

AB1

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Wednesday, September 18, 2024 5:25 PM

To: Cabinet Secretary for Transport <CabSecfortransport@gov.scot>

Cc: Burgess A (Ariane), MSP <Ariane.Burgess.MSP@Parliament.scot>

Subject: Letter from Ariane Burgess MSP

Good afternoon,

Please find attached a letter from Ariane Burgess MSP regarding the delay in construction of the proposed new ferry terminal in Gasay, South Uist.

Kind regards,

[Redacted s.38(1)(b)]

Office of Ariane Burgess MSP

Highlands and Islands Region

Ariane Burgess

MSP for the Highlands and Islands Region

The Scottish Parliament, Edinburgh, EH99 1SP

Ariane.Burgess.MSP@Parliament.Scot

Fiona Hyslop Minister for Transport via email: CabSecfortransport@gov.scot

18/09/2024

Dear Fiona,

Re: Delay in Construction of the proposed new ferry terminal in Gasay, South Uist

I am writing to you on behalf of a group of concerned constituents from South Uist who worry about the significant delays in the construction of the proposed new ferry terminal in Gasay, South Uist. My constituents, along with many residents of South Uist, have been eagerly anticipating the development of this vital infrastructure, which is crucial for improving connectivity and supporting the local economy. The delay has caused considerable frustration and worry for island residents after the Scottish Transport Appraisal Guidance (STAG) report published in 2017 concluded that several parts of the existing terminal infrastructure at Lochboisdale had reached the end of their serviceable lifespan, but that an expected date for commencement of the new terminal is now Spring 2029. Given the lengthy delays between the STAG report and expected construction, the residents of South Uist are rightly concerned about the safety of the current infrastructure and the very real possibility of cancellation of the route, causing serious issues for individuals and businesses who rely on the service. Any interruption of the lifeline services to Lochboisdale will have serious impacts on businesses who rely on the ferry to deliver essential supplies or ship products to the mainland, which could lead to an increase in operational costs and reduced income. Moreover, any interruption of services could have a serious

impact on healthcare services. Those who need to reach the mainland for medical appointments and treatments would be faced with lengthy travel to other ferry ports, or to Stornoway to travel by air, increasing stress and potential health risks to patients. Given the importance of this lifeline ferry service to the resilience of the community of South Uist, I kindly request an update on the status of the project, the reasons for the delay thus far, and urge for steps be taken to progress the matter and keep the community informed. I look forward to hearing from you and I would appreciate a response on this by October 3rd .

Kind regards,
Ariane Burgess MSP

AB2

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Wednesday, September 11, 2024 12:33 PM

To: Cabinet Secretary for Rural Affairs, Land Reform & Islands 2024

<CabSecforRALRI@gov.scot>

Cc: Burgess A (Ariane), MSP <Ariane.Burgess.MSP@Parliament.scot>; [Redacted s.38(1)(b)]

Subject: RAIC follow up - Meeting on timber specifications

Dear Mairi,

Thank you for the information you provided in RAI Committee this morning.

In response to my question on changing timber specifications to encourage the use of Scottish timber in house building throughout the UK, you offered a meeting with Scottish Forestry officials.

I'd appreciate it if your office could arrange that, or put me in touch with Scottish Forestry about that.

Thank you,

Ariane

AB3

Ariane Burgess MSP
[Redacted s.38(1)(b)]

Our Reference: 202400431520

7 October 2024

Dear Ariane,

Thank you for your email of 11 September to Mairi Gougeon MSP, Cabinet Secretary for Rural Affairs and Islands, regarding the Rural and Islands Committee meeting. Ms Gougeon would be delighted to meet with you and has advised that she would have availability on the 29th of October to discuss this and any other matters. Please contact her Diary Secretary at CabSecforRALRI@gov.scot to make arrangements.

Yours sincerely,

[Redacted s.38(1)(b)]

AB4

From [Redacted s.38(1)(b)]

> **On Behalf Of** Burgess A (Ariane), MSP

Sent: Tuesday, September 10, 2024 5:05 PM

To: Cabinet Secretary for Rural Affairs, Land Reform & Islands 2024

<CabSecforRALRI@gov.scot>

Subject: Letter in relation to Tayvallich Estate and Crown Estate Scotland Support

Please find attached a letter from Ariane Burgess MSP in relation to the Tayvallich Estate and Crown Estate Scotland's community land accelerator.

Kinds regards,

[Redacted s.38(1)(b)]

For Ariane Burgess MSP for Highlands & Islands | Spokesperson for Communities, Land Reform, Housing and Rural Affairs

Ariane Burgess MSP for the Highlands and Islands Region
The Scottish Parliament, Edinburgh, EH99 1SP
Ariane.Burgess.MSP@Parliament.Scot

10th September 2024

Dear Ms. Gougeon,

I am writing to you in support of the requests made to you buy Tayvallich Initiative in relation to the future of Tayvallich Estate. I have also contacted Crown Estate Scotland (CES) on their behalf to ask them to investigate the use of the Community Accelerator in this case. As their MSP, I've had the pleasure of visiting the Initiative and to see first-hand the huge difference their project is making in both addressing the climate and nature emergencies while creating affordable housing and sustainable livelihoods for the community. I'm aware their letter to you goes into some detail regarding the Memorandum of Understanding and other negotiations with Highlands Rewilding Limited. I won't go over those points here but I do want to impress on you the importance of this project to delivering on the Scottish Government's vision for land reform, community wealth building, affordable housing and sustainable rural communities. In September 2023 you gave evidence to the Net Zero, Energy and Transport Committee on Crown Estate Scotland's unique position to lead in this area due to the land, marine and built assets that it owns. This is an opportunity for the Scottish Government to work with CES to show leadership and vision and to respond nimbly to an emerging challenge to find a practical solution. I share the view, expressed in the Programme for Government 2024-2025, that CES has a unique role in 'value creation and growing sustainable wealth in Scotland' and believe that you can demonstrate the importance of delivering land reform and wealth creation in Scotland through meeting with the community in Tayvallich and CES to discuss how this innovative approach could be an exciting precedent to enable Scotland's land market to better serve the public interest. Thank you for your

consideration of this important and time sensitive matter. I look forward to hearing from you soon.

Kind regards,

Ariane Burgess MSP

Ariane Burgess MSP

Ariane.Burgess.msp@parliament.scot

AB5

Our Reference: 202400431408

Your Reference: Letter in relation to Tayvallich Estate and Crown Estate Scotland Support

7 October 2024

Dear Ariane,

Thank you for contacting me with regard to the Tayvallich Initiative and the Tayvallich Estate, and the role that Crown Estate Scotland may be able to play through its Community Land Accelerator project. I've been informed that Tayvallich Initiative have been in discussion with the Chief Executive of Crown Estate Scotland to discuss the Community Land Accelerator project. Tayvallich Initiative have also met with the Scottish Government Community Land Team to discuss the process for making a Part 2 Community Right to Buy application. Following that meeting they have indicated that they will not proceed with a Community Right to Buy application on this land at this time. I hope the information they have been given will enable them to decide if this is the right option for the community in future. The Community Land Team and Crown Estate Scotland are best placed to advise Tayvallich Initiative further on the two options they are considering, and I have recommend they continue to keep in contact with officials from both of these teams where further advice is required. I think the most efficient way to support the group in pursuing their goals for Tayvallich would be to continue direct discussions with these officials.

Yours sincerely,

MAIRI GOUGEON

AB6

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Thursday, August 29, 2024 5:11 PM

To: Minister for Climate Action <ministerforca@gov.scot>

Cc: [Redacted s.38(1)(b)]>; Burgess A (Ariane), MSP
<Ariane.Burgess.MSP@Parliament.scot>; [Redacted s.38(1)(b)]

Subject: RE: Meeting between Ariane Burgess MSP and Dr Alasdair Allan MSP
Minister for Climate Action

Dear Alasdair,

Thank you for our meeting yesterday, it was great to discuss those items with you.

Please find attached a letter reiterating a couple of points, including the ask for a mention of community renewable energy in the Programme for Government.

Yours sincerely,

Ariane

Ariane Burgess MSP Ariane Burgess BPA
Highlands and Islands A' Ghàidhealtachd agus na h-Eileanan
Scottish Green Party Pàrtaidh Uaine na h-Alba

Minister for Climate Action Alasdair Allan MSP
St Andrew's House, Regent Road Edinburgh EH1 3DG

Ariane Burgess MSP
The Scottish Parliament Edinburgh EH99 1SP

Dear Alasdair,

Thank you for the meeting yesterday. It was wonderful to hear of the Scottish Government's favourable position towards community renewable energy. I wanted to reiterate that it would be encouraging for communities to see that support reinforced in the Programme for Government. A focus on robust support for community-owned renewables, including repowering of existing assets would help with our collective efforts to ensure our rural and island communities that do have access to renewables, thrive. It is positive that the Scottish Government plans to include a target for 'community- and locally-owned energy' in the forthcoming Energy Strategy. However, as discussed, true community-owned energy only makes up 10% of that category, according to the Scottish Governments' own figures in the Draft Energy Strategy and Just Transition Plan: This combined category hides a lack of progress in genuinely community-owned renewables, so a separate target is needed. Community Energy Scotland are calling for a target of 1GW of 100% community-owned energy by 2030, and for a short-life working group to develop a route map to achieve this vision. We also discussed giving priority to community organisations

when it comes to the leasing of public land for renewables, and to energy consents and planning determinations. Denmark provides an inspiring international model, where the Danish Renewable Energy Act requires commercial developers to offer communities at least a 20% share in new wind projects. While the Scottish Government does not hold all the levers to recreate this model in Scotland, it has proposed a new shared ownership support framework. This should be produced in consultation with the community sector. Let's ensure that as Scotland decarbonises, we also democratise our energy system and redistribute the benefits across society, so we are ready to become an independent country with green energy and thriving communities.

Yours sincerely,
Ariane Burgess MSP, Scottish Greens, Highlands and Island

AB7

From: [Redacted s.38(1)(b)]

On Behalf Of ministerforca@gov.scot

Sent: Wednesday, July 17, 2024 11:23 AM

To: Burgess A (Ariane), MSP <Ariane.Burgess.MSP@Parliament.scot>

Cc: ministerforca@gov.scot

Subject: Meeting between Ariane Burgess MSP and Dr Alasdair Allan MSP Minister for Climate Action

CAUTION: *This e-mail originated from outside of The Scottish Parliament. Do not click links or open attachments unless you recognise the sender and know the content is safe.*

Good morning,

I am writing in regards to a request to meet with Dr Allan to discuss woodburning stoves. We would like to offer a meeting date and time of Thursday the 15th of August at 15:45 – 16:15 over MS Teams. We would be very grateful if you could please advise whether this date and time would be agreeable.

Many thanks.

Kind regards,

[Redacted s.38(1)(b)]

Office of the Cabinet Secretary for Net Zero and Energy – Gillian Martin MSP
Scottish Government | St Andrew's House | Regent Road | Edinburgh | EH1 3DG |
Email: CabSecforNZE@gov.scot

AB8

Ariane Burgess MSP

Ariane.Burgess.MSP@Parliament.scot

Our Reference: 202400430010

Your Reference: Scottish Government's favourable position towards community renewable energy

24 September 2024

Dear Ariane,

Thank you for your letter, dated 29 August 2024, following our meeting on 28 August 2024. I believe that we can agree that Scotland's communities must be at the heart of our journey to net zero, and we are committed to working with partners to ensure the delivery of renewable energy comes with benefits for people in Scotland. As discussed, we are committed to increasing support for community energy generation, as shown by the Community Energy Generation Growth Fund, which forms part of the Community and Renewable Energy Scheme (CARES). We have recently announced that this £1.5 million pilot has awarded funding to 20 projects from 19 community groups across Scotland, including communities in Shetland, the Hebrides and Arran. The funding will support these communities to install wind turbines and solar panels or develop other types of renewable energy generation, such as hydro, to meet local needs. As you might have seen, this year's Programme for Government 2024-25 (PfG) states that alongside sectoral decarbonisation, achieving net zero means supporting households and communities to reduce emissions. The PfG also includes a commitment to "fully engage with UK Government on its plans for renewable energy, such as GB Energy, Clean Power 2030, and any plans to explore mandating community benefits, to ensure they deliver for Scotland, prioritise delivery of our clean energy pipeline, and reduce consumer costs and fuel poverty." In our engagements with the UK Government, we are making clear our expectations that GB Energy must deliver real benefits for the people of Scotland and support our efforts for a just transition to net zero by 2045. We look forward to further discussions with the UK Government on plans for GB Energy, to ensure that it delivers for Scotland. I am proud that Scotland is now over halfway towards our target of 2GW of community and locally owned energy by 2030. This target includes a range of ownership types to reflect the different needs, requirements and opportunities available to communities across Scotland, and we provide a breakdown of the different types of ownership in our annual report. We understand that more action will be needed in the coming years to reach the target. That is why we are supporting more wholly owned community energy projects through CARES and are taking action to increase shared ownership opportunities. Addressing your point on giving priority to community organisations when it comes to the leasing of public land for renewables; I understand that Forestry and Land Scotland (FLS) include a requirement for community benefit and community shared ownership in most of their renewable energy land leasing conditions. While this hasn't been the case for every offering that they have run, it is something that has been included in several offerings since 2009. However, there is no requirement to reach an agreement, only that the community must be offered the opportunity to

invest. FLS also have the right to take an equity share in some renewable energy projects on their leased land, but this is not an option that they have taken up to date, and they always make clear to communities that they will step back from that option, if the community wants to take up the full investment. As you rightly state, community benefits, including requirements for developers to offer shared ownership, are voluntary arrangements. As you may be aware the Cabinet Secretary for Net Zero and Energy wrote to the UK Government in December calling on the UK Government to extend current plans and explore options to mandate community benefits from all onshore renewables so more people and businesses see the benefit from our abundant energy resources. The commitment you have highlighted from the Onshore Wind Sector Deal for Scotland, to develop a framework of practical approaches to support and encourage community shared ownership models, is collaborative . Through the Onshore Wind Strategic Leadership Group (OWSLG), established in February 2023, the Sector, Government and other relevant stakeholders will collaborate to develop this framework to assist developers, funders, local government and communities to engage in shared ownership opportunities, publishing a framework by the end of 2024. I hope you find this information useful. I would also like to reiterate the Scottish Government's commitment to supporting community energy and community-owned energy projects.

