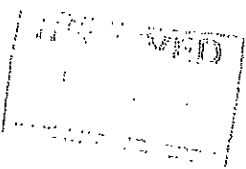


7 February 2018

Roseanna Cunningham MSP  
Cabinet Secretary for the Environment, Climate Change and Land Reform  
The Scottish Government  
St. Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG  
Dear Cabinet Secretary



**THE ROYAL  
ZOOLOGICAL SOCIETY  
OF SCOTLAND**

EDINBURGH  
• EH12 6TS •  
SCOTLAND • UK  
TEL • 0131 334 9171  
www.rzss.org.uk  
REG CHARITY S.C.004064

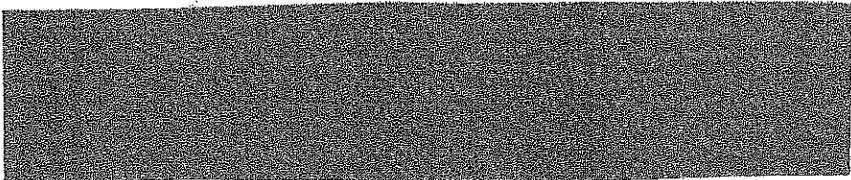
Risk to Giant Pandas at Edinburgh Zoo

I am writing to you as chair of trustees of the Royal Zoological Society of Scotland (RZSS).

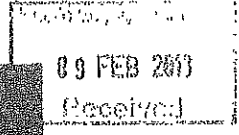
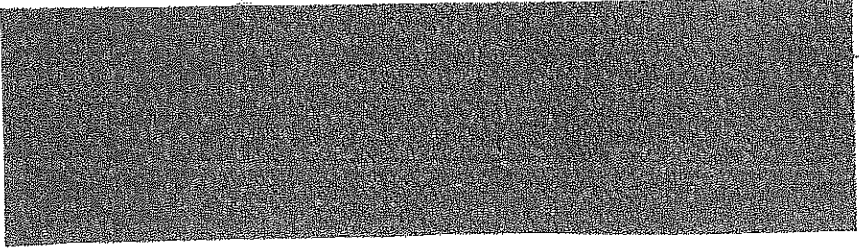
I alerted your principal private secretary in late December to advice from our professional advisors (both veterinary surgeons and professional keepers) that the noise, vibration and other effects likely to result from a development planned at the old Corstorphine Hospital site posed a mortal risk to the Zoo's giant pandas. The panda enclosure is next to the hospital site.

Matters are now becoming critical.

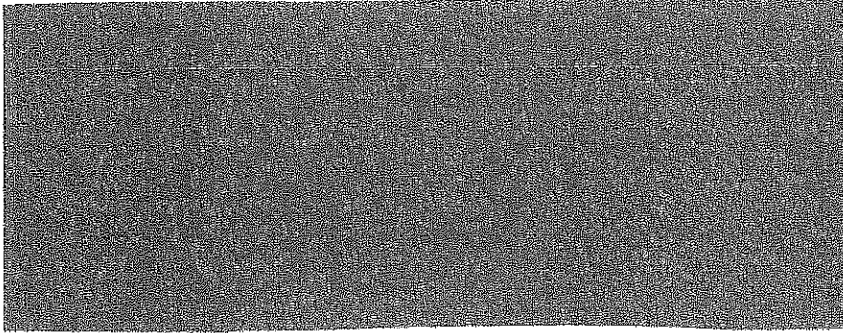
Towards the end of last year we wrote to the City of Edinburgh Council objecting to the grant of planning permission. Planning officials at the Council are however clear that the planning rules do not permit them to take account of an objection based on risk to the giant pandas - these seriously endangered creatures are not, legally speaking, 'protected animals' in Scotland. Their advice to us was to negotiate directly with the developer, seeking to reach an agreement on risk minimisation.



