

Gillian Martin MSP
Cabinet Secretary for Climate Action and Rural Affairs
Scottish Government
St Andrew's House, Regent Road
Edinburgh EH1 3DG

8th October 2026

The proposal to merge environmental bodies

Dear Cabinet Secretary,

We are the Chartered professional body for ecologists and environmental managers, with 1,100 members in Scotland (>10,000 across the UK and Ireland). Our members sit on both sides of this proposed reform: some work within the bodies concerned, while others, including those working in local authorities, consultancy and industry depend on the advice, regulation and licensing they provide. You will know CIEEM from our engagement during the passage of the Natural Environment (Scotland) Bill.

We write because, in our view, the case for the proposed merger of environmental bodies has not been made. A key question that the case must answer is how bodies with significantly different remits could be merged without compromising their effectiveness. We focus below on NatureScot and SEPA but note that there are yet further differences with Scottish Forestry. Any case for the merger will need to address:

- **Fundamentally different roles and statutory functions**

SEPA is Scotland's environmental regulator, operating under a statutory enforcement framework with powers to issue permits, undertake inspections and take enforcement action where necessary. NatureScot's primary role is advisory, strategic and enabling, providing expert guidance, evidence and support to help conserve and enhance Scotland's natural environment. Merging organisations with such distinct purposes risks blurring responsibilities and weakening the clear separation between regulator and adviser.

- **Distinct stakeholder communities and relationships**

The two organisations engage with markedly different stakeholder groups. SEPA's work is focused on regulating and monitoring industry, infrastructure operators, public bodies, utilities, developers and other regulated sectors. NatureScot works predominantly with landowners, land managers, farmers, conservation organisations,

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local authorities, community groups and environmental partnerships. Combining these organisations could undermine trusted relationships that have been developed over many years and reduce the effectiveness of both regulatory and advisory functions.

- **Different funding models and operational requirements**

SEPA operates with a significant income-generating regulatory model, deriving funding from permits, licences and regulatory charges alongside government funding.

NatureScot is primarily grant-funded and delivers programmes focused on biodiversity, conservation, landscape management and public engagement. Integrating these very different financial structures would be complex and could divert resources away from frontline delivery.

- **Specialised and contrasting operational functions**

SEPA manages highly specialised scientific and technical services, including environmental monitoring networks, laboratories, national environmental data systems and forecasting capabilities. NatureScot's operational responsibilities include managing the internationally important National Nature Reserves, protected areas, species conservation programmes and other land-based assets. There is limited operational overlap between these activities, reducing the potential efficiency gains often cited in support of organisational mergers.

- **Risk of disruption during a critical decade for nature and climate action**

Both organisations are central to delivering Scotland's legally binding environmental and climate targets. A major organisational merger would inevitably require substantial management time, restructuring, system integration and cultural change. This could create significant disruption and uncertainty at a time when Scotland needs both organisations fully focused on tackling biodiversity loss, improving environmental quality and responding to the climate emergency.

- **Critical national flood and environmental protection responsibilities**

SEPA serves as Scotland's flood warning authority, national flood forecasting centre and strategic flood risk management authority. These functions require dedicated expertise, infrastructure and decision-making processes focused on public safety and climate resilience. Any organisational restructuring risks creating disruption to these essential services at a time when climate change is increasing the frequency and severity of flood events.

- **Loss of independent expert voices**

NatureScot and SEPA each provide independent expert advice to the government from different perspectives. NatureScot brings expertise in biodiversity, ecosystems and nature conservation, while SEPA provides expertise in environmental regulation, pollution control, climate adaptation and flood risk management. Maintaining separate organisations ensures the government continues to benefit from distinct and complementary sources of evidence and challenge.