Yours sincerely

ALASDAIR ALLAN
Minister for Climate Action

AB9

From: Burgess A (Ariane), MSP <Ariane.Burgess.MSP@Parliament.scot>

Sent: Friday, August 23, 2024 1:10 PM

To: Cabinet Secretary for Rural Affairs, Land Reform & Islands 2024

<CabSecforRALRI@gov.scot>

Subject: Need for improved communication with community groups

Dear Mairi,

I trust you have had an ongoing good recess since we met at the GO Falkland event. Please find a letter attached raising my concerns about the lack of communication with local community groups in relation to a sunken Scottish Sea Farm vessel in the Sound of Mull

Cheers,

Ariane

Ariane Burgess MSP Ariane Burgess BPA

Highlands and Islands A' Ghàidhealtachd agus na h-Eileanan
Scottish Green Party Pàrtaidh Uaine na h-Alba

Cabinet Secretary for Rural Affairs and
Islands

Scottish Government
St Andrew's House
Regent Road
Edinburgh
EH1 3DG

22nd August 2024

Dear Mairi,

I recently visited community groups in Morvern, where many raised the matter of the *Julie Anne* support vessel operated by Scottish Sea Farms (SSF) which sank in the Sound of Mull off the Fiunary farm site on 27th June 2024.

There was a visible presence of diesel from the sunk vessel. The area is within a Nature Conservation Marine Protected Area and along a shoreline with known otter presence (a European protected species under the Conservation (Natural Habitats, &c.) Regulations 1994).

The community expressed their frustration at the lack of communication about the incident from authorities including SEPA, the Marine Directorate, the Maritime & Coastguard Agency (MCA) and NatureScot. I was astounded to hear about the lack of communication with the community on such an environmentally damaging incident that affects them.

I wrote to the above bodies and to Scottish Sea Farms to encourage them to attend a meeting with Morvern Community Council and CAOLAS (Community Association of Lochs and Sounds), at their request. They have now agreed to meet on 10th September, and I trust that this will be the start of much improved communication between the public, private sectors and community.

The Maritime & Coastguard Agency responded to me with helpful information. They informed me of an information flow in which Scottish Sea Farms is providing frequent situation reports to “all of the key stakeholders, i.e. MCA, Secretary of States Representative (SOSREP), Marine Directorate (MS), Scottish Environmental Protection Agency (SEPA), Nature Scot (NS) and the Highland Council (HC).”

However, I note that the community council and local community conservation groups are not included in that information flow. Yet I would consider them to be key stakeholders. Scotland has a community empowerment agenda; if we are to fulfil that then all of our public bodies should include affected community organisations in their communications.

The local waters have benefitted from public money through the Nature Restoration Fund, which funded CAOLAS' nature restoration in the area. Much of that could go to waste if this pollution incident undermines the progress made. It is reassuring to hear from MCA that “only a relatively small quantity of diesel has been lost into the marine environment”.

I trust that the appropriate regulatory authorities will ensure that Scottish Sea Farms undertakes any necessary restoration work if shown to be necessary by the post-incident surveys, and that community organisations will be kept properly informed and involved about the ecosystem they have been working so hard to restore.

Sincerely,

Ariane

Ariane Burgess MSP

AB10

From: Burgess A (Ariane), MSP <Ariane.Burgess.MSP@Parliament.scot>
Sent: Tuesday, August 20, 2024 7:50 PM
To: First Minister <firstminister@gov.scot>
Subject: Support energy social enterprises in PfG

Dear John,

I trust you are well and enjoying the tremendous challenge and opportunity of serving as First Minister.

As I mentioned to you, I wanted to pick up on a couple of things that came up during our work together on the Social Enterprise CPG.

Firstly, you shared with those present at our first meeting that you would like to see **one-third of Scotland's businesses set up as social enterprises**.

At our second and last CPG meeting Neil McInroy presented on community wealth building and spoke about the need for **predistribution of the wealth that will be generated by the renewable energy boom**. We briefly discussed this as an opportunity not to be missed.

I see these two points as connected and **one way to advance towards these aims is to support the scale-up of the community energy sector**. The majority of communities that install or take ownership of local renewables set up as social enterprises. They reinvest the revenue into their local economies, providing lasting benefit through community-led housing and community regeneration, for example, and helping eliminate fuel poverty.

I am writing directly to you because I am concerned that this vital community empowerment issue may fall through the cracks between ministerial portfolios and acting appointments.

Scotland has a proud and positive legacy of community ownership of energy. But **progress has slowed and the sector is now at risk of significant decline:**

- Mature generation projects are starting to reach the end of their expected lives without clear paths to continue, due to planning hurdles and grid constraints;
- 25% of Scottish community energy groups do not even have capacity to apply for funding support;
- For the first time in several years, no new community organisations reported involvement with a renewable electricity generation project.

I would appreciate a meeting to discuss the **7 calls to action** set out by Community Energy Scotland and partner organisations (attached), to secure a positive future for community energy.

Including at least one of these measures in the upcoming **Programme for Government** would be the start of the urgent action that is needed to prevent sliding backwards, both in terms of renewables capacity and community wealth building.

I would appreciate it if your office could suggest a time for a meeting either this week or next (between Wednesday and Friday). I realise having been more involved in the PfG process in previous years, that work on this will be drawing to a close, but I am also aware that additional elements can be introduced in the final days of the process.

Every recess I meet with community development companies. I have seen how those with renewables behind them are able to operate on another level, providing housing and good jobs as well as and other benefits in their communities. All communities deserve to benefit from Scotland's abundant natural resources and energy transition, and it's essential that we act now to avoid losing progress that has already been made.

Sincerely,

Ariane

Ariane Burgess MSP Ariane Burgess BPA
Highlands and Islands A' Ghàidhealtachd agus na h-Eileanan
Scottish Green Party Pàrtaidh Uaine na h-Alb

AB11

Ariane Burgess
Ariane.Burgess.MSP@Parliament.scot

Our Reference: 202400428032

12 September 2024



Thank you for your correspondence of 20 August 2024 outlining your thoughts on social enterprise, scaling up the community energy sector and requesting a meeting. I would be happy to meet with you but unfortunately, due to diary pressures, it may take a little time to set up.

As you have highlighted, we know that action to support the community energy sector can impact a number of these priorities and I understand that you have recently met with Alasdair Allan, Acting Minister for Climate Change, to discuss the 7 calls to action. Scottish Government officials are also due to meet the Scottish Community Energy Coalition.

Communities are at the heart of our renewable energy ambitions, and we are committed to working with partners to ensure the delivery of renewable energy comes with benefits for people in Scotland, including community benefit and shared ownership opportunities, as well as supporting progress towards our net zero. These bring valuable investment into communities from their local renewable energy resources. It is therefore vital that communities are involved in agreeing the best approach for their area, one which fits with their long-term needs and aspirations.

We continue to invest in our Community and Renewable Energy Scheme (CARES), which supports communities across Scotland to participate in, and benefit from, the energy transition. The scheme provides advice and funding to communities across Scotland looking to develop renewable energy, heat decarbonisation and energy efficiency projects.

Since its inception, CARES has advised over 1,150 organisations, offered funding of over £65 million to over 900 projects, supported innovation, awareness raising, community planning and decarbonisation, and helped support the installation of 60MW of renewable energy.

CARES £1.5 million Community Energy Generation Growth Fund helps communities across Scotland to develop their own renewable generation projects. It is informed by the needs of communities and supports them to develop wind, solar PV and other renewable energy generation projects. The Fund closed to applications on 28 June 2024.

You also noted the important part Social Enterprise plays in Scotland's economic landscape. It has a pivotal role in delivering on our central purpose & outcomes as set out in the National Performance Framework to make Scotland a more successful country with opportunities to create sustainable and inclusive growth, reduce inequalities and increase wellbeing for all.

Investing in the Third Sector and social enterprises is crucial for our vision of progressing towards a society that is fairer and greener and one that has inclusive growth at its heart. Developing stronger social enterprises is crucial for Scotland to realise our National Strategy for Economic Transformation (NSET) economic and social goals.

I hope this reply reassures you that as a Government, we remain committed to the ambition of Scotland as a sustainable, wellbeing economy, by ensuring that local people and businesses have a genuine stake in producing, owning and enjoying the wealth they create.

I look forward to having the chance to meet to discuss these issues in due course.

Kind regards,



JOHN SWINNEY

AB12

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Wednesday, August 21, 2024 3:50 PM

To: Cabinet Secretary for Rural Affairs, Land Reform & Islands 2024

<CabSecforRALRI@gov.scot>

Subject: Letter on agriculture

Good afternoon,

Please find attached a letter from Ariane Burgess MSP to the Cabinet Secretary, covering 4 points on agriculture.

Thank you,

[Redacted s.38(1)(b)]

Parliamentary Campaigns Officer MSP for the Highlands and Islands Region

[Redacted s.38(1)(b)] The Scottish Green Party

Cabinet Secretary for Rural Affairs and Islands
Scottish Government
St Andrew's House, Regent Road Edinburgh EH1 3DG

Ariane Burgess MSP
The Scottish Parliament Edinburgh EH99 1SP

21 Aug 2024

Dear Cabinet Secretary,
(Copied to the Minister for Agriculture and Connectivity)

Re: Hemp farm visit, peat depth, agroforestry and pigs, CPD programme development

1. Hemp farm visit (time sensitive due to harvest time)

As you know, hemp is a climate-resilient, carbon-neutral, zero-waste crop. The University of Aberdeen are exploring its use to replace imported coir in soft fruit and vertical farming, and to replace imported soya in livestock feed, substantially cutting emissions. But the sector is held back by UK licence requirements. I wanted to suggest a visit to a family farm in Angus that produces hemp oil from plants grown on the farm. The woman who runs the farm and the food business is [Redacted s.38(1)(b)]. She would welcome a visit from you and can provide a tour and tasting. The crop is harvested the third week of September. If your diary would allow this would be a good time for you to visit as you would see the crop still growing, but also the harvest process. We need to support both the producers in the production process but also in opening up the Scottish supply chain.

2. New conditions on peatland.

According to the Agricultural Reform Route Map new conditions on peatland will be added to the Good Agricultural and Environmental Conditions (GAEC 6), stating that no draining, pesticide use, ploughing or other activity can take place on peatland deeper than 50cm. That is welcome, but I would urge you to consider applying that condition to all peatland. There is more peatland that is under 50cm than over 50cm in Scotland, according to a recent IUCN report. All peatland is an important carbon store, but in its current form this condition would leave over half of it unprotected. Further, the threshold is inconsistent with the recently published Muirburn Code, which restricts burning on peatland over 40cm. So if the cross-compliance condition cannot be extended to all peat soils, I would urge you to consider applying the GAEC 6 restrictions to peatland deeper than 40cm.

3. Agroforestry and pigs.

I was contacted by a constituent, farmer and businessman, [Redacted s.38(1)(b)], who asked why pig farmers are excluded from the agroforestry options under the Forestry Grant Scheme. I looked into this and I understand that pig farmers are not excluded, but they are not mentioned in the guidance here:

<https://www.ruralpayments.org/topics/all-schemes/forestry-grant-scheme/agroforestry/> (under Other eligibility criteria).

'Pigs' should be added to the list after Cattle and Sheep & Poultry, even if it simply states that there is no minimum protection requirement for pigs; otherwise it appears to exclude pig farming. I understand that the maximum planting density is 400 trees/ha, under this scheme. But pig farmers can maintain livestock at numbers comparable to other upland farms amongst trees planted at much higher densities. For example, [Redacted s.38(1)(b)] Farm in North Ayrshire includes some areas where pigs happily coexist with trees planted at 2,500/ha. Given the Scottish Government's ambitions to increase tree planting and support farmers to adopt diverse regenerative practices, I believe that the maximum planting density should be increased under the Agroforestry option of the Forestry Grant Scheme. Farmers with higher density trees should be able to benefit from agroforestry support payments if they are delivering agroforestry benefits, without the need to reclassify their land as woodland and lose access to the basic payment scheme. I encourage you to consider this as part of the Agricultural Reform Programme. [Redacted s.38(1)(b)] would welcome a visit from you to [Redacted s.38(1)(b)]. He can be contacted at: [Redacted s.38(1)(b)]. ([Redacted s.38(1)(b)]).