The pandas are a 'gift' from the Chinese Government to the UK Government, under present plans for 10 years from December 2011 to December 2021. (RZSS makes in return a payment of \$1m per year for panda conservation in China.) It is not possible to overstate the significance of these pandas to the Chinese Government. They are THE national symbol of China, and gifting them to the UK for Edinburgh Zoo was a hugely significant sign of good relations with both the UK and Scotland. Our aim must be to protect that gift.







point as yet.

Matters are now becoming time sensitive. We understand that NHS Lothian is expecting to receive the income from the sale of the hospital by 31 March this year, but understandably the developer will not complete the purchase without planning clarity. We cannot say that we will have reached any agreement with the developers in time for this deadline to be met.

There is another time-critical issue. The female panda will shortly come into season. She is a key part of the Chinese Government's panda breeding programme, and that Government has gone to considerable lengths to provide RZSS with frozen semen from a high quality panda in captivity in China to permit artificial insemination (AI) in Edinburgh in 2018. As you will be aware our attempts to date at breeding have been unsuccessful. We have not as yet determined whether to undertake AI again this year, but most certainly we could not, on welfare grounds, pursue this route if the pandas were to be exposed to massive noise, vibration and dust in their current enclosure.

We have kept the Chinese Consul General in Edinburgh informed of these developments, but have not as yet referred to the issue directly with the relevant authorities in China. We will however need to do so sometime soon, given the severe risks to the giant pandas and the need for a decision on whether to proceed with AI.

At this critical juncture we would welcome an early opportunity to meet you to explore ways in which the Scottish Government might be able to assist. I am writing similarly to the Secretary of State for Scotland and will also be briefing the Lord Provost of Edinburgh who is, ex officio, a Patron of RZSS.

We will be in touch with your office very shortly to seek an early appointment with you.

Yours sincerely

**Jeremy A Peat OBE FRSE**  
Chair: RZSS Trustees



Cabinet Secretary for Environment, Climate Change and Land Reform  
Roseanna Cunningham MSP



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

T: 0300 244 4000  
E: scottish.ministers@gov.scot

Mr Jeremy A Peat OBE FRSE  
Royal Zoological Society of Scotland  
134 Corstorphine Road  
EDINBURGH  
EH12 6TS

Our ref: 2018/0006128  
14 March 2018

*Dear Mr. Peat,*

Thank you for your letter of 7 February 2018 concerning the giant pandas at Edinburgh Zoo and your concerns around the possible impact the redevelopment of the old Corstorphine Hospital may have upon them.

The Scottish Government takes the welfare of all animals, including zoo animals, very seriously. As you know there are already robust measures in place to protect animal welfare in the Animal Health and Welfare (Scotland) Act 2006, the Zoo Licensing Act 1981 and the Zoo Licensing Act as amended by the 2003 (Scotland) Regulations.

I understand your concerns about health and welfare impacts relating to the development work adjacent to Edinburgh Zoo. It is worth noting that the Animal Health and Welfare (Scotland) Act 2006 may be relevant to this situation. In particular Section 19 makes it an offence for any person to cause a captive or domestic animal unnecessary suffering and this includes mental as well as physical suffering. You will be aware that Section 24 of this Act also requires the person responsible for animals to take reasonable steps to ensure that the needs of the animals are met. These needs include the need for a suitable environment; to be able to exhibit normal behaviour patterns; the need they have to be housed with, or apart from, other animals; and the need to be protected from suffering, injury and disease. I appreciate your efforts to mitigate the risks in discussion with the developers and would encourage you to continue discussions with them.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

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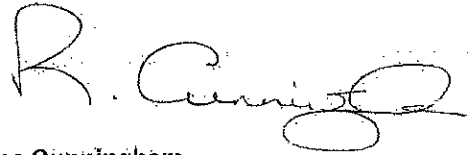




At this stage, however, it is for the planning authority, in this case the City of Edinburgh Council, to interpret and implement relevant planning legislation, guidance and representations given the circumstances of the case. In view of the concerns for the potential health impacts on the pandas, Scottish Ministers have issued a notification direction to the City of Edinburgh Council requiring them to notify this case to the Scottish Ministers should they be minded to grant consent. Scottish Ministers would then have the option to call in the case for their own determination should they consider there to be issues of national importance.