- **Evidence that efficiencies would outweigh risks**

While mergers are often justified on the basis of efficiency savings - you've referred to the potential of the merger to release funds for front-line delivery - the evidence from comparable mergers is not encouraging. In England, Defra decided against a merger of the Environment Agency with Natural England following an appraisal in 2013 which concluded that the upheaval would cost more than it would save¹. Even the potential savings from sharing of back-office functions should not be overstated since differences in pay and grading, pension arrangements, and IT systems make the merging of services a complex process². Any financial benefits would need to be carefully weighed against the risk of reduced effectiveness, loss of expertise and disruption to the delivery of essential environmental services.

In your evidence to the Climate Action Committee (CAC) on 17 September, you set out three tests for the proposed merger of environmental bodies, listed below. When Ariane Burgess MSP asked about the loss of senior expertise, you suggested this might form a fourth test. On the evidence available so far, the proposal struggles to meet even these tests, as we outline below.

- 1. Whether it would improve how the bodies operate**

As outlined above there are fundamental differences in the remits of the respective organisations and therefore the case for the merger will need to show how these can be reconciled.

- 2. Whether it would reduce duplication**

On reducing duplication, publishing an assessment of how much duplication exists and how much a merger would remove is essential to public confidence in the proposal. CIEEM Fellows who have held senior roles in both NatureScot and SEPA estimate that there is only

¹ Defra (2013), Triennial Review of the Environment Agency and Natural England (PB 13933)

² In Wales, the savings that did materialise came from ICT, estates and corporate services rather than operational integration, and transition costs ran ahead of them for years (Wales Audit Office, 2016).

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a very small overlap in their work and so the scope for removing duplication is likely to be much smaller than assumed while good co-ordination already exists in the areas of common interest.

3. Whether it would facilitate easier public access to services

On easier public access, it has not yet been shown why a merger is needed to deliver this. A shared common portal, backed by a duty to co-operate and practical mechanisms to enable joint working could offer the same benefit to the public with far less disruption.

4. Loss of specialist expertise

A test only works if it can be measured, and specialist expertise is hard to measure because it disappears quietly. The merger that created Natural Resources Wales in 2013 resulted in the erosion of specialist capability through generic job descriptions that dissolved specialist roles, closed technical career paths and the loss of experienced staff during transition. By the time the loss shows in performance, it can take years, even a generation, to rebuild, with serious implications for both the ability to deliver the Scottish Government's ambitions and Scotland's credibility at home and internationally.

Specialist capability, including ecological expertise, should be baselined across the bodies now and monitored through any reform process, so that erosion is visible while still reversible.

The shadow board

You returned several times to the shadow board as the means of letting the existing bodies concentrate on their day-to-day work. However, boards take a huge amount of servicing and it will undoubtedly require input from experienced staff within the existing bodies.

Our competency framework and Chartership standards already define what competent ecological practice requires at each level of seniority. We can also gather evidence confidentially from members working within the Scottish bodies concerned, and would gladly send your officials a short note on the Welsh experience.

Finally:

- Will the Scottish Government publish its options appraisal and benefits case, including an appraisal of the existing bodies?
- Will a Strategic Environmental Assessment, or at least a screening, be published alongside the consultation?

- Which legislative vehicle do you intend to use: a dedicated Bill, powers in the Public Service Renewal (Scotland) Bill, or an order under existing legislation?
- With regard to the proposal for a single land management agency, how would the conservation purpose of land such as National Nature Reserves be protected where it is managed alongside land with commercial objectives?

Given the limited overlap between the core functions of SEPA and NatureScot, we are not persuaded that a merger would deliver significant efficiencies, and it could create substantial risks to regulatory effectiveness, stakeholder relationships, specialist expertise and the delivery of Scotland's environmental, biodiversity and climate objectives. It is for the Scottish Government to show that the benefits would outweigh these risks. At a time of increasing environmental and climate challenges, strengthening collaboration between the organisations may be more effective than structural integration.

We request a meeting with you at the earliest possible opportunity. This is an urgent matter since the significant disruption a merger could cause would come at a critical time for tackling the nature and climate crises and delivering key government priorities and targets. I would be joined by CIEEM Fellows who have worked at senior management levels within the affected organisations.

Yours sincerely

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