4. CPD Programme Development

I came across a job advert for the Farming with Nature Knowledge Exchange Manager, to be employed by NatureScot. The postholder would "coordinate the development and delivery of a learning programme on agriculture transformation". However, it noted that it would involve working with "advisory bodies such as SRUC, Quality Meat Scotland (QMS) and the Game and Wildlife Conservation Trust (GWCT)". It is of course valid and important to engage with and consult all farming stakeholders, but it is concerning that QMS and GWCT are presented as 'advisory bodies', when, as member organisations, they will have an interest in shaping the CPD programme in a certain way. At the same time there was no mention of member organisations or other organisations that are pioneering agroecological farming, like the Land Workers Alliance or Propagate, which would have

considerable knowledge to share. I know you are committed to a true, just transformation in agriculture. The CPD programme will be pivotal in delivering this, so it's vital that it provides the skills needed for that transformation.

Sincerely,

Ariane Burgess MSP

AB13

Ariane Burgess

Ariane.Burgess.MSP@Parliament.Scot

Our Reference: 202400427879

Your Reference: Letter on agriculture

19 September 2024

Dear Ariane,

Thank you for your correspondence dated 21 August addressed to the Cabinet Secretary for Rural Affairs and Islands regarding a number of agricultural issues (covering a hemp farm visit, peatland depth, agroforestry and pigs and CPD programme development). The topics you have raised cover a number of portfolio interests and I am replying on behalf of my Ministerial colleagues, responding to each area in turn.

Hemp farm visit

You suggested a visit to a farm that produces hemp oil from plants that are grown on the farm. Unfortunately, due to Parliamentary and other official business, neither Ms Gougeon or myself are able to accept your kind invitation on this occasion. I am aware that [Redacted s.38(1)(b)] and her colleagues from the Scottish Hemp Growers were in contact last year and that we are keen to keep in touch as this would be an excellent opportunity to learn more about hemp production in Scotland and the research that has taken place. I have asked my officials to communicate directly with [Redacted s.38(1)(b)] in order to learn more about work that is taking place.

Conditions on peatland

Development of the new provisions for wetlands and peatlands in GAEC 6 considered 50cm and 30cm options, with and without consideration of covering vegetation. Analysis concluded that while adopting a 50cm definition for peat might deliver more modest returns in terms of climate and biodiversity than a 30cm definition, it has the lowest delivery risks in terms of feasibility and impact on farm output and individual businesses in 2025. A 50cm definition was determined to be the best option in terms of Just Transition and carries the lowest risk of 'opt out' by businesses. Finally, it is also the most secure position at present in terms of available research, data and peatland mapping and would provide a robust starting for introduction of the new provisions, but with an aspiration for a more progressive policy move towards a shallower definition during the development of the future support framework as data improves.

Agroforestry and pigs

You were contacted by your constituent, [Redacted s.38(1)(b)], asking about pig farmers and the Forestry Grant Scheme (FGS). The current FGS Agroforestry option can accommodate pigs. With the updated specification launched by Ms Gougeon at the Royal Highland Show in 2023, the Agroforestry option now supports the use of aggressive protection (for example 'cactus guards'). These are known to be effective

protection against both cattle and pigs. The current option does not state that pigs are included nor excluded from this support. The protection specification would need to be in line with that of cattle, and therefore we will seek to include '& Pigs' after the word 'Cattle' where protection is specified, in order to remove ambiguity. With regard to planting densities, the maximum allowable planting density under Agroforestry is 400 stems per hectare. The EU Agroforestry fiche actually specified a maximum of 250 trees per hectare but the FGS went beyond this as we felt 400 stems per hectare offered better early shelter. One of the primary reasons that we cannot increase the densities to, for example, the 2,500 stems per hectare that [Redacted s.38(1)(b)] uses for grazing, is that land under Agroforestry does not change use i.e. from Agriculture to Forestry. When planting at a density of 2,500 stems per hectare this would certainly constitute the creation of a woodland, and does so with any other FGS woodland creation grant. Thank you for the suggestion of a visit to [Redacted s.38(1)(b)]. We would be grateful if this could be submitted as a separate invitation to the Cabinet Secretary so it can be considered in line with other diary considerations.

CPD Programme Development

Regarding your query on the job advert for the Farming with Nature Knowledge Exchange Manager, NatureScot and the Scottish Government work with a wide range of stakeholders across the spectrum of land-use organisations. This includes the RSPB, the Nature Friendly Farming Network, Pasture for Life as well as the Land Workers Alliance and Propagate. Those referenced in the job advert were to provide examples of bodies the postholder would be working with, rather than an exhaustive list. For example, QMS currently delivers the Monitor Farm Network in Scotland on behalf of the Scottish Government. The Game and Wildlife Conservation Trust has provided conservation management advice to a wide range of land managers over many years, so it is important that its messages include information on topics such as the NatureScot Biodiversity Audit and its links to the Scottish Government's Whole Farm Plan. I hope you find the above information helpful and it addresses your queries.

Yours sincerely,

JIM FAIRLIE

AB14

From: [Redacted s.38(1)(b)]
On Behalf Of Burgess A (Ariane), MSP
Sent: Wednesday, August 21, 2024 2:24 PM
To: Minister for Public Finance <MinisterPF@gov.scot>
Subject: Request to Call-In Highland Council Planning Application Ref No: 23/05466/FUL

Dear Mr McKee,

Please find attached a letter from Ariane Burgess MSP in relation to the above planning application, which she feels Ministers should consider calling in for consideration by the DPEA.

Kind regards,

[Redacted s.38(1)(b)]

For Ariane Burgess MSP for Highlands & Islands | Spokesperson for Communities, Land Reform, Housing and Rural Affairs

Ariane Burgess MSP for the Highlands and Islands Region
The Scottish Parliament, Edinburgh, EH99 1SP
Ariane.Burgess.MSP@Parliament.Scot

21/8/24

Ivan McKee MSP Minister for Public Finance
The Scottish Parliament Edinburgh EH99 1SP

Dear Mr. McKee,

Re: Request to Call-In Highland Council Planning Application Ref No: 23/05466/FUL

I am writing to request that you call-in the planning application referenced above, which pertains to a proposed 66-house development at the House of Rosskeen, Ross-shire, on the outskirts of Invergordon. The application was approved by the Highland Council Planning Committee on April 16th, with the final decision notice pending. The developers were granted four months to complete a Section 75 Agreement, but no further documents have been uploaded to the planning portal. This case raises significant concerns regarding the application of national biodiversity and nature-related policies, which may have broader implications for their future implementation. The decision to approve this development contradicts current national planning policy (NPF4) and the newly ratified Inner Moray Firth Local Development Plan 2 (IMFLDP2). The approval of this application raises serious concerns about the transparency and credibility of the application of National Planning Framework 4 (NPF4), with implications far beyond this single development.

The development site is a greenfield area that was previously the site of Invergordon Castle and is surrounded by ancient woodland. It is the last remaining accessible, traffic-free greenspace in Invergordon, used by locals, visitors, and tourists for recreation, education, and mental and physical health and wellbeing. The site was allocated for 30 houses in the 2015 Inner Moray Firth Local Development Plan 1 (IMFLDP1), but it is not included in the updated IMFLDP2 and sits outside the Settlement Development Area (SDA) for Invergordon. Highland Council previously rejected an appeal by the landowners to include the site in IMFLDP2, citing better alternative housing sites closer to the town and its facilities. Despite this, the development was approved under the outgoing IMFLDP1, just weeks before the updated IMFLDP2 was ratified. This timing is critical as the Chief Planning Officer made it clear to planning authorities in February 2023 that, where local development plans pre-date NPF4, the policies in NPF4 take precedence. It appears clear to me that the proposal is in clear breach of the following NPF4 policies and, as such, should not have been approved. NPF4 Policy 18 – Infrastructure First: The application fails to adequately address infrastructure capacity, condition, needs, and deliverability. There is no evidence of a consultee response from the Education Department, and the condition of local schools is inadequate to support the additional housing. NPF4 Policy 9 – Brownfield, Vacant and Derelict Land and Empty Buildings: The development disregards the priority for regeneration of brownfield sites, with suitable alternatives existing within Invergordon. NPF4 Policy 22 – Flood Risk and Water Management & NPF4 Policy 1 – Climate Mitigation and Adaptation: The application fails to address the requirement for a Flood Risk Assessment and the impact on Rosskeen Burn, with no consideration of the significant extension of warehousing facilities for Invergordon Distillery. NPF4 Policy 3 – Biodiversity & NPF4 Policy 6 – Forestry, Woodland and Trees: The biodiversity and ecology surveys were conducted out of season, and the mitigation hierarchy has not been properly considered. The development will have a significant negative impact on the surrounding ancient woodland. The local community, represented by the community council and Save Our Greenspace Invergordon, strongly opposes this development. I also understand that Planning Democracy have contacted the Chief Planner to share their concerns. Given the national importance of these issues and the potential implications for future policy implementation, particularly as we seek to address the housing emergency, I urge you to call-in this planning application for further scrutiny. Thank you for your attention to this matter.

Yours sincerely, Kind regards,

Ariane Burgess MSP

AB15

Ariane Burgess MSP
Ariane.Burgess.MSP@Parliament.Scot

Our Reference: 202400427814

Your Reference: Request to Call-In Highland Council Planning Application Ref No:
23/05466/FUL

28 August 2024

Dear Ariane Burgess MSP,

Thank you for your correspondence regarding the proposed trotting track at Bannockburn. Following full and proper consideration of the proposal, Scottish Ministers called in the application for their own determination on 21 August 2024. The letter can be found on our website <https://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=125296>

An independent reporter will now be appointed to examine the proposal and submit a report and recommendation to the Scottish Ministers who will then make the final decision on this planning application. I hope this is helpful.

Yours sincerely,

IVAN McKEE

AB16

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Monday, August 12, 2024 4:31 PM

To: Minister for Housing <MinisterforHousing@gov.scot>

Cc: Burgess A (Ariane), MSP <Ariane.Burgess.MSP@Parliament.scot>

Subject: Meeting on Landlord Register amendment

Good afternoon,

Ariane would appreciate a meeting with the Minister to discuss an idea she has for an amendment to the Housing Bill, around the Landlord Register.

The idea is to require landlords to upload three pieces of documentation to the Landlord Register, so that (prospective) tenants can check that they have the legally required documentation in place. These are the EPC certificate, the EICR certificate and the Gas Safe Record.

Ariane discussed this with former Special Advisor Gavin Corbett before he left, and he was looking into how this could be taken forward.

Ariane would like to discuss data protection implications and whether this would be possible with the current computer systems for the local authority landlord registration portals and the centralised, searchable database.

It would be much appreciated if you could offer a date and time.

Many thanks,

[Redacted s.38(1)(b)]

[Redacted s.38(1)(b)] Office of Ariane Burgess MSP

Parliamentary Campaigns Officer MSP for the Highlands and Islands Region

[Redacted s.38(1)(b)] The Scottish Green Party

AB17

Ariane Burgess MSP
[Redacted s.38(1)(b)]

Our Reference: 202400427157
Your Reference: Meeting on Landlord Register Amendment

24 September 2024

Dear Ariane Burgess MSP,

Thank you for your email of 12 August 2024 requesting a meeting to discuss your proposed amendment to the Housing (Scotland) Bill with regard to Landlord Registration. I should explain some aspects of the Scottish Landlord Register which would make your proposal more complex than it would initially seem. Landlords in Scotland are required to register so that local authorities can conduct the Fit and Proper Person Test to demonstrate they are fit to let property. Landlords are required to list all of the properties they let, to provide assurance that those properties are being let by a registered landlord. However, the set of questions relating to Prescribed Information (which includes Energy Performance Certificates and gas and electrical safety) is not asked in relation to each property; one set of questions is asked per landlord. Local authorities can then request further information and evidence from the landlord if they find that further scrutiny is needed. The proposed amendments would require applicants to be asked for the prescribed information for each individual property. As the landlord register is a register of people, not properties, this would be a very significant change requiring new customer journeys, changes to IT and significant changes to local authority practice. The requirements to undertake this proposed uploading of documentary evidence would be significant and expensive. Given that there exists already a requirement for landlords to provide tenants (and prospective tenants) with this safety and EPC information on request, I am not clear that the benefit of introducing such significant change would outweigh the costs. Developing the appropriate policy and subsequently legislating for such a change would require significant preparatory work to ensure we got this right – and there is unfortunately not time to progress in the context of the current Bill timetable. On this basis, I am not of the view that the amendment you suggest is one that I am likely to be in a position to support – though of course that is something that we can consider further in the course of the passage of the Bill. As we have a meeting to discuss the Housing Bill in the diary, I suggest we can cover any further questions you might have then.