I hope that this has been of some assistance.

Yours



Roseanna Cunningham

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

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[www.gov.scot](http://www.gov.scot)







## ANNEX C

**From:** [SCOTTISH GOVERNMENT OFFICIAL]  
**Sent:** 13 March 2018 00:58  
**To:** [REDACTED] [SCOTTISH GOVERNMENT OFFICIAL]  
**Cc:** [SCOTTISH GOVERNMENT OFFICIAL]  
**Subject:** RE: Giant pandas update

Hi All,

Barbara, just to confirm I also received your update. Many thanks for letting us know.

As always, we stand ready to support your work next time you are in China or engaging with colleagues here.

Best regards,  
[SCOTTISH GOVERNMENT OFFICIAL]

**From:** [REDACTED]  
**Sent:** 12 March 2018 17:14  
**To:** [SCOTTISH GOVERNMENT OFFICIAL]  
**Subject:** Giant panda update

Dear [SCOTTISH GOVERNMENT OFFICIAL]

I am getting in touch to confirm that, as agreed by our Board of Trustees and advised by our Animal Welfare and Ethics Committee, we will not attempt to breed our giant pandas this year.

This pause, which is also supported by our giant panda team, will allow us further time to consider the scientific data, our own experiences and those of colleagues around the world, including the latest thinking on giant panda accommodation.

We very much hope this step will enable successful breeding in the future.

Staff, members and key partners are being advised as appropriate, with a media statement being issued this afternoon in response to enquiries already received.

Best wishes,

Barbara

**Barbara Smith**  
Chief Executive Officer  
[REDACTED]

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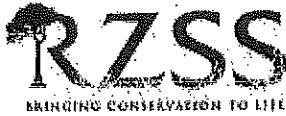
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[www.gov.scot](http://www.gov.scot)







**From:** Barbara Smith [REDACTED]  
**Sent:** 12 March 2018 17:07  
**To:** [SCOTTISH GOVERNMENT OFFICIAL]  
**Subject:** RE: Giant pandas update

Hi there

Please find the statement attached.

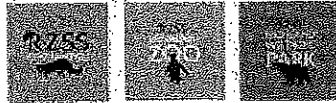
Kind regards

[REDACTED]

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REGISTERED CHARITY NUMBER: SC004064



### Media statement

"We will not attempt to breed our giant pandas this year because we want to further assess the incredibly complex and unpredictable breeding process.

"This pause, which is supported by our giant panda team and other key specialists, will allow us further time to consider the scientific data, our own experiences and those of colleagues around the world, including the latest thinking on giant panda accommodation.

"We routinely use data and learning to inform our approach to breeding, with the successful mating of our polar bears Victoria and Arktos and the birth of their cub at our Highland Wildlife Park a good example.

"In the meantime, the pause will also enable us to make some enhancements to our giant panda enclosure which would not have been practical either during or between breeding seasons.

"We very much hope Tian Tian has a cub in the future and will be thrilled if this happens. Even without breeding success as yet, RZSS is playing a crucial role in safeguarding this magnificent species by helping fund conservation projects in China alongside international partners. These projects are critical, with fewer than two thousand giant pandas in the wild."

**From:** Barbara Smith [REDACTED]  
**Sent:** 12 March 2018 17:02  
**To:** [SCOTTISH GOVERNMENT OFFICIAL]  
**Cc:** [SCOTTISH GOVERNMENT OFFICIAL]  
**Subject:** RE: Giant pandas update

Hi [SCOTTISH GOVERNMENT OFFICIAL]

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Statement to follow. No need for further call.

