



Law Society
of Scotland

Consultation response

Onshore Wind Policy Statement

January 2022



Introduction

The Law Society of Scotland is the professional body for over 12,000 Scottish solicitors. With our overarching objective of leading legal excellence, we strive to excel and to be a world-class professional body, understanding and serving the needs of our members and the public. We set and uphold standards to ensure the provision of excellent legal services and ensure the public can have confidence in Scotland's solicitor profession.

We have a statutory duty to work in the public interest, a duty which we are strongly committed to achieving through our work to promote a strong, varied and effective solicitor profession working in the interests of the public and protecting and promoting the rule of law. We seek to influence the creation of a fairer and more just society through our active engagement with the Scottish and United Kingdom Governments, Parliaments, wider stakeholders and our membership.

Our Environmental Law Sub-committee welcomes the opportunity to respond to Scottish Government's consultation on *Onshore Wind Policy Statement refresh 2021*¹. We do not seek to respond to the consultation questions but have the following comments to put forward for consideration in connection with *Chapter 4: Barriers to Deployment: Environmental Factors*.

General comments

In relation to noise (section 4.1), we consider that there ought to be a clearer picture of the noise impacts of onshore wind. 'ETSU-R-97' is now of some significant age - we are supportive of this being reviewed and updated and note that UK Government is undertaking work in this area.

Turning to 'Net Zero and Other Land Uses' (section 4.2), we welcome the commitment in the Climate Change Plan to explore the development of a Peatland Restoration Standard. We recognise that work is needed in this area in order to fully explore and mitigate the environmental impacts of onshore wind.

We note that while the paper discusses biodiversity (section 4.3), the impacts of noise on biodiversity are not discussed. Firm commitments in relation to biodiversity are not set out in the paper nor does it reiterate the existing legal protections of biodiversity under both domestic law and international commitments.

¹ <https://consult.gov.scot/energy-and-climate-change-directorate/onshore-wind-policy-statement-refresh-2021/>



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