Yours sincerely

PAUL McLENNAN

AB18

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Monday, August 19, 2024 10:15 AM

To: Cabinet Secretary for Rural Affairs, Land Reform & Islands 2024

<CabSecforRALRI@gov.scot>; Cabinet Secretary for Net Zero and Energy

<cabsecfornze@gov.scot>; Minister for Agriculture and Connectivity

<MinisterforAC@gov.scot>

Cc: Burgess A (Ariane), MSP <Ariane.Burgess.MSP@Parliament.scot>; Francesca Osowska <ceo@nature.scot>

Subject: Beaver translocations in Tay catchment

Dear Ministers and Francesca,

Please find attached a letter about barriers to the translocation of beavers particularly in the Tay river catchment.

I look forward to receiving your response.

Thank you,

Ariane

Cabinet Secretary for Rural Affairs and Islands, Cabinet Secretary for Net Zero and Energy Minister for Agriculture and Connectivity, Cc Francesca Osowska, Nature Scot Chief Executive

Ariane Burgess MSP

The Scottish Parliament Edinburgh EH99 1SP

19th August 2024

Dear Ministers,

I am writing to you as Nature Champion for the Eurasian Beaver. Like other MSPs involved in Scottish Environment LINK's Nature Champion project, my aim is to give political support to these iconic animals, and raise awareness of barriers to their restoration across Scotland. I've been delighted to hear about the recent beaver releases in the Cairngorms, Loch Lomond, and Knapdale. After an absence of over 400 years, beavers are now delivering benefits for people and nature wherever they are present across Scotland. Beaver engineered habitats are successfully mitigating drought and flooding, preventing the spread of wildfire, improving water quality, and creating a rich habitat for a wide range of native species. We should clearly regard them as a key ally as we look to tackle the nature and climate crisis in Scotland. We know from polling earlier this year that the public agree, with three-quarters of Scots wanting public bodies to identify more sites to release beavers, indicating a huge level of support for the species. Actively expanding our beaver population to new catchments is an aim of the Scottish Government, as per Scotland's Beaver Strategy. In particular, there should be support for translocation of beavers in the Tay

river catchment to safe locations. These precious cornerstone allies should not be lost to lethal control. But landowners who understand the value and importance of beavers are being deterred from introducing them in catchments where they are not already present, finding the process for obtaining a licence to be time consuming, and at times, unachievable. A transparent and consistently applied licence application process, including a clear and easily understood definition of what constitutes a 'proportionate level of engagement', is urgently needed. Landowners and communities should be supported to translocate beavers into new catchments if we are to realise our vision for beavers in Scotland. This includes NatureScot proactively completing Strategic Environmental Assessments, allowing applicants to better plan projects. This needs to be accompanied by a higher threshold for lethal control of beavers. The current system permits licences to be issued where there is a perceived 'risk of serious damage' without any actual impacts being demonstrated. This approach is inconsistent with the approach to other protected species, and similarly to the cumbersome approach to release licensing, is inconsistent with the aims of Scotland's Beaver Strategy. With the Scottish Government currently consulting on their Flood Resilience Strategy, this is a perfect opportunity to acknowledge the role that beavers can play in restoring natural river processes and creating more flood resilient landscapes. I look forward to discussing how we can work together, along with others to give local people and communities the support they need to introduce beavers on their land, strengthen the requirements for lethal control, and address overdue actions to ensure that Scotland's Beaver Strategy is delivered.

Sincerely,

Ariane Burgess MSP

AB19

Ariane Burgess MSP
[Redacted s.38(1)(b)]

Our Reference: 202400427108
Your Reference: Beaver translocations

6 September 2024

Dear Ariane,

Thank you for your email of 19 August 2024 regarding the translocation of beavers. I am responding as this falls under my portfolio responsibility. Firstly, I would like to thank you for choosing to be the Nature Champion for the Eurasian beaver and raising awareness through your championing of beaver restoration in Scotland as set out in Scotland's Beaver Strategy. The Beaver Management report produced by NatureScot in July - <https://www.nature.scot/doc/beavermanagement-report-january-2023-april-2024> highlights the significant progress that has been made with regard to beaver restoration and to the ongoing management of conflicts in parts of Tayside. I hope you will recognise the progress made and resources that have been dedicated; including by NatureScot in completing the Strategic Environmental Assessments and Habitats Regulations Assessments to help facilitate translocations in priority catchments. I appreciate the expectations around engagement may be viewed as onerous for some applicants. However, as demonstrated by the licences that have been issued by NatureScot to date, the process should not be viewed as unachievable. The Scottish Code for Conservation Translocations highlights the reason for engaging is to ensure that if projects are approved, they will be successful and that everyone has clear expectations for what will happen thereafter. This is clearly an important prerequisite for all proposals, though the circumstances will dictate what is a proportionate level of engagement. For example, we recognise new catchments will require more engagement than areas where beaver presence has already been authorised and there has been earlier engagement with affected interests. It is difficult to be completely prescriptive about this. NatureScot has endeavoured to set out what would be required of applicants and they will continue to update this guidance to reflect the range of circumstances as the beaver distribution expands. NatureScot has offered to help guide applicants and are encouraging those with an interest in hosting beavers to contact beavers@nature.scot. NatureScot can then help bring interested parties together where this would help to share the work of engaging with others. This accords with the preferred strategic approach to translocations of considering priority catchments rather than disparate individual land holdings. The licensing tests for all European Protected Species are set out in the Conservation (Natural Habitats, &c.) Regulations 1994. Their application with regard to beavers has been examined in detail via Judicial Review. The legislation does not require that serious damage must first occur, but that licences can be issued where there is a risk of serious damage; noting the tests to issue a licence are the same for beaver removal via trapping or via lethal control. Inevitably this involves a judgment, but NatureScot staff now have over 5 years of experience of looking at the situations where beaver conflicts have arisen and indeed have seen examples of serious damage occurring. This approach

is entirely consistent with other protected species licensing. You will be aware that the Scottish Government asked NatureScot to carry out a review of Species Licensing including with regard to the licensing of lethal control of protected species and we expect the findings of that review to be published towards the end of the year. I also welcome that you have drawn attention to the Flood Resilience Strategy and would support the potential that this has to consider beavers alongside a wider range of issues; climate effects of flooding and drought, water quality, enhancing habitat networks, impacts on agricultural production etc. at a catchment scale. This approach would have dividends both in terms of promoting beaver's role in river restoration and with regard to mitigating some of the challenges of beaver activity in agricultural landscapes. The Scottish Beaver Strategy was co-produced by a wide range of stakeholder and the Scottish Beaver Advisory Group (SBAG) was established to continue this collaborative approach to Strategy Delivery. Hence SBAG are actively considering translocations in the context of Strategy Delivery. If you are content, I can ask my officials to share your letter with the Chair of that group Prof Jill Robbie of University of Glasgow and Deputy Chair of NatureScot to consider with regard to actions that would further Strategy delivery. If you would be interested in meeting with NatureScot staff that lead on the beaver work or other aspects of wildlife management, please let me know and will ask my officials to arrange this.

Yours sincerely

ALASDAIR ALLAN

M: Minister for Climate Action

AB20

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Wednesday, July 24, 2024 3:03 PM

To: First Minister <firstminister@gov.scot>

Subject: Letter from Ariane Burgess MSP - Programme for Government support for the Natural Environment (Scotland) Bill

Dear First Minister,

Please find attached a letter from Ariane Burgess MSP regarding the need to introduce a Natural Environment (Scotland) Bill.

Kind regards,

[Redacted s.38(1)(b)]

Office of Ariane Burgess MSP

Highlands and Islands Region

First Minister

Scottish Government

St Andrew's House Regent Road Edinburgh EH1 3DG

firstminister@gov.scot

24/07/2024

Dear First Minister,

Programme for Government support for the Natural Environment (Scotland) Bill.

I am writing to urge you to remain committed to introducing a Natural Environment (Scotland) Bill within this parliamentary session. As you will be aware, this legislation was agreed to as part of the Bute House Agreement with the Scottish Greens following the Scottish Parliament election in 2021. My colleague, Lorna Slater MSP, worked to develop legislative proposals for this Bill in her role as Minister for Biodiversity until April of this year. Following the end of the Bute House Agreement, Scottish Green MSPs remain deeply concerned about the status of the Natural Environment Bill under your new government's plans. This legislation is vital for setting legally-binding targets to restore Scotland's nature – critically at a time when 1 in 9 species in Scotland are at risk of national extinction. The legislation could also introduce much-needed updates to the law on deer management, environmental assessment and new Scottish National Parks so that Scotland can tackle the nature crisis on a several fronts. The success of the Nature Restoration Fund shows that there is an appetite for projects to restore nature locally across the country, but national legislation is needed to embed this drive for nature recovery across all levels of government and in key sectors of the economy. Without such action to reverse biodiversity declines, Scotland cannot guarantee future prosperity or achieve net zero by 2045. I urge you to heed the calls from people across Scotland and to

include the introduction of a Natural Environment Bill in the upcoming Programme for Government.

Kind regards,

Ariane Burgess MSP

AB21

Ariane Burgess MSP
[Redacted s.38(1)(b)]

Our Reference: 202400424024
Your Reference: Natural Environment (Scotland) Bill

12 August 2024

Dear Ariane,

Thank you for your letter to the First Minister asking whether the Scottish Government intends to bring forward a Natural Environment Bill. Restoring Scotland's natural environment is key to addressing the twin crises of nature loss and climate change. The Scottish Government is committed to further protecting and effectively managing 30% of Scotland's land for nature by 2030, halting the loss of biodiversity by 2030 and restoring and regenerating it by 2045, and we continue to pursue a wide range of actions to deliver this commitment. That is why we have pledged £250 million to restore damaged peatlands and committed nearly £40 million since 2021 through, as you've highlighted, our Nature Restoration Fund, to deliver the nature restoration we need. The Scottish Government's future legislative programme, including any plans for a Natural Environment Bill, will be set out as part of the upcoming Programme for Government in due course.

Yours sincerely,

GILLIAN MARTIN

AB22

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Tuesday, July 23, 2024 2:26 PM

To: Cabinet Secretary for Rural Affairs, Land Reform & Islands 2024

<CabSecforRALRI@gov.scot>

Subject: Meetings on salmon farming and agriculture

Dear Mairi,

I trust you are having a good summer.

I would like to request two meetings with you for when we're back in September, to discuss:

1. **Salmon farming.** I wrote to you in December last year to set out the Green group's strong concerns about the slow pace of reform, and requested a meeting (which I have followed up about since). I recently received a large number of emails from constituents setting out their varied concerns about salmon farming, before the RAI Committee inquiry. I would really appreciate the opportunity to discuss these with you and see if any further improvements can be made.
2. **Agriculture – future payment framework.** Now that the Bill has been passed, I would appreciate the chance to discuss a short list of asks for the future payment framework, which stakeholders are bringing to my attention.

Many thanks,

Ariane

Ariane Burgess MSP Ariane Burgess BPA

Highlands and Islands A' Ghàidhealtachd agus na h-Eileanan
Scottish Green Party Pàrtaidh Uaine na h-Alba

AB23

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Tuesday, July 9, 2024 4:02 PM

To: Minister for Agriculture and Connectivity <MinisterforAC@gov.scot>

Subject: Letter from Ariane Burgess MSP - Proposal for Compulsory Microchipping of Cats in Scotland

Dear Jim Fairlie,

Please find attached a letter form Ariane Burgess MSP regarding microchipping of cats in Scotland.

Kind regards,

[Redacted s.38(1)(b)]

Office of Ariane Burgess MSP

Highlands and Islands Region

Jim Fairlie MSP Minister for Agriculture and Connectivity Agriculture and
Connectivity
Scottish Government, St Andrew`s House Regent Road Edinburgh EH1 3DG

09/07/2024

Dear Jim,

Proposal for Compulsory Microchipping of Cats in Scotland

I trust this letter finds you well. I am writing to extend my support for the introduction of compulsory microchipping for cats in Scotland. In 2016, Scotland introduced compulsory microchipping for dogs, which has been highly effective in reuniting lost dogs with their families. I believe it is now time to extend this policy to cats, who are just as valued as companion animals and more likely to become lost as they go outside unaccompanied. This causes distress for both the cat and the owner. Microchipping is the only safe and permanent way to identify a cat and reunite them with their family. It does not harm the cat and can protect its welfare. Additionally, it is inexpensive, with services available for as low as £17, and sometimes covered by adoption organisations like Cats Protection. Currently, 260,000 (29%) owned cats in Scotland are not microchipped, a figure that has stagnated. Making microchipping compulsory will significantly increase the number of microchipped cats, ensuring more pets can be safely returned to their owners. The success of the compulsory microchipping policy for dogs is evident, with 90% of dogs now microchipped. The UK Government is also moving forward with similar regulations for cats in England, with overwhelming public support. It is time for Scotland to implement similar regulations. Could you please provide an update on the Scottish Government's plans regarding compulsory cat microchipping and whether or not it will consider

compulsory microchipping for cats. Thank you for your attention to this important matter. I would appreciate a response by August 6th.

