



Consultation Response

Natural Environment (Scotland) Bill

About the RTPI

The RTPI Champions the power of planning in creating sustainable, prosperous places and vibrant communities. We have over 27,000 members in the private, public, academic and voluntary sectors. Using our expertise and research we bring evidence and thought leadership to shape planning policies and thinking, putting the profession at the heart of society's big debates. We set the standards of planning education and professional behaviour that provide our members, wherever they work in the world, a unique ability to meet complex economic, social environmental and cultural challenges.

Part 1 – Targets for Improving Biodiversity

- 1. Are statutory nature targets needed in Scotland?**
Yes
- 2. Are you satisfied with the proposed topics for nature targets set out in the Bill?**

We broadly support the target topics set out in the Bill, with the intention that Scottish Ministers will be given the power to introduce additional target topics through secondary legislation at a later stage. We agree that allowing for this flexibility is important to ensure that targets topics can be adapted as necessary over time as our knowledge and understanding continues to evolve, including taking into account advancement of the technologies we have at our disposal to deliver on the targets and to measure and monitor our progress.

We are pleased to see the scientific and evidenced-based approach has been taken in developing the target topics. Such an approach will help to ensure that the target topics are placed on a solid foundation, provided they are also supported by clear indicators, timeframes, delivery leaders and partners, and monitoring practices.

Notwithstanding the above, skills and skill development are going to be important in delivering on the target topics. As rightly stated in the Policy Memorandum accompanying the Bill, biodiversity is complex and tackling the biodiversity and nature crises will require access to certain expertise. Many authorities have lost in-house expertise, including on trees, green infrastructure, biodiversity and/or nature conservation. Professionals will need additional training and support to make new statutory targets work in practice. We know from our work in England that the introduction of biodiversity net gain has created a lot of uncertainty about the technicalities of measuring and assessing biodiversity, with our members reporting only a very low confidence (rated as 2/10) in their knowledge of this topic. This presents a significant risk to the implementation of new metrics or tools in Scotland to achieve the statutory targets if the issues of skills and skill development are not addressed.



3. Do you have a view on the framework established in the Bill for how nature targets will be governed, including how targets will be set, monitored, reviewed and reported on?

We welcome a framework that progresses the ambitions set out in the Scottish Biodiversity Strategy to 2045 and which, in turn, will provide the necessary tools to deliver the policy outcomes of NPF4 – in particular, Policy 3 (Biodiversity) which requires biodiversity to be “enhanced and better connected including through strengthened nature networks and nature-based solutions”. [In 2024](#) we highlighted the importance for targets and actions to be supported by clear and measurable indicators, deliverable timescales, delivery partners, priorities and the spatial context for delivery. We are pleased to see that at least some of these have been addressed in the first of the rolling Delivery Plans published in November 2024.

In addition, we welcome proposals for targets to be set out with clear timescales and indicators following the SMART method. We are also pleased to see that there has been careful consideration of the various target types that could be implemented through secondary legislation – i.e. outcome, output and input targets. We agree that a combination of outcome and output targets should be adopted. Output targets have the potential for us to track the success of our actions in the short-term, whilst outcome targets will play an important role in tracking the longer-term implications of those actions. We look forward to engaging further with the Scottish Government on this suite of targets at the appropriate time.

We believe that this Bill provides an important step towards building accountability into the Scottish Government’s Strategic Framework for Biodiversity. This is particularly critical in light of recent [RTPI research](#) (published on 9 May 2025) which examines the on-the-ground impact of nature enhancement policies in England. This research reveals that “new housing developments are delivering just half of their mandated ecological features, raising urgent concerns about biodiversity and the need for more effective monitoring and planning enforcement”. This concern is mirrored in Scotland, with [a recent Scottish Planner article by Clare Symonds of Planning Democracy](#) highlighting the need to better understand the cumulative impact of nature-based decision making and the risk of causing the “death of nature by a thousand cuts” through the lack of an effective monitoring system.

4. Is there anything else you would like to say about Part 1 of the Bill on nature targets?

No further comments

Part 2 – Power to Modify or Restate Environmental Impact Assessment (EIA) Legislation and Habitats Regulations

1. Do you support the Scottish Government being granted powers to modify or restate EIA legislation and Habitats Regulations?

It is our understanding that the purpose of this aspect of the Bill is to reinstate what was lost upon the UK’s exit from the EU. We have no objection in principle to this proposal, provided that the intention is not to weaken the existing legislation nor to go beyond filling the gap that was created as a result of Brexit.

We appreciate that not all scenarios for utilising these powers can be predicted as part of the Bill. However, it will be important that these powers



are used in such a way that strengthens the legislative outcomes of the EIA legislation and Habitats Regulations.

2. Do you agree with the purposes set out in the Bill for which powers to amend those regimes may be used?

No comment

3. Is there anything else you would like to say about Part 2 of the Bill on powers to modify EIA legislation and Habitats Regulations?

No comment

Part 3 – National Parks

1. Do you agree with proposed changes to the aims of National Parks in the Bill?

It is our understanding that this aspect of the Bill seeks to implement the outcomes of consultations on National Parks that have been conducted over recent years – the most recent in 2023.

The proposed changes to the aims are in large part linguistic, coupled with the addition of the word “cultural” into the language of the third and fourth aims, and the introduction of a new subsection which identifies the underpinning functions of National Parks that support the aims. These underpinning functions are not new. We are aware that Scotland’s National Parks are already carrying out these important functions. However, we agree that setting these out clearly within the aims of the National Parks will give them a strong statutory footing.

Given the above, we are broadly supportive of the changes to the aims of the National Parks as set out in the Bill and believe that they will help to reinforce the important role of Scotland’s National Parks in addressing the climate and biodiversity crises and directly delivering on the related policy objectives of NPF4.

2. Do you agree with new duties around the implementation of National Park Plans that are set out in the Bill?

The Policy Memorandum correctly states that it is already the duty of public bodies to have regard to the National Park Plan when exercising their functions. This Bill proposes to introduce new duties requiring public bodies to have regard to the aims of the National Park before exercising their functions, as well as to facilitate implementation of the National Park Plans.

In our view, this is a positive step towards embedding the Place Principle into plan- and decision-making practices, ensuring a holistic approach is taken to the protection, management and enhancement of Scotland’s National Parks. These new duties will introduce wider shared accountability for the delivery of the aims of National Parks and also of the National Park Plans, beyond simply the National Park Authority.

It is not proposed to change the way the National Park Plans are prepared and agreed upon by delivery partners. Consequently, the Financial Memorandum does not anticipate that the new duties will result in unreasonable additional and unforeseen cost burdens on National Park Authorities or other public bodies. Given the resourcing and capacity challenges being experienced by many public bodies, this will need to be



carefully monitored and considered. However, we do see these new duties as a positive step towards enhancing the shared responsibility for delivery of National Park Plans and further embedding the Place Principle into everyday working- and decision-making practices. If effectively implemented in a way that fully embraces the Place Principle, we believe that these new duties have the potential to further alleviate resourcing and capacity pressures by supporting a joined-up, collaborative and partnership approach to the management and protection of Scotland's National Parks and to the implementation of National Park Plans.

- 3. Do you support provisions in the Bill enabling the Scottish Government to make regulations for the issuing of fixed penalty notices for breaches of National Park byelaws?**

No comment

- 4. Is there anything else you would like to say about Part 3 of the Bill on National Parks?**

No comment

Part 4 – Deer Management

No comment

General/Aspects Not in the Bill

- 1. Are there any areas not addressed in the Bill that you believe should be included? If so, what are they?**

No comment