

## OFFICIAL

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Edward Mountain MSP  
Net Zero, Energy and Transport Committee  
Scottish Parliament  
Edinburgh

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01 June 2023

Dear Edward,

### **Report on the Effectiveness of Environmental Governance Arrangements**

I would like to make you aware, as Convenor of the Net Zero, Energy and Transport Committee, that today I have laid in Parliament a report and consultation on the Effectiveness of Environmental Governance Arrangements.

The Scottish Ministers are required by section 41 of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 ('the Continuity Act'), to consult on the effectiveness of governance arrangements introduced by the Act. Section 41 requires Scottish Ministers to prepare a report on:

- whether the provisions of the Continuity 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,
- 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 Scottish Government has engaged with stakeholders and held informal evidence gathering meetings from November 2022 to March 2023 to inform the development of the report. The report considers the three issues set out in section 41, and also sets out a strategic overview of environmental governance in Scotland. The Scottish Government remains committed to protect and enhance environmental standards, despite the threat caused by the ongoing impact of Brexit. Effective environmental governance has an important role in achieving this aim.

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The consultation on the Effectiveness of Environmental Governance is now live and will close on 29 September 2023. I would welcome the opportunity to discuss the report with the Committee.

**MAIRI MCALLAN**