Yours sincerely,

Ariane Burgess MSP

AB24

Ariane Burgess MSP
[Redacted s.38(1)(b)]

Our Reference: 202400422094

Your Reference: Proposal for Compulsory Microchipping of Cats in Scotland

29 July 2024

Dear Ariane,

Thank you for your letter dated 9 July, extending your support for the compulsory microchipping of cats to be introduced in Scotland. The Scottish Animal Welfare Commission's (SAWC) Responsible Cat Ownership Working Group is currently considering responsible cat ownership issues including microchipping and we will carefully consider the SAWC's report and its recommendations once published before taking further action. Our Code of Practice for the Welfare of Cats recommends that all responsible cat owners should consider microchipping their pets as the best way of being reunited with their rightful owners, should they be separated for any reason. On 29 March 2024 Scottish Government Officials met with DEFRA colleagues, to discuss planned microchipping workstreams. Following this engagement, a microchipping working group consisting of representatives from all UK devolved administrations is now in the process of being established. I hope this information reassures your constituents of the Scottish Government's commitment to improve animal welfare.

Yours sincerely,

JIM FAIRLIE

AB25

From[Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Monday, July 1, 2024 11:21 AM

To: Cabinet Secretary for Rural Affairs, Land Reform & Islands 2024

<CabSecforRALRI@gov.scot>

Cc: Minister for Agriculture and Connectivity <MinisterForAC@gov.scot>

Subject: Rural land use policy and payment scheme design

Dear Cabinet Secretary, (Copied to the Minister for Agriculture and Connectivity)

Please find attached a letter from Ariane Burgess MSP in relation to rural land use policy and payment scheme design.

Kind regards,

[Redacted s.38(1)(b)]

For Ariane Burgess MSP for Highlands & Islands | Spokesperson for Communities, Land Reform, Housing and Rural Affairs

Ariane Burgess MSP

The Scottish Parliament

Edinburgh EH99 1SP

Ariane.burgess.msp@parliament.scot

Cabinet Secretary for Rural Affairs and Islands

Scottish Government

St Andrew's House

Regent Road

Edinburgh EH1 3DG

Dear Cabinet Secretary,

(Copied to the Minister for Agriculture and Connectivity)

Re: Rural land use and payment scheme design

Congratulations on the successful completion of the Agriculture and Rural Communities Bill. I know how much work you put in to it.

Now that work on the bill is completed, I would like to draw to your attention some suggestions for policy and payment schemes, as work continues on the Agricultural Reform Route Map and the Code of Practice for Sustainable and Regenerative Agriculture.

1. Incentivise increasing the extent of native woodland

Scotland's native woodland is severely depleted; only 4% of Scotland is covered with native woodland, while 25% is ecologically impoverished grouse moors or deer forests. Many remnant pockets of Scotland's rainforest in crofting areas are currently

unmanaged and unprotected, leading to their gradual decline and death through over-grazing – largely from livestock.

The Scottish Greens would support new conditions on the Less Favoured Area Support Scheme including the effective management of woodland grazing forage land, as well as higher payments to reflect new requirements.

Outcomes-based farm support payments and/or forestry grant schemes should incentivise restoration of native-woodland fragments and their incorporation into farming businesses.

Payments could support the uptake of innovation such as no-fence technology, which allows more natural grazing behaviour. Incentivising clusters of farmers to work together to restore native woodland at the landscape-scale, as demonstrated by the West Loch Ness Farm Cluster, would also help achieve Scotland's native woodland targets.

2. CPD in protecting and improving biological soil health

Biological soil health is too often overlooked at the expense of a focus on chemical make-up. A better awareness and understanding of biological soil health will be important to encourage management practices that limit the use of chemical inputs, which are a significant contributor to climate emissions. Improved biological soil health also prevents soil from drying out, improves livestock nutrition, and enables the soil to draw down more carbon.

A good case study is Neidpath Farms in the Borders. As well as implementing many nature-based, holistic solutions to improve soil health, the farm is involved in laboratory analysis of soil using the Haney soil health test, which measures biological health by looking at nutrient availability and microbial activity. It reflects the complex ecosystem of the soil instead of relying only on measuring N, P and K. Results so far are positive, and farmers can see with their own eyes that the soil holds much more water and reduced flooding.

I should note that currently the Haney soil health test is only available in the US. As farmers and crofters embrace farming for soil health and a living ecosystem it would be worth looking into bringing this method or an equivalent to the UK/Scotland.

The new support framework should include support for:

- testing for biological soil health
- training on biological measures to improve soil health
- reducing chemical inputs

3. Funding Rural Facilitators

I have raised this suggestion with you previously: the idea to fund Rural Community Organising Facilitators to:

- facilitate community organising and train local organisers with facilitation skills including conflict resolution,
- support collaboration across farms and for landscape-scale land management,

- help rural communities become climate-resilient and adaptive and engage in natural capital project.

In England, a 'Facilitation Fund' is available as part of the Countryside Stewardship programme. The fund supports individuals who act as facilitators to bring together groups of farmers, foresters and other land managers to improve environmental outcomes in their local area. A similar fund in Scotland would support the necessary land use change to align with the recommendations of the Just Transition Commission and would help ensure that rural communities benefit through a fair and just transition.

4. Supporting local food economies

At Stage 2 of the Agriculture and Rural Communities Bill, Rachael Hamilton MSP brought an amendment to set a target for local authorities to produce 60% local food. You stated that "the appropriate place would be discussions that we take forward on the Good Food Nation Plans."

The aim of increasing local food production is very important, and I want to ensure that it is progressed.

Would you consider adding practical measures to the Good Food Nation Plan to support the local food economy, using funding from the agricultural budget? That would allow a target such as the one proposed at Stage 2 to become much achievable.

I look forward to continuing work with you on these and other areas.

Sincerely,
Ariane Burgess MSP

AB26

Ariane Burgess MSP
[Redacted s.38(1)(b)]

Our Reference: 202400421277

Your Reference: Rural land use policy and payment scheme design

22 July 2024

Dear Ariane,

Thank you for taking the time to outline your suggestions for policy and payment schemes as work continues on the Agricultural Reform Programme (ARP). Over the course of the passage of the Agriculture and Rural Communities (Scotland) Bill through Parliament, I appreciated the opportunity to work with you on the details of the legislation. Responding to your point about incentivising increasing the extent of native woodland, it is important to note the Quantifying the Carbon Benefits of Forestry report, produced by Forest Research in 2022, concludes that all types of woodlands, not only native, have an important role to play in sequestering carbon. To this end, it is essential that future woodland creation in Scotland maintains a diverse range of woodlands across the forest estate. This will help to strengthen resilience against the impacts of climate change and deliver the full range of benefits that woodlands provide for communities across Scotland. This diverse approach is set out in the current Scottish Forestry Strategy Implementation Plan and in the UK Forestry Standard which, following extensive stakeholder consultation, has been revised to include new measures on species diversity. Nevertheless, I would like to highlight that the Forestry Grant Scheme pays a higher rate of grant for the use of native species, and over 7,000 hectares of new native woodland were created in Scotland during 2023-24. Following on from this point, the ARP Route Map states the Less Favoured Area Support Scheme (LFASS) is expected to continue until 2026, with potential for earlier changes to support a transition towards a more economic and sustainable model for the sector. Decisions on how to replace the current LFASS from 2027, and what this will look like are still ongoing. On the issue of Continuous Personal Development (CPD) relating to protecting and improving biological soil health, you may be aware that efficiency and reduction of the use of synthetic inputs is something that is being explored as part of the Agricultural Reform Programme (ARP), and we look forward to continuing to engage with stakeholders on it. Knowledge, innovation, education and training (including CPD) are of course critical components in addressing skill gaps in the agricultural sector. I agree that soil health is an important area in which we need to ensure we are adequately supporting our farmers, crofters and land managers by making sure they have the right skills to make informed decisions. Officials are looking to ensure CPD covers a broad areas of skills pertinent to agriculture and businesses through a variety of mediums. For this transformational change to occur, farmers and crofters will need to be incentivised to make more choices that contribute towards restoring nature. That is why the proposed future support framework specifically includes a tier (Tier 4, complementary support) designed to enable access to training, knowledge sharing and professional development that will help support farmers and crofters in their transition towards sustainable and regenerative farming practices. I would note that

we already provide a lot of support to our agricultural businesses on soil health. There is a considerable range of support materials available through the Farm Advisory Service (FAS). This includes technical notes, peer-to-peer support groups, videos, podcasts, and advice line support. Businesses can access up to £1,600 of government funding through the Specialist Advice component provided by FAS. Under this component, customers can look for advice on 'Soil and Nutrient Management', which allows businesses to select their preferred advisor to take a deeper look at specific issues regarding soil health. We will continue to engage with landowners and stakeholders, adopting the farmer-led design approach of the new future support framework. However, in the interim, the Agri-Environment Climate Scheme (AECS) is expected to continue into 2026 which includes support for collaboration. Additionally, through the Knowledge Transfer and Innovation Fund (KTIF), the Scottish Government funded the 'Agroecology: Facilitating Mindset Change' project facilitated by Nourish Scotland with other key stakeholders such as Nature Friendly Farming, the Soil Association, Pasture for Life, the Land Workers' Alliance, and the Food, Farming, and Countryside Commission. This project, like a number of other KTIF projects, supports the knowledge transfer of soil health skills for growers and reduces inputs to the sector. In relation to funding rural facilitators, the Scottish Government recognises that landscape-scale collaboration on land management practices is likely to deliver greater nature and climate outcomes. Officials are actively considering how landscape-scale collaboration could be supported within the future agricultural support framework, including help for rural communities to become climate-resilient and engage in natural capital projects. We are in the process of reviewing schemes from across the UK that support collaboration of landowners at landscape-scale to identify examples of best practice. Working towards supporting local food economies, a public consultation on the content of the first national Good Food Nation Plan was conducted and closed on 22 April, and the responses are currently being analysed. A re-drafted Plan will be laid before the Scottish Parliament for scrutiny in due course, along with a statement outlining how the Scottish Government has addressed issues raised in the consultation. Once again, I would like to thank you for your time and input on these matters. Equally, I look forward to continuing work with you on these and other areas.

Yours sincerely,

MAIRI GOUGEON

AB27

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Tuesday, June 25, 2024 6:20 PM

To: Cabinet Secretary for Transport <CabSecfortransport@gov.scot>

Subject: Letter re: text alerts for farmers

Dear Ms Hyslop,

Please find attached a letter from Ariane Burgess MSP,

Kind regards,

[Redacted s.38(1)(b)]

For Ariane Burgess MSP for Highlands & Islands | Spokesperson for Communities, Land Reform, Housing and Rural Affairs

Ariane Burgess MSP for the Highlands and Islands Region

The Scottish Parliament, Edinburgh, EH99 1SP

Ariane.Burgess.MSP@Parliament.Scot

Fiona Hyslop

Cabinet Secretary for Transport

Scottish Government

St Andrew's House Regent Road Edinburgh EH1 3DG

25/6/24

Dear Fiona,

I trust this letter finds you well. I am writing to you to pick-up on some of the issues raised in last week's Parliamentary debate on the resilience of Scotland's lifeline ferry network. As I raised in my contribution to the discussion, farmers and crofters, in particular, are significantly affected by disruptions to ferry transport. Too often, they show up with their livestock only to find that they have to turn round and go home because the ferry isn't sailing. This not only wastes their time but also causes unnecessary stress for both the farmers and the animals. To help reduce this disruption, I have proposed the introduction of a simple text notification system linked to the booking system. This system would alert farmers and crofters the morning of a cancelled sailing, allowing them to make alternative arrangements and avoid unnecessary travel with livestock. I kindly request that you investigate, alongside CalMac, the feasibility of implementing this text alert system. Our farmers, crofters, and island communities deserve a reliable and resilient ferry service, and this could be a simple and cost-efficient step towards achieving that goal. Thank you for your attention to this matter. I look forward to your response and am happy to assist with any actions that may be taken to address this issue.

Yours sincerely,

Ariane Burgess MSP

AB28

Ariane Burgess MSP
[Redacted s.38(1)(b)]

Our Reference: 202400420545
Your Reference: Letter re: text alerts for farmers

3 July 2024

Dear Ariane,

Thank you for your email dated 25 June 2024, regarding your suggestion that CalMac Ferries Ltd (CFL) should consider issuing text alerts for disruptions to service, specifically for farmers and crofters. I understand the frustration experienced by communities and businesses when ferry services are disrupted. The process you suggest is already provided by CalMac across the network via two different sources. Firstly, when a customer has a booking on the system and provides a mobile number, if there are any changes or cancellations to services, they will receive a text message informing them of the change. Please note that this is only applicable on bookable routes. Secondly, on all routes customers can subscribe via SMS to receive service updates direct to their mobile phones either on a one-off or indefinite period of time. This is available to anyone on any route and customers do not need to have a booking to use this service. Further details regarding this can be found on CalMac's website: <https://www.calmac.co.uk/service-status-text> Let me reassure you that I am committed to delivering a first class reliable and sustainable ferry service to our islands and rural communities. This is illustrated by the investment of around £700 million to improve ferry infrastructure, which will result in six new major vessels serving the Clyde and Hebrides network by the end of this Parliamentary session.

Yours sincerely

FIONA HYSLOP
Cabinet Secretary for Transport

AB29

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Monday, June 10, 2024 5:24 PM

To: First Minister <firstminister@gov.scot>

Cc: Cabinet Secretary for Transport <cabsecfortransport@gov.scot>

Subject: Letter from Ariane Burgess MSP re: Shetland Transport

Dear First Minister (cc: Cabinet Secretary for Transport)

Please find attached a letter from Ariane Burgess MSP relating to transport issues for Shetland Islanders.