Best wishes,

Barbara

**Barbara Smith**  
Chief Executive Officer  
[REDACTED]

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RZSS Edinburgh Zoo, Edinburgh EH12 6TS  
[REDACTED] [rzss.org.uk](http://rzss.org.uk) @RZSS /RZSSofficial

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**From:** [SCOTTISH GOVERNMENT OFFICIAL]  
**Sent:** 12 March 2018 15:29  
**To:** [SCOTTISH GOVERNMENT OFFICIAL] Barbara Smith [REDACTED]  
**Cc:** [SCOTTISH GOVERNMENT OFFICIAL]  
**Subject:** RE: Giant pandas update

Barbara

As Katy says thanks for letting us know and useful to see the statement when it is ready.

I have a note to give you a call back, but I've been away from my desk most of the day. Do you still need me to call or have you covered what you wanted to talk about below?

[SCOTTISH GOVERNMENT OFFICIAL]

**From:** [SCOTTISH GOVERNMENT OFFICIAL]  
**Sent:** 12 March 2018 14:54  
**To:** Barbara Smith; [SCOTTISH GOVERNMENT OFFICIAL]  
**Subject:** RE: Giant pandas update

Hi Barbara

Thanks for letting us know.

It would be helpful if you could share the statement when available so we can prepare lines in case we are approached for comment.



Thanks,

[SCOTTISH GOVERNMENT OFFICIAL]

**From:** Barbara Smith [REDACTED]  
**Sent:** 12 March 2018 14:47  
**To:** [SCOTTISH GOVERNMENT OFFICIAL]  
**Subject:** Giant pandas update

Hi there

I am getting in touch to confirm that, as agreed by our Board of Trustees and advised by our Animal Welfare and Ethics Committee, we will not attempt to breed our giant pandas this year.

This pause, which is also supported by our giant panda team, will allow us further time to consider the scientific data, our own experiences and those of colleagues around the world, including the latest thinking on giant panda accommodation.

We very much hope this step will enable successful breeding in the future.

Staff, members and key partners are being advised as appropriate, with a media statement being issued this afternoon in response to enquiries already received.

Best wishes,

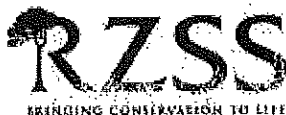
Barbara

**Barbara Smith**  
Chief Executive Officer  
[REDACTED]

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RZSS Edinburgh Zoo, Edinburgh EH12 6TS  
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REGISTERED CHARITY NUMBER: SC004064









Fiona Hyslop MSP  
Cabinet Secretary for Culture, Tourism and External Affairs  
The Scottish Government  
St. Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

13 April 2018

Dear Fiona,

As you will be aware, the Royal Zoological Society of Scotland has made contact with both the UK and Scottish Governments regarding the Giant Pandas at Edinburgh Zoo, and the issue with the development at the old Corstorphine Hospital site.

The pandas are a gift from the Chinese Government to the UK Government, and their presence at Edinburgh Zoo plays an important part in the conservation efforts to save this magnificent but sadly threatened species. The Giant Pandas are a reflection of the strength of our relationship with China, which was also demonstrated recently by the First Minister's visit.

I appreciate that planning matters are devolved in Scotland and that the planning application for the hospital site development is a decision for Edinburgh City Council. Therefore, it would not be appropriate for me to intervene at this stage.

However, I understand that Scottish Government officials have discussed this matter with Edinburgh City Council and issued a 'notification direction' to the council on 12 March and I support this approach. I have asked my officials to continue monitoring this issue with their counterparts in the Foreign and Commonwealth Office and your officials.

I am copying this letter to the Foreign Secretary, Rt Hon Boris Johnson MP, and the First Minister, Rt Hon Nicola Sturgeon MSP.

**Rt Hon DAVID MUNDELL MP**  
**SECRETARY OF STATE FOR SCOTLAND**

