is backed up by official statistics. Scottish Natural Heritage (SNH) reported that the extent of Scotland unaffected by any form of visual influence (i.e. the impact of development activities visible from any single vantage point) declined from 41% in 2002 to 31% by 2008 (see SNH Natural Heritage Indicators, 2009). Most of the top 10% of wild land in the U.K. is actually in Scotland (recent mapping by Leeds University for the Trust) and it is internationally important. Most of this is peatlands, with something in the region of 8 - 12% of the world’s peat resource.

Wild land in Scotland provides important ecosystem services - sustaining numerous forms of life, including key biodiversity species, and providing for essential climate change mitigation and adaptation, for instance, retention of carbon in peat, providing high quality water supplies and contributing to natural flood defences.

Wild land does not receive clear and explicit recognition or protection within the Scottish planning system or when decisions are made on sustainable land use. As a consequence, as more accessible and less sensitive sites are developed, some of the best wild land faces the threat of being lost forever. There have been a number of Acts, plans, strategies and Regulations introduced by successive devolved Scottish administrations aimed at improving Scotland’s environment. However, these have tended to consider the need for introducing new safeguards for animals, birds and habitats in a very specific context, or else increasing the scope of existing protection, rather than addressing landscape protection – wild land in particular. These measures are very welcome but they do not give protection to natural landscapes in general and, particularly, wild land.

“Remoter mountain and coastal areas” are mentioned as important in Scotland’s National Planning Framework 2 in para 99: “Some of Scotland’s remoter mountain and coastal areas possess an elemental quality from which many people derive psychological and spiritual benefits. Such areas are very sensitive to any form of development or intrusive human activity and great care should be taken to safeguard their wild land character.”

The consolidated Scottish Planning Policy also refers to the capacity for remote and sensitive landscapes to accept new development in para 128:

“The most sensitive landscapes may have little or no capacity to accept new development. Areas of wild land character in some of Scotland’s remoter upland, mountain and coastal areas are very sensitive to any form of development or intrusive human activity and planning authorities should safeguard the character of these areas in the development plan.”

However, the way in which these clear policy objectives are to be interpreted at specific site level is unclear. In consideration of such areas at planning level, a clear distinction is often made between “nationally designated” and “undesigned” sites.

Less than 50% of the highest quality wild land is covered by any form of national or international designation. Furthermore, there is evidence from recent planning decisions to suggest that wild land within a designated area is not guaranteed protection when balanced against perceived environmental, economic or social gains.

Reasons for the petition

In recent policy approaches to landscape issues, the John Muir Trust was encouraged whilst working as part of the Scottish Landscape Forum, alongside the Scottish Government, between June 2006 and February 2007. This Forum, with a broad range of representatives, met to discuss the threats facing Scottish landscapes, the value of landscape to Scotland's culture and economy, and priorities for action, culminating in a report to Ministers.

However, few of the actions have been taken forward and the Scottish Landscape Charter which came out of that Forum has not been endorsed by Ministers. This means that, despite promotion by SNH, a statutory consultee for planning and development issues, it is unlikely to carry much weight with developers or planning authorities when considering individual planning applications.

The lack of effective action to improve protection for natural landscapes and, more specifically, wild land, despite the significant social, economic, cultural and environmental benefits to Scotland, has led to this petition.

Reasons for a designation

As a matter of principle, developments that are clearly inappropriate and that threaten the wild characteristics of an area should be stopped before public and private resources are expended unnecessarily through the planning system. Inappropriate developments can be rejected once in the system, with the ultimate recourse being in the form of a public local inquiry. However, opposing individual planning applications that impact on wild land requires significant time, effort and resources on the part of opposing individuals or organisations, with uncertain results in even the strongest of cases due to the lack of legal recognition or protection.

The John Muir Trust and other environmental organisations do not have the resources to intervene to protect wild land each and every time it comes under threat, nor do we have the resources, and it might not be socially desirable, to purchase a significant proportion of land and estates containing wild land - in order to safeguard it for future generations.

The Trust has worked with the Wild Land Research Institute, based at the University of Leeds, to develop maps that illustrate graphically how much wild land is left in the United Kingdom, and where it is to be found. These maps make it possible to identify the location of 'core areas' of wild land based on criteria consistent with the Trust's definition of wild land. SNH is undertaking similar work, mapping wild land in more detail.

The results of this mapping exercise, in combination with other related information, such as existing statutory designations, zones of natural heritage sensitivity, etc, could be used to inform a new designation aimed at protecting landscapes from inappropriate development, without negatively affecting their use for other activities, such as tourism and recreation. It might be that a zoning approach, with a buffer zone, would be appropriate.

Request for action

The John Muir Trust recognises that considering a proposal for a new designation for wild land, or a review of existing designations to cover wild land would require a significant amount of work, with input required from various government departments, statutory agencies, landowners, communities and organisations with an interest in, or dependency on, wild land.

The Trust would expect to make a significant contribution to the development process, based on our expertise and knowledge of wild land and wild land management. While we expect there to be some debate and contention about the creation of boundaries within a designation, we also expect that GIS technology and science will play a key role in developing this information.

We call on the Scottish Parliament to urge the Scottish Government to improve the protection of wild land in Scotland by considering the development of a statutory designation that allows planning authorities to ensure the effective protection of wild land as a matter of principle.

Questions for the Committee to consider asking

- What is the extent of Scotland unaffected by any form of visual influence in Scotland in 2010? [SNH]
- When SNH has finished its mapping of wild land, what will it input to?
- What conclusions did the Government draw from the Leeds University 2010 study into wild land and are there any plans to follow it up? If so, in what way?
- What is the process for reviewing and amending existing statutory designations? [Scottish Government]
- What would be the social, economic, cultural and environmental impacts of creating a statutory designation for core wild land? [SNH; Scottish Government; Scottish Enterprise; Highland & Islands Enterprise, trade & industry bodies e.g. Visit Scotland, CBI, Community Development Trusts]

Unique web address

<http://www.scottish.parliament.uk/GettingInvolved/Petitions/PE01383>

Related information for petition

Do you wish your petition to be hosted on the Parliament's website to collect signatures online?

NO

How many signatures have you collected so far?

3626

Closing date for collecting signatures online

N/A

Comments to stimulate online discussion