

Cabinet Secretary for Transport, Net Zero and Just
Transition
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Edward Mountain MSP
Convener, NZET Committee

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Dear Edward

Environmental Governance Review

Thank you for your letter of 2 November 2023 about the review of the effectiveness of environmental governance arrangements.

As you know, section 41 of The UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 required Scottish Ministers to review and prepare a report on whether the provisions of Chapter 2 of that Act have ensured that there continues to be effective and appropriate governance relating to the environment following the withdrawal of the United Kingdom from the EU. The section set out that the report should also consider whether the law in Scotland on access to justice on environmental matters is effective and sufficient, and whether and, if so, how the establishment of an environmental court could enhance the governance arrangements.

The Report into the Effectiveness of Environmental Governance Arrangements was published on 1 June. Consultation on the Report was launched on the 2 June and closed on the 13 October. The Scottish Government has met the requirements of section 41 at every stage of this process. We are currently considering the responses made to the consultation. As you will be aware, section 41 sets out that Ministers must lay before the Parliament a statement setting out details of the consultation, a summary of the views expressed and Ministers' recommendations in response to those views. It would be premature to consider the substance of the points in your letter ahead of that statement, but I look forward to discussing these issues substantively in the New Year, once the statement has been published.

Your sincerely

MAIRI MCALLAN