Kind regards,

[Redacted s.38(1)(b)]

For Ariane Burgess MSP for Highlands & Islands | Spokesperson for Communities, Land Reform, Housing and Rural Affairs

Ariane Burgess

MSP for the Highlands and Islands Region

The Scottish Parliament, Edinburgh, EH99 1SP

Ariane.Burgess.MSP@Parliament.Scot

10th June 2024

CC: Fiona Hyslop, Cabinet Secretary for Transport

Dear First Minister,

I am following up on our discussion during the aborted flight to Shetland on 24 May. As you experienced firsthand, the poor visibility due to fog prevented our plane from landing at Sumburgh Airport. I successfully made it the following day. In the process, I met several people for whom it was their third attempt to get home or as a visitor to get to Shetland. The Shetlanders told me it was a common occurrence. And it's not just in trying to get to the islands; it's also getting off them as I was to experience on my return journey the following day; more about that later. I have three Shetland transport matters I would like to bring to your attention. Aeronautical Ground Lighting (AGL) You may be aware that Highlands & Islands Airports Limited announced a £9m investment in new energy-efficient Aeronautical Ground Lighting (AGL) at Kirkwall and Inverness airports earlier this year. This system provides visual guidance to pilots during landing when visibility is impaired due to adverse weather conditions. Orcadians can look forward to this work being completed in October, just before the worst winter weather. I trust the Scottish Government will raise this issue with HIAL and explore funding opportunities for implementing this scheme at Sumburgh Airport. Inter-Island Tunnels Once I arrived in Shetland, it was good to meet with members of the Carbon Neutral Islands project in Yell. You can imagine the positive discussions we had after your announcement about the next round of funding for the CNI project. While air is likely to remain a vital part of the transport

mix for our island communities, to support a just transition to decarbonised travel, Yell's Carbon Neutral Islands team conveyed the need to prioritise the community-led campaign for tunnels between Mainland Shetland and Yell and Yell and Unst. Yell is a hub for considerable goods and services that boost Scotland's economy, from the potential of satellite launches to current fisheries landings and more. The CNI team along with the Unst & Yell Tunnel Action Groups are eager to advance this ambitious project, which, if realised, could significantly strengthen island communities and facilitate transport decarbonisation. This aligns with the sustainable travel goals outlined in the latest Strategic Transport Review and the Scottish Government's efforts to address rural and island depopulation. This project holds immense potential, and I trust the Scottish Government sees the same potential. Year-round Northlink Ferry Fare for Islanders Finally, fog led to the cancellation of my outbound flight. Still, it gave me the opportunity to take the overnight Northlink Ferry from Lerwick to Aberdeen and learn about the baffling approach to ticket pricing. There is a winter fare and a summer fare. The summer fare is designed to capture extra income from the peak tourist season. Shetlanders and Orcadians do receive a year-round discount, but traveling by ferry would be far more accessible if the fare for islanders was also kept at the same winter/off-season level all year round. While Serco holds the contract to operate Northlink Ferries, I understand the Scottish Government sets the fares. Islanders should not face increased costs during peak season when mainland residents can budget for consistent transport pricing year-round. Previous Scottish Governments eliminated toll fees for island residents on the Skye bridge; it is time to remove this similarly inequitable financial barrier for Shetlanders and Orcadians. Shetland's geographic remoteness should not be an afterthought for national transport policies and investments. The urgency of these key connectivity issues affecting island communities and their quality of life cannot be overstated. I urge you to prioritise these issues and take immediate action. Thank you for considering these three issues. I look forward to discussing them with you further.

Sincerely,

Ariane Burgess MSP

AB30

Ariane Burgess MSP

Ariane.Burgess.MSP@Parliament.Scot

Our Reference: 202400418366

Your Reference: Shetland Transport

1 July 2024

Dear Ariane,

Thank you for your letter of 10 June 2024 to the First Minister about Shetland transport issues. I am responding as this sits within my Ministerial portfolio. Taking each of the issues you raise in turn, Aeronautical Ground Lighting (AGL) provides visual guidance to pilots during landing, taxiing and take-off in darkness and when visibility is impaired due to adverse weather conditions. The AGL currently being installed at Kirkwall and Inverness is replacing existing infrastructure that has reached end of life. This work will enable these airports to continue to operate safely and maintain regulatory compliance into the future. While AGL can enable operations in adverse weather conditions, it does not enable operation in all weather conditions. Even with AGL installed, certain weather conditions, including fog, can cause disruption. The new AGL at Kirkwall and Inverness will not see services that couldn't operate previously be able to operate in the future. I was sorry to hear about the disruption to your flight to Shetland as a result of fog. Sumburgh Airport has AGL and this continues to work effectively. As part of HIAL's ongoing programme of infrastructure maintenance, the AGL at Sumburgh will be replaced when it reaches end of life. We are aware of the growing need for our local authorities to replace ageing ferry fleets and infrastructure and, while responsibility for funding replacement infrastructure does remain wholly with the Councils, we are committed to continuing engagement. We remain committed to the Shetland Ferry Replacement Task Force and supporting the Council to develop a robust business case for future operations of the ferry fleet. I attended the last meeting of the Shetland Task Force on 25 April 2024. As part of that, we discussed fixed links and sub sea tunnels and I include a link to the minutes for your information.

<https://www.transport.gov.scot/publication/shetland-ferry-replacement-task-force-meeting-25th-april-2024/>

As you will know, Shetland Islands Council and ZetTrans are developing an Inter-Island Transport Connectivity Strategy, "Shetland Forward", which will consider ferry replacement, aviation and fixed links as potential connectivity solutions. I look forward to seeing the progress of this study as it develops. Turning to Northlink ferry fares, as you will be aware, the Scottish Government has made significant investment in recent years to ensure that ferry fares remain affordable, with fare freezes against a backdrop of significantly increasing costs of operating ferries. Fare reductions have been introduced on routes from Aberdeen to Orkney and Shetland, including a 20% discount on cabins, a 3-year fares freeze for islanders and a freeze on all fares in 2023-24. We have been considering ferry fares policy through the Fair Fares Review and Islands Connectivity Plan. The draft Islands Connectivity Plan

Strategic Approach paper, published for consultation on 1 February 2024, made a number of proposals around ferry fares policy. This included considering the fares structure for islanders and non islanders and concessions for under 22 year old island residents. It is important to note that any proposed changes must meet the needs of island communities as well as representing value for money at a time of significant and ongoing fiscal pressure. Our consultation on the Islands Connectivity Plan has now closed and we welcome all of the written responses and public input received at the engagement events held on our islands, including Shetland at the beginning of March. These views and responses are being collated and analysed at this time. Transport Scotland officials have noted your point about seasonal fares for islanders. Further detail on next steps and timescales will be confirmed in due course.

Yours sincerely,

JIM FAIRLIE

AB31

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Tuesday, June 4, 2024 2:23 PM

To: Minister for Public Finance <MinisterPF@gov.scot>

Cc: Cabinet Secretary for Rural Affairs, Land Reform & Islands 2024
<CabSecforRALRI@gov.scot>

Subject: [Redacted s.38(1)(b)] and RPID / SLF conflicts for community ownership

Dear Mr McKee

Please find attached a letter from Ariane regarding Knocknagael Ltd's difficulties navigating conflicting guidance from SLF and RPID in relation to a community asset transfer.

Kinds regards,

[Redacted s.38(1)(b)]

For Ariane Burgess MSP for Highlands & Islands | Spokesperson for Communities, Land Reform, Housing and Rural Affairs

Ariane Burgess
MSP for the Highlands and Islands Region
The Scottish Parliament, Edinburgh, EH99 1SP
Ariane.Burgess.MSP@Parliament.Scot

Cc: Mairi Gougeon

4th June 2024

Dear Ivan,

I am writing to you regarding the ongoing difficulties faced by Knocknagael Ltd, a community group in my constituency, in their efforts to complete an asset transfer of the Smiddy Field in Inverness, a community ownership project that has developed over many years. Despite the previous Minister for Public Finance, Tom Arthur MSP, issuing a Ministerial Decision Notice on 4th September 2023 allowing the asset transfer to proceed, Knocknagael Ltd has been unable to progress to the next stage due to conflicting requirements from the Rural Payments and Inspections Division (RPID) and the Scottish Land Fund (SLF). Knocknagael Ltd submitted their application for funding to SLF on 21st December 2023 and their offer to buy the the Smiddy Field to RPID on 16th February 2024. In their application, they included a clawback clause with a 5-year period and an amount calculated on the discount offered, as per SLF policy. However, RPID has insisted on a 25-year planning gain clawback condition, which contradicts the SLF's requirements. It is my understanding that SLF's policy on conditions is determined by Scottish Government and based on the Community Empowerment (Scotland) Act 2015: Asset transfer guidance for authorities, which states that all conditions must be appropriate and proportionate.

Despite the SLF's willingness to accept a compromise, RPID has not shown any flexibility in their position. I am deeply concerned that the inability of a Scottish Government department (RPID) and a Scottish Government agency (SLF) to work together is hindering the progress of this asset transfer, which has been approved by a Scottish Government Minister. This situation is causing undue stress and frustration for the community group, who have worked diligently to comply with the requirements of the Community Empowerment Act. I urge you, as the Minister for Public Finance, to intervene in this matter and provide a solution that will allow Knocknagael Ltd to proceed with their asset transfer. It is essential that the Scottish Government determines a set of conditions for the asset transfer that are acceptable to both the SLF and RPID, enabling Knocknagael Ltd to apply for funding before the upcoming deadline in August. Given the time-sensitive nature of this pressing matter for Knocknagael, I'd very much appreciate a response prior to recess.

Yours sincerely,

Ariane Burgess MSP

AB32

Ariane Burgess MSP
ariane.burgess.msp@parliament.scot

Our Reference: 202400417526

Your Reference: FW: Knocknagael Ltd and RPID / SLF conflicts for community ownership

17 June 2024

Dear Ariane Burgess MSP,

Thank you for your letter of 4 June 2024 regarding the progress of the Community Asset Transfer of the Scottish Ministers' Smiddy Field, Knocknagael, Inverness. Whilst Knocknagael Limited's offer in terms of clawback complies with the Scottish Land Fund (SLF) policy, unfortunately it is not in line with the terms and conditions set out in the Decision Notice of 4 September 2023. SGRPID have a duty of best value, and conditions which do not protect this cannot be agreed and the appeal panel upheld this conclusion. In 2023, they had an open market valuation carried out (i.e. based on unrestricted use in line with CAT guidance), that valued the field at just over £2,000,000. Since Scottish Ministers issued the decision notice, the Inner Moray Firth Local Development Plan (IMFLDP) Examination Report has been published and partially allocates the field for housing as well as growing space. This means that the duration of the clawback and security are even more important to the Scottish Ministers as, in the event of a sale, there is likely to be a substantial uplift in land value. Therefore from the Scottish Ministers' perspective, the 25-year clawback must be insisted upon. Whilst it is for the SLF to determine their clawback and conditions policy, their guidance states that the "time limit for imposing the clawback condition should normally be limited to 5 years from the date of purchase", recognising that there may be circumstances in which a longer clawback might be needed. Terms of over 5 years may be considered as acceptable to the SLF, under exceptional circumstances." As part of their application, Knocknagael Limited are responsible for providing the SLF committee with accurate information relating to the market value of the land with unrestricted use and the level of discount being offered to allow them to properly consider if the 25-year clawback Scottish Ministers required to be imposed was considered as an exceptional circumstance. To date they have failed to do this. The SLF committee is independent and it is entirely their decision as far as individual applications are concerned. However, I have already recommended to the group that as part of any future application, they provide the SLF with an updated market valuation of the field with unrestricted use or including the market valuation of 10 April 2023 that SGRPID provided as information to the review panel, and drawing their attention to the fields status in the Local Development Plan, would be helpful. I have also encouraged the group if they are considering a new valuation that they work with SGRPID to agree the terms of a joint market valuation as defined in the Red Book. To reduce the cost to them, SGRPID would meet the cost of this joint valuation, and assured them, that regardless of the market valuation, they will not be required to revise their original offer of £95,000 for the field.

Yours sincerely,

IVAN McKEE

AB33

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: 04 June 2024 15:44

To: Minister for Climate Action <MinisterCA@gov.scot>

Cc: [Redacted s.38(1)(b)]

Subject: ASHP grants issues

Dear ministerial team,

I hope this email finds you well. I had previously sent the following email to the Minister for Zero Carbon Buildings, however, as this minister has now ceased, I am now writing to you.

I am getting in touch on behalf of Ariane Burgess MSP as she wanted to bring to your attention an issue experienced by one of her constituents regarding air source heat pumps.

The constituent gave his permission to share his story and personal data (see below).

Myself my wife and my two children live in a ex council house and we have a combi oil boiler that has burst and is unusable . We are trying to replace it with a energy efficient air source heat pump through the home energy Scotland grant but feel we are banging our heads against a wall . We were told we needed a energy performance certificate for the property listing what we can apply for, one was cavity wall insulation which we have had installed but the epc said they would never advise on a air source heat pump only to put a new oil boiler in. We had R I Crudens design a heating system with a air source heat pump an they are confidante that it will meet the demand of the house. but we cant apply for the grant as the epc will not recommend it ! This seems completely illogical as we are trying to be more energy efficient and move away from fossil fuel but seems like we are being blocked and not being given the choice! So we are in the position of another winter with no heating apart from plug in electric heaters and cant seem to move forward. Any help with this would be greatly appreciated.

