

1 October 2021

New independent body created to help Scotland achieve ambitions for environment and climate change

Environmental Standards Scotland officially launches 1 October 2021, to ensure Scotland's communities can enjoy the healthy environment that they deserve

A new independent body tasked with helping Scotland achieve the highest environmental standards, and ensure the environment is protected, has been officially launched today (1 October).

Environmental Standards Scotland (ESS) will play a crucial role to secure compliance with environmental law, the effectiveness of these laws and how they are implemented.

ESS will help to navigate environmental regulation and fill the environmental governance gap following Brexit. It will have responsibility to scrutinise the actions of all public authorities – including the Scottish Government and its agencies, as well organisations carrying out functions on behalf of public authorities.

ESS will also carry out essential monitoring and research to track Scotland's environmental performance and identify areas of concern where laws are not being complied with, or are ineffective.

When considering whether laws in Scotland are effective, ESS will take account of the developing environmental regulations internationally, including in the European Union. It will use these insights to inform the action it takes and help Scotland to keep pace with new environmental standards introduced in the EU.

The organisation will be fully independent from the Scottish Government and accountable to the Scottish Parliament.

Jim Martin, Chair of ESS said: "The creation and launch of Environmental Standards Scotland comes at a critical time for Scotland, as we face the twin crises of climate change and biodiversity decline.

"Following our departure from the European Union, there was an essential need for a new organisation to ensure high environmental standards are maintained.

"Environmental law can only help us tackle climate change and biodiversity loss if it is being delivered correctly and effectively. ESS will play a crucial role in scrutinising our public authorities' compliance with environmental law, the effectiveness of these laws and the way they are implemented and applied.

"We intend to work tirelessly to spotlight areas where the law is not being complied with, or is ineffective, and to seek solutions to the problems we identify. We are committed to

realising our vision for Scotland’s communities to benefit from a high-quality environment, protected from harm through effective environmental laws.”

The Continuity Act provides ESS with a range of powers to secure compliance with and seek improvements to the effectiveness of environmental law in Scotland.

Matters of environmental concern can be raised to ESS by individual members of the public, community groups, Non-Governmental Organisations, businesses, and public authorities.

ESS will undertake a preliminary review and gather information to determine whether it is then suitable for investigation. Those wishing to contact ESS can do so through the ESS website, or by emailing enquiries@environmentalstandards.scot.

ESS has a range of statutory powers available to it to ensure compliance and to bring about improvements to effectiveness, but will seek to resolve matters informally where possible.

Mr Martin added: “We will always seek to engage with public authorities concerned to resolve matters informally at all stages of our processes.

“However, if it is not possible to resolve a matter by agreement in a reasonable timescale, ESS has statutory powers to ensure the necessary action is taken. These include issuing compliance notices, improvement reports, or referring a case for Judicial Review.”

-ENDS-

About Environmental Standards Scotland (ESS):

Environmental Standards Scotland (ESS) began its formal operations on October 2021, as part of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, following the UK’s departure from the European Union. ESS is responsible for ensuring Scotland’s public authorities, including government and its agencies, are compliant with environmental law.

ESS is independent of Scottish Government, but accountable to the Scottish Parliament. In its role, ESS will scrutinise public authorities’ compliance with environmental law, the effectiveness of these laws and the way they are implemented and applied and has statutory powers to act where required.

For more information, visit: environmentalstandards.scot

For media enquiries please contact:

Stuart Young/Lucy Miller

3x1 Group

T: 0141 221 0707 / 07845 295 389 / 07931 948 999

E: syoung@3x1.com / lmiller@3x1.com