



Summary

- The Agriculture (Retained EU Law and Data) (Scotland) Bill is needed to ensure a smooth transition as the UK exits the EU at the end of 2020.
- However, given that the Bill covers critical years (from 2021-26) in which time Scottish agriculture needs to be halfway towards meeting Scotland's ambitious 2030 climate target, the Bill must set an overall direction of travel for farmers and crofters and support activity that delivers good environmental outcomes.
- **LINK members strongly support amendment 21 (Colin Smyth, supported by John Finnie and Oliver Mundell)** which sets out a purpose for the allocation of future agricultural subsidies to support activities that would lead to a net-zero transformation in agriculture and support nature.
- **LINK members strongly support amendments 23 and 24 (Colin Smyth)** to gather data to inform a future National Food Plan.

1. Amendment 21 – purposes clause

Since the Bill was introduced, Scottish Environment LINK members have argued that MSPs must seize the opportunity to signal how regulations and related funding for agriculture will change in the years ahead.¹ This is critical, as the years covered by the Bill will take Scotland halfway towards meeting its ambitious 2030 climate target and in that same time a transformation in the agriculture sector, a major contributor to Scotland's current greenhouse gas emissions², must occur.

The Bill grants Scottish Ministers extensive additional powers to amend the operation of the Common Agricultural Policy from 2021 onwards when this policy ceases to apply in Scotland. LINK urges the Scottish Parliament to agree a purpose for the allocation of future agricultural support and any related schemes and measures designed to deliver such support.

Amendment 21 sets out a [list of objectives](#) which the future agricultural subsidy system replacing the CAP must be directed towards. This includes increasing the resilience of the sector to climate change; encouraging innovation, productivity and profitability for farming businesses; enhancing biodiversity and animal welfare; and facilitating local food supply chains. Future subsidies, and other secondary regulations, must contribute toward at least one objective listed while not undermining any other.

At Stage 2, the Scottish Government indicated that a purposes clause could cut across work to inform future farming policy being undertaken by an expert group, as had been agreed by Parliament in January 2019. The group was due to publish its recommendations in this summer however, with the

¹ LINK written evidence, January 2020: <https://www.scotlink.org/publication/agriculture-retained-eu-law-and-data-scotland-bill-written-evidence/>

² UK Committee on Climate Change, 2019. *Reducing emissions in Scotland – 2019 Progress Report to the Scottish Parliament*. <https://www.theccc.org.uk/publication/reducing-emissions-in-scotland-2019-progress-report-to-parliament/>



publication delayed, it is understood the findings will not be available ahead of Stage 3 of this Bill. In the absence of the group's recommendations to inform the direction of future farming policy, we believe a purposes clause is essential to include in legislation at this critical time for Scottish agriculture.

Directing the purpose of future regulations in this way ensures that the agriculture sector will continue in its transformation to net-zero practices while delivering resilient agricultural businesses in a strong rural economy. It clarifies the direction Scotland's agriculture sector will move in, giving reassurance to farmers and crofters and allowing for medium to long-term business planning.

Between now and 2026, Scotland must develop an entirely new agricultural support system and it is crucial the next five years lay the groundwork for a transition to a system that delivers broad benefits for society, climate and nature. Amendment 21 (Colin Smyth) sets out the broad policy direction for that future work and LINK strongly urges MSPs support it at Stage 3.

2. Amendments 23 and 24 – national food plan

The Covid-19 pandemic has shown how vulnerable our food system is to shocks and the importance of increasing resilience to deal with future crises. In the face of a sustained economic downturn following lockdown restrictions, demanding climate change targets and the need to create new, resilient supply chains following Brexit, it is vital Scotland plans for improvements in its food system. Following the delay to proposals for a Good Food Nation Bill, **LINK members strongly support amendments 23 and 24 to enable the collection of data to inform a future national food plan.**

This response represents the collective view of LINK's [Food and Farming Group](#). Members may also respond individually in order to raise more detailed issues that are important to their particular organisation.

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with 40 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

For more information contact:

Vhairi Tollan
LINK Advocacy Manager
vhairi@scotlink.org
0131 225 4345

From: Patrick Krause <patrick@crofting.org>

Sent: 27 August 2020 13:51

To: Colin Smyth MSP <colin.smyth.msp@parliament.scot>

Cc: 'Grant R (Rhoda), MSP' <Rhoda.Grant.msp@parliament.scot>; Cabinet Secretary for Rural Economy and Tourism <CabSecRET@gov.scot>

Subject: Stage 3 of the agri bill

Dear Colin

An interesting and passionate debate. I can appreciate that in the heat of the moment rash things may be said, but you were incorrect in saying "The cabinet secretary lobbied the Crofting Federation in the past 24 hours to produce a submission at the last minute." That simply was not true. We are very capable of doing our own research and forming our own position on issues.

We felt that the amendment, as it was worded, left a loophole which could be exploited at the risk of harm to crofting. It is our remit to protect crofting. Were we consulted upon the amendment wording we may have been able to help but given the position of the amendment being presented in the form that it was we had no choice but to oppose it.

With best wishes

Patrick



26th August 2020

Fergus Ewing MSP
Cabinet Secretary for Rural Economy and Tourism

Dear Mr Ewing,

I am writing to you today as President of the Blackface Sheep Breeders Association to express my concerns about the Agriculture (Retained EU Law and Data) (Scotland) Bill and to ask you to support the farming community throughout your constituency by strengthening this important Bill.

Scotland's agricultural and land management sectors cannot simply plan for the short term. We need to know which direction we should be working towards if we are to successfully farm and manage Scotland's land to continue providing the healthy, nutritious, high-quality food we produce and to continue providing the social, environmental and economic benefits we all enjoy from Scotland's land.

I appreciate the main purpose of Agriculture (Retained EU Law and Data) (Scotland) Bill is to provide short-term clarity on farming support as we leave the EU, but this is an opportunity to start moving Scotland towards a future which rewards and invests in farming and wider land management, tailored to Scotland's needs.

I am writing to ask for your support at the Stage 3 debate on Wednesday 26th August to help give Scottish farming the support and direction it needs. Specifically, I would like your support for the following amendments:

1. **Amendment 21** sets out principles for any secondary legislation. The amendments follow the broad principles laid out within the aims and objectives for the Farming and Food Production Future Policy Group. Clearly showing the agriculture sector where Scottish Government's ambition lies would provide much needed clarity and confidence as rural businesses begin to operate in a post-Brexit and post-Covid environment. The sector needs the confidence to target investments and plan appropriately.
2. **Amendment 1** ensures that there is a plan for any savings from the modification of EU law remain within the agriculture budget. It is likely that improvements, simplifications, and modifications to retained CAP legislation could result in budgetary savings. It is right that there be a plan as to how that surplus will be reallocated.

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Blackface Sheep Breeders' Association

Woodhead of Mailer, Perth, PH2 0QA
Tel/Fax 01738 634018 Mob. 07768 820405
Email. aileen@scottish-blackface.co.uk www.scottish-blackface.co.uk



- Amendment 19** introduces a requirement for Scottish Ministers to lay a plan before parliament for the direction of future agriculture policy. The ambition in Stability and Simplicity for initial improvements and, pilots and trials for future policy paired with Net Zero emissions targets and the Covid-19 Green Recovery means the sector must have as much time as possible to understand how these things fit together and the timescale for change.

I would also like to stress the importance of support for hill sheep farming in the hills and uplands of Scotland. Vast tracts of the hill farming areas are protected by SSSI and other designations and much of the rest is totally unsuitable for growing trees. What in the past was LFASS funding is an absolute lifeline in protecting the vital primary apex in the stratified sheep industry, couple with saving an already sparse rural population from disappearing altogether.

I look forward to hearing back from you regarding your position on the Bill at Stage 3 and action you can take to help move the agricultural sector towards a stronger, more resilient future.

Yours sincerely,

Alec J Telfer
President of the Blackface Sheep Breeders Association

Blackface Sheep Breeders' Association

Woodhead of Mailer, Perth, PH2 0QA
Tel/Fax 01738 634018 Mob. 07768 820405
Email. aileen@scottish-blackface.co.uk www.scottish-blackface.co.uk

18 August 2020

Fergus Ewing MSP
Cabinet Secretary for Rural Economy and Tourism
The Scottish Government
St Andrew's House Regent Road
Edinburgh
EH1 3DG

Dear Cabinet Secretary,

The Agriculture (Retained EU Law and Data) (Scotland) Bill provides the Scottish Government with an opportunity to show the agricultural sector a clear direction of travel for future policy. We support the principles and intention of this Bill but feel that the Scottish Government should go further by introducing a purpose clause to clearly show the sector that any secondary legislation will be written with clear principles in mind.

The purpose clauses tabled for Stage 2 of the debate were heavily influenced by the January 10th 2019 motion S5M15279: *"That the Parliament acknowledges that future policy for Scotland's rural economy should be founded on key principles, including sustainability, simplicity, innovation, inclusion, productivity and profitability; recognises that it should seek to maintain flourishing communities, enable farmers and crofters to continue to deliver high-quality goods and services through food production and stewardship of the countryside and Scotland's natural assets, and encourage diverse land use..."*. This motion also called for the creation of the Farming and Food Production Future Policy Group.

The new Farming and Food Production Future Policy Group was broadly welcomed and output from the group was identified as a clear point when the sector would understand more about the government's intention for future policy as proposed by a select group of industry representatives. The group's final report would have been a welcome addition for Stage 3 consideration but whilst we await their recommendations, we still feel the principles behind the group's formation could be included in this Bill.

We therefore call on Scottish Government to support the introduction of a purpose clause in the Agriculture (Retained EU Law and Data) (Scotland) Bill to ensure secondary legislation from this Bill has a clear direction:

- Enabling agricultural activity in Scotland to play its role in meeting Scotland's Net-Zero target and increasing the sector's resilience to climate change
- Encouraging innovation, productivity, profitability, and resilience in agriculture
- Encouraging inclusion and diversity within agriculture and improving working conditions in the sector
- Improving and safeguarding Scotland's natural capital through maintaining, restoring and enhancing biodiversity and landscapes, as called for in the Green Recovery
- Delivering flourishing rural communities and improving food security for healthy sustainable diets
- Facilitating local supply chains, increasing procurement of Scottish produce and encouraging collaborative working.

Clearly showing the agriculture sector where the Scottish Government's ambition lies would provide much needed clarity and confidence as rural businesses begin to operate in a post-Brexit and post-Covid environment. The sector needs the confidence to target investments and plan appropriately, this can only be delivered with clear signals from the Scottish Government. Stability for a short period of time is necessary but the only value it brings is if the sector knows what lies beyond it and can begin preparing now.

Yours Sincerely,

Sarah-Jane Laing – Chief Executive, Scottish Land & Estates



Aoife Behan – Director, Soil Association Scotland



Pete Ritchie - Convener of Scottish Environment LINK's Food and Farming Group



David Noble - Chairman, Game & Wildlife Conservation Trust Scotland



Michael Clarke- Chair of the Scotland Nature Friendly Farming Network



Martin Beard- Rare Breed Survival Trust Scotland