The constituent is named [Redacted s.38(1)(b)] and lives in [Redacted s.38(1)(b)].

Is this an issue that you have been made aware of and who could Ariane's constituent contact to solve his issue?

Thank you in advance.

[Redacted s.38(1)(b)]

Office of Ariane Burgess MSP

Highlands and Islands Region

AB34

Ariane Burgess MSP
[Redacted s.38(1)(b)]
Our Reference: 202400417413
Your Reference: ASHP grants issues

20 June 2024

Dear Ariane Burgess MSP,

Thank you for your correspondence on 20 February 2024 regarding your constituent's application to the Home Energy Scotland (HES) Grant and Loan Scheme. I understand this is related to previous correspondence from 20 February 2024 to the Minister for Zero Carbon Buildings, Tenant's Rights and Active Travel. I have included the response previously issued below. Your correspondence raises the difficulty your constituent has experienced accessing the scheme, particularly relating to the requirement to attain a suitable recommendation to install an air source heat pump. I am sorry to hear of the difficulties your constituent has experienced regarding their application. To access HES Grant and Loan funding, the intended measure must be recommended on an Energy Performance Certificate (EPC) or a renewables report issued by a Home Energy Scotland specialist renewables advisor. The current methodology used to create an EPC will only 'recommend' an air source heat pump in limited circumstances. The Scottish Government recently consulted on proposals to reform EPCs and we are currently analysing feedback. In addition, we are working with UK Government, who own the methodology, to ensure future iterations meet our needs. In the meantime, recommendations for a heat pump for applicants of the HES Grant and Loan scheme are most often provided through a renewables report provided by Home Energy Scotland. When a renewables report is carried out for an applicant, the assessor will bring to the attention of the owner any issues in the property that may affect the energy efficiency improvements, as well as making recommendations of suitable clean heating systems for their property. This step is essential to mitigate risks relating to mis-selling and fraud, as well as the suitability and quality of measures installed. My officials have consulted with Energy Saving Trust (EST), who administer the scheme on the behalf of the Scottish Government. EST have advised that [Redacted s.38(1)(b)] initial application was received on 11 December 2022 and this application was processed by EST on 22 December 2022. As the EPC provided as part of this application did not recommend a heat pump, they requested [Redacted s.38(1)(b)] contact the HES Advice Service to arrange for a renewables report to be undertaken by a HES specialist renewables advisor. A further reminder of the need for a renewables report was issued to [Redacted s.38(1)(b)] on 04 August 2023. EST apologise for any confusion caused regarding the requirement for a renewables report to be undertaken. I am aware that [Redacted s.38(1)(b)] initial application has now expired, however my officials have requested that HES Advice service contact [Redacted s.38(1)(b)] to arrange for a renewables report to be undertaken on his property, should he wish to proceed with an application to the scheme. I hope this answer is helpful and [Redacted s.38(1)(b)] is able to progress with his application.

Yours sincerely

GILLIAN MARTIN

AB35

From: Ariane Burgess MSP <Ariane.Burgess.MSP@Parliament.Scot>

Sent: Tuesday, May 14, 2024 5:22 PM

To: Cabinet Secretary for Health & Social Care 2024 <CabSecHSC@gov.scot>

Subject: (Case Ref: AB5545)

Dear Neil,

Please find attached a letter from Ariane Burgess, regarding the Urgent Care Centre in Portree and the sad events that occurred over the weekend.

Ariane would appreciate a timely response and action on this.

Best regards,

[Redacted s.38(1)(b)]

For Ariane Burgess MSP for Highlands & Islands | Spokesperson for Communities, Land Reform, Housing and Rural Affairs

Email: [Redacted s.38(1)(b)]

Ariane Burgess

MSP for the Highlands and Islands Region

The Scottish Parliament, Edinburgh, EH99 1SP

Ariane.Burgess.MSP@Parliament.Scot

Neil Gray

Scottish Cabinet Secretary for Health & Social Care

14/05/2024

Portree Urgent Care Centre investigation

Dear Neil, I trust this letter finds you well. I am writing on behalf of my constituent, [Redacted s.38(1)(b)], who on the night of 11 May, suffered from anaphylaxis in Portree, Isle of Skye. At the same time, a woman sadly died onsite at the Skye Live music festival. In her letter to me, [Redacted s.38(1)(b)] describes the chain of events which ultimately highlighted the severity of a lack of emergency care in the area. [Redacted s.38(1)(b)] fell ill just 2 minutes away from the Urgent Care Centre, which was closed during one of the busiest weekends in the area. Luckily, a member of the Coastguard was passing and stopped to help. They contacted the Lifeboat and the member who responded happened to be an Advanced Nurse Practitioner (ANP). Had both these individuals not been present, [Redacted s.38(1)(b)] would certainly not have survived. The ANP knew [Redacted s.38(1)(b)] required oxygen immediately and tried to gain access to the Urgent Care Centre to retrieve the necessary lifesaving equipment only to be met by a locked door and no response from staff. The member of the public who phoned the ambulance also tried to get a response from the staff in the Centre but was once again ignored. It was only when the 999 operator phoned the Centre that they were allowed access for provisions, but I do find it disturbing that the patient does not appear to have been allowed to be treated there. [Redacted s.38(1)(b)] had to wait over 45 minutes for an ambulance to

arrive, as one attended to the women who sadly died at the music festival, while another was enroute to Raigmore to transport a patient – a lengthy 6hr+ round trip for the ambulance crew and meaning a lack of emergency cover across the island. Frustratingly, the residents of Portree have been warning of an incident like this for some time since the Urgent Care Centre has had its opening times shortened since Covid. If it had not been for the dedication of the Coastguard and Lifeboat volunteers, there would certainly have been 2 deaths this night. I request, with urgency, that there is an investigation into the events of 11 May and that a review of emergency care on the Isle of Skye, and other islands and rural areas is undertaken. There are many similar events across the Highlands & Islands during the summer months, and locals, as well as visitors, need to be assured that the local healthcare system has the capacity to cope with all eventualities 24 hours a day. I would hope that you would prioritise this as a matter of urgency, and I would appreciate a response on this by 28 May.

Kind regards,

Ariane Burgess MSP

AB36

Ariane Burgess MSP
Ariane.Burgess.MSP@Parliament.Scot

Our Reference: 202400414398
Your Reference: Case Ref: AB5545

3 June 2024

Dear Ariane,

Thank you for your letter of 14 May 2024 on behalf of your constituents regarding the operation of urgent care services at Portree Community Hospital. Firstly, I would like to express my sincere condolences to the family of the individual who lost their life and to the patient that had an anaphylactic shock after a severe allergic reaction. This is of deep concern to me and I met with NHS Highland on 15 May. At this meeting the Chief Executive and Chair from NHS Highland gave their commitment that the Board will complete the implementation of Sir Lewis Ritchie's recommendations. During the meeting, I also asked for a delivery plan for the actions the board will take to resolve this issue. The board have now shared this plan with me and officials are working to provide a full response. In relation to 24/7 urgent care access specifically, NHS Highland fully acknowledge the need to build a more resilient model for out of hours provision with support from Broadford colleagues, ward staff and the Scottish Ambulance Service (SAS). They will be liaising with SAS in relation to this incident as part of their investigations and to take forward any learning for both organisations. NHS Highland have set out how they are working to meet the recommendation from Sir Lewis Ritchie's recommendation that Out-of-Hours urgent care access should be provided 24/7 at Portree Hospital. Ultimate responsibility lies with individual Health Boards to undertake a review of the services they provide for their local communities but, as is the case with the Skye, Lochalsh and South West Ross, Boards may reach out to the Scottish Government for additional support. The Scottish Government expects the recommendations of any such review to be fully implemented. I hope this reassures both you and your constituents of the actions being taken in NHS Highland and the support we are providing. Please do not hesitate to get in touch if you need further information.

Yours sincerely,
NEIL GRAY

AB37

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Monday, May 13, 2024 5:13 PM

To: Minister for Housing <ministerhousing@gov.scot>

Subject: Heat in Buildings - Direct Emissions Heating letter from Ariane Burgess MSP

Dear Paul,

Please find attached a letter from Ariane Burgess MSP relating to the new Heat in Buildings standard. Much of the content of this letter is unchanged from when it was sent to your predecessor in that portfolio, so apologies if this has already been transferred to your inbox. It is, however, an urgent matter for constituents with potential scope for compromise.

Kind regards,

[Redacted s.38(1)(b)]

For Ariane Burgess MSP for Highlands & Islands | Spokesperson for Communities, Land Reform, Housing and Rural Affairs

Ariane Burgess

MSP for the Highlands and Islands Region

The Scottish Parliament, Edinburgh, EH99 1SP

Ariane.Burgess.MSP@Parliament.Scot

13/5/24

Dear Paul,

I include below the text of a letter written to our colleague, Patrick Harvie MSP, shortly before the end of his time as the Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights. Apologies if that original letter gets passed to you and causes duplication, that is not my intention, however this is a matter of some urgency for constituents that I would like to see resolved. I would appreciate meeting with you on behalf of a number of constituents who have raised concerns with me about the New Build Heat Standard, specifically in relation to the restrictions on the installation on wood burning stoves as a primary heat source in new buildings and major renovations. While the drive to reduce carbon emissions and particulate matter from our heating systems is welcome and much-needed to tackle Scotland's greenhouse gas emissions, there are specific issues related to rural and particularly off-grid rural and island communities that make this new standard challenging for them to comply with. I am also concerned about the Island Communities Impact Assessment (ICIA) on the regulation which may have missed an important nuance. There are currently six off-grid islands in Scotland: Muck, Eigg, Rum, Canna, Foula and Fair Isle as well as the off-grid mainland community of Knoydart. With the exception of Foula and Fair Isle, these communities share the postcodes PH42-PH44. As you can see in the

table relating to Q1:18-Q3:22 in the ICIA (reproduced below with off-grid communities highlighted), all the new homes built in these communities had direct emission heating (DEH) installed. This is due to there being insufficient capacity and reliability within the local (chiefly renewable) energy supply to support electric heating. Given their location, most of these properties will burn locally-produced wood. Even when these communities are in a position to install a non-weather/seasonal method of generation (most likely tidal) they will always need a secondary form of heating when there are no renewables being generated. In this situation, the only way of powering zero direct emissions heating (ZDEH), as currently done on Eigg, is to run it on a diesel generator. Wood burning stoves and wood fuel are a key part of Eigg’s net zero by 2030 strategy. They are practical and affordable to both fit and maintain, provide hot water in winter when solar thermal can't, and the island’s local timber harvesting provides both affordable fuel & jobs. According to Eigg’s 2022 fuel poverty survey 44% experience of islander’s are in fuel poverty and 23% in extreme fuel poverty. I therefore urge the Scottish Government to consider an exemption from the new standards specifically for off-grid communities.

Postcode ^[9]	ZDEH (%)	DEH (%)	Total New-Builds
HS1 – HS9	86	14	430
IV41 – IV49; IV55 – IV63	83	17	240
KA27	92	8	90
KW15 – KW17	98	2	450
PA20; PA41 – PA78	85	15	230
PH42 – PH44	0	100	10
ZE1 – ZE3	94	6	300

As well as off-grid communities, I’ve been contacted by woodland crofters with wider concerns about the potential impact of the new standard on their operations. The Scottish Government supports the creation of new woodland crofts which will have new houses on them. A key feature of such crofts is their self-sufficiency in heating fuel, which is a significant benefit to existing crofts. More widely, occupiers of land such as crofters, farmers, and owners of forests could sustainably grow all their own fuel from their own land with minimal ‘fuel miles’, and corresponding benefits arising through managing that land for fuel: shelter; biodiversity; improved timber quality. All that is in danger of being lost if no new properties are permitted to install wood-burning stoves. There is concern this policy could have a significant impact on forest management, particularly in respect of broadleaved thinning should the woodfuel market decline. This market is especially important for community woodland owners. There are a number of options available to resolve this, including the implementation of further exemptions that go beyond simply off-grid communities; introducing more flexibility to the regulations to local authorities who will be able to assess applications on a case-by-case basis; implementing minimum efficiency standards by limiting which equipment is eligible eg ‘dry’ stoves (without boilers) or purpose-designed log boilers with thermal stores. I urge the Scottish Government to further consider an exemption for crofters and occupiers of land who can demonstrate that they will supply their own fuel. I note that there’s already a similar mechanism in place

regarding RHI payments, via the Biomass Suppliers list (self suppliers). Finally, there does seem to be a degree of confusion around what constitutes “emergency” and “secondary” heating sources. I’d welcome more clarity around what these terms mean in practice. For example, if a home is being built with the intention of connecting it to a ZDEH source in the future but a wood-burning stove is required until such a source is expanded or developed, would that be considered an emergency or secondary heat source? I would appreciate hearing from you by 1 May or sooner, and to meet on this matter as soon as possible.

Kind regards,

Ariane Burgess MSP

AB38

Ariane Burgess

Ariane.Burgess.MSP@Parliament.Scot

Our Reference: 202400414105

Your Reference: Heat in Buildings - Direct Emissions Heating letter from Ariane Burgess MSP

31 May 2024

Dear Ariane Burgess,

Thank you for your letter of the 13th of May to Paul MacLennan MSP, Minister for Housing, to raise concerns on behalf of your constituents over the use of wood-burning stoves under the New Build Heat Standard (NBHS). I am responding to you as I hold portfolio responsibility for Climate Action. You invited the minister to a meeting to discuss your concerns. I would be pleased to accept this invitation. Please could you contact my private office by email on MinisterCA@gov.scot to make arrangements. I have been listening to the concerns raised by communities, which is why I announced in Parliament on 28 May that the Scottish Government will be reviewing the regulations with an intention to adapt them to address the issue of flexibility. The outcome of this review will ensure resilience to interruptions of electricity and heating supply, respect for rural communities' culture and traditions, and sustainable systems. I want to ensure that climate-friendly alternatives to direct emissions heating are promoted in appropriate ways across Scotland, and with no unintended consequences with regard to fuel poverty and sustainability, particularly in rural communities. The review will be carried out in short order and will be collaborative – including communities, businesses and Local Authorities to ensure that it reflects all views. In that same spirit, I appreciate the suggestions in your letter on how challenges can be resolved and I am just as keen to work collaboratively with colleagues in Parliament. As you rightly point out, the NBHS as it stands prior to this review applies only to new buildings applying for a building warrant from 1 April 2024, and solutions such as solid fuel burning stoves can still be installed in new homes to provide 'emergency heating' where required. Emergency heating through a fixed installation can be considered if the size, complexity, or heat demand makes portable solutions not suitable. This is in direct response to consultation feedback and recognises the unique needs of Scotland's rural and island communities. In some very rare cases where it is not possible for clean heating systems to be installed in new buildings – for example, in cases where the electrical demand for heating could not be met – then a dispensation or relaxation of the standard is available. This may apply to developers applying for new building warrants on the Isle of Eigg, as referred to in your letter. In many instances, a heat network, when available, would be the most suitable solution. A heat network is considered clean heat regardless of the fuel used which means that a network powered by bioenergy would be permitted. A heat network is any system supplying more than one property with heat. With regards to existing buildings, owners may continue to use and install fuel burning stoves as they choose. As set out in our Bioenergy Draft Policy Statement, published in March, we recognise that the bioenergy sector is a vital part of Scotland's circular economy and that as a renewable, and potentially net zero fuel,

it may represent the best option to decarbonise certain types of buildings. The public consultation on this statement (which closes on 12 June) can be found here: Supporting documents - Bioenergy - draft policy statement: consultation - gov.scot (www.gov.scot). Proposals for the NBHS were subject to full consultation in 2021 and again in 2022, and both consultations showed strong support. We also ran an external working group, six open, online workshops and 12 interview sessions with businesses spanning multiple sectors. Events were held online to try and ensure as much representation from islands communities as possible. This extensive engagement informed a range of impact assessments published alongside the regulations, including the Islands Communities Impact Assessment which can be accessed here: New Build Heat Standard - gov.scot (www.gov.scot). I hope that the above information provides reassurance that that the Scottish Government continues to listen and respond to the feedback we have received on the introduction of the NBHS – underlined by my announcement in Parliament on May 28.

Yours sincerely

GILLIAN MARTIN

AB39

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Thursday, May 9, 2024 3:32 PM

To: Cabinet Secretary for Rural Affairs, Land Reform and Islands

[<cabsecralri@gov.scot>](mailto:cabsecralri@gov.scot)

Subject: Continuing constructive working

Dear Mairi,

After all the changes of the last few weeks, I wanted to write to you to express my desire to continue working together constructively.

I trust that progress will continue on the commitments that are already being worked on. In particular I would appreciate reassurances on the following work continuing:

1. The package of inshore measures
2. The new agriculture support framework with enhanced conditionality against public benefits
3. The Land Reform Bill including legal mechanisms to tackle scale and concentration of land ownership.

I would like to be able to support you in continuing to dedicate the time, care and attention that these and other crucial issues in your portfolio deserve, as we move into a new stage with new leadership in the Scottish Government.

Yours sincerely,

Ariane

Ariane Burgess MSP Ariane Burgess BPA
Highlands and Islands A' Ghàidhealtachd agus na h-Eileanan
Scottish Green Party Pàrtaidh Uaine na h-Alba

AB40

Ariane Burgess MSP
[Redacted s.38(1)(b)]

Our Reference: 202400413416

Your Reference: -

13 June 2024

Dear Ariane,

I know we've been in touch more recently on the Agriculture and Rural Communities (Scotland) Bill but I wanted to formally respond to your email from 9 May where you highlight a desire to continue to work together constructively on a number of matters across our portfolios. Firstly, I've greatly appreciated the positive approach we've had during my time in post and like you, wish to see that continue. I trust you saw our discussions on the ARC Bill as a constructive example of that. On your specific questions, on inshore fisheries you will have seen that on 12 May, following extensive engagement through our inshore co-management group, interim measures were introduced to manage the 2024 brown crab and lobster fishery in response to scientific evidence about the stocks. The new measures are being kept under review and I am expecting updated scientific advice later this year. These interim measures are a first step in a wider programme of work to transition our inshore fisheries management model into a more agile, responsive and regional system. Our proposals will be subject to consultation later this year. On the ARC Bill, I don't want to simply restate what we've already been discussing in detail but as the Bill moves towards its final stage in Parliament, I want to reemphasise how passionate I am that it will help realise the Scottish Government's 'Vision for Agriculture'. Finally, the Land Reform Bill, as introduced to Parliament in March, sets out ambitious proposals that I believe will change how land is owned and managed in our rural and island communities for the better. While I will of course continue to consider feedback on the Bill as it proceeds through Parliament, I want to do all we can with our available resources and powers to tackle the pattern of land ownership in Scotland. I'd be very pleased to speak about our plans for inshore fisheries, the next steps with the ARC Bill and the Land Reform Bill in the coming months. I've asked my officials to look at possible dates.

Yours sincerely,

MAIRI GOUGEON

AB41

From: [Redacted s.38(1)(b)] **On Behalf Of** Burgess A (Ariane), MSP

Sent: 14 November 2024 17:45

To: CabSecTransport@gov.scot; Minister for Agriculture and Connectivity
<MinisterforAC@gov.scot>; Colin McAllister <Colin.Mcallister@gov.scot>

Subject: Pre-Budget meeting with Ariane Burgess re: islands

Good afternoon,

Just to quickly introduce myself, I'm the new Parliamentary Campaigns Officer for Ariane Burgess MSP.

Would it be possible to organise some time with both the CabSec and Minister to speak about the upcoming Budget? In particular, this would be to discuss ferries.

To give an indication of Ariane's availability during a typical week, please be aware that she cannot do Tuesday and Wednesday mornings due to committee meetings.

Best,

[Redacted s.38(1)(b)]

AB42

From: [Redacted s.38(1)(b)]

On Behalf Of Burgess A (Ariane), MSP

Sent: Wednesday, June 12, 2024 11:57 AM

To: Cabinet Secretary for Net Zero and Energy <CabSecNZE@gov.scot>

Cc: [Redacted s.38(1)(b)]

Subject: Letter from Ariane Burgess MSP regarding the urgent need for improved monitoring for sewage overflow sites in Scotland

Dear Cabinet Secretary,

Please find attached a letter from Ariane Burgess MSP regarding the need of monitoring water overflow in Scotland.

Best wishes,

[Redacted s.38(1)(b)]

Office of Ariane Burgess MSP

Highlands and Islands Region

Ariane Burgess

MSP for the Highlands and Islands Region

The Scottish Parliament, Edinburgh, EH99 1SP

Ariane.Burgess.MSP@Parliament.Scot

Màiri McAllan MSP

Cabinet Secretary for Net Zero and Energy

Scottish Government, St Andrew's House Regent Road Edinburgh EH1 3DG

CabSecNZE@gov.scot

12/06/2024

Urgent need for improved monitoring for sewage overflow sites in Scotland

Dear Màiri,

I am writing to express my deep concern regarding the lack of monitoring at sewage overflow sites across Scotland and the alarming under-funding of the Scottish Environment Protection Agency (SEPA). As you are aware, the issue of sewage overflow not only poses a significant threat to our environment but also risks the health and safety of our communities. The recent incidents of sewage discharge into our rivers and coastal areas have highlighted the urgent need for robust monitoring systems to be in place. However, it has come to my attention that many sewage overflow sites lack adequate monitoring, allowing for unchecked pollution of our waterways. In fact, just 4% of overflow sites have active monitoring, from which untreated sewage was released 58,304 times in the last 5 years. I am sure you can imagine how many more incidents have occurred at unmonitored sites. Furthermore, the under-funding of SEPA has severely hampered its ability to effectively carry out its regulatory duties. SEPA plays a crucial role in safeguarding our environment and

enforcing compliance with environmental regulations. However, chronic under-funding has resulted in staffing shortages and a lack of resources, preventing SEPA from fulfilling its mandate effectively. I urge you to take immediate action to address these pressing issues. Firstly, I call upon the Scottish Government to allocate additional funding to SEPA to ensure that it has the resources necessary to carry out its regulatory functions effectively. Adequate funding is essential to enable SEPA to monitor sewage overflow sites, enforce environmental regulations, and take enforcement action against Scottish Water as necessary. Secondly, I request that the Scottish Government works with SEPA and Scottish Water to implement a comprehensive monitoring system for sewage overflow sites across Scotland. This system should include real-time monitoring technology to detect and prevent sewage discharges, as well as regular inspections and reporting requirements to ensure compliance with environmental regulations. While the spotlight is on English and Welsh waters, it would appear that Scottish waters have similar problems, but without the ability to monitor effectively. It would be a pity if that spotlight moved north, further undermining and discrediting the Scottish Government's record. The protection of our environment and public health, especially as increasing number of people are entering Scottish waters, must be a top priority for the Scottish Government. I trust that you will take swift and decisive action to address these critical issues and ensure that Scotland's waterways are clean and safe for future generations. Thank you for your attention to this matter. I look forward to your prompt response.

Kind regards,

Ariane Burgess MSP

AB43

From: [Redacted s.38(1)(b)]> **On Behalf Of** Burgess A (Ariane), MSP
Sent: Monday, October 28, 2024 4:05 PM
To: DL MSPs <DLMSPPs@parliament.scot>; DL MSP Researchers <DLMSPPResearchers@parliament.scot>
Subject: INVITATION: Barlinnie Special Unit: Art, Punishment & Innovation, 5th Nov, 6-8pm

Date and Time

Tuesday 5th November 18:00-20:00

Location

Scottish Parliament, Livingstone Room, Committee Room Number Six

You are warmly welcome to attend a meeting to discuss the newly-published book: 'The Barlinnie Special Unit: Art, Punishment & Innovation' at Scottish Parliament on 5 November 2024, 18:00-20:00.

Hosted by Ariane Burgess MSP, the discussion will look at the Barlinnie Special Unit (BSU) which was known for its therapeutic approach, promotion of the arts and shared decision making between prisoners and staff.

Operating from 1973-1994, the unit sought to enable greater family contact and for prisoners to explore creative activities. It also challenged the prevailing disciplinarian prison culture.

The book, edited by criminology lecturer Dr Kirstin Anderson, makes use of the recollections of the BSU from former prisoners, prison officers, artists, psychologists and scholars to reflect on their experiences in the unit.

This discussion offers an opportunity to meet the editor and contributors of the book, and consider the significance of the BSU in Scottish penal history.

We hope you can join us. Please RSVP to: [Redacted s.38(1)(b)]

Best wishes,

Kirstin Anderson

Editor, ['The Barlinnie Special Unit: Art, Innovation and Punishment'](#)

[Redacted s.38(1)(b)]

For Ariane Burgess MSP for Highlands & Islands | Spokesperson for Communities, Land Reform, Housing and Rural Affairs

AB44

From: [Redacted s.38(1)(b)]

Sent: Thursday, November 7, 2024 4:20 PM

To: Minister for Climate Action <ministerforca@gov.scot>

Subject: Heat Pump installed in New Build without MCS certification

Dear Ministerial Team,

I am writing regarding a constituent who has raised an issue about his hybrid heat pump being fitted by developers without an MCS certification. He has not been able to retrospectively gain an MCS certification and therefore has been unable to access preferential tariffs or additional grants to support installation of solar panels. I believe this could be an issue facing a large number of people, both in his housing development and in wider locations and one which does not assist Scotlands Climate Change Strategy.

I am writing to ask if what action the Scottish Government will take to address this gap and ensure it provides a solution to those who are affected.

My understanding is that the constituent purchased his property with a heat pump already installed. This heat pump did not have MCS certification and the constituent did not find out until he approached Home Energy Scotland for advice on accessing grants and financial support on other measures to reduce his energy bills and promote climate-friendly alternatives, such as solar panels. He was informed they could not offer assistance to him without his hybrid heat pump having an MCS certificate. He has also been unable to access a specific tariff with Octopus Energy for those with heat pumps due to not having his MCS certificate.

He has spoken to both HES and Octopus about this issue, and asked if he can apply for a retrospective certificate. The advice he has been given is that this is not possible, and the only solution would be to re-install a new unit, despite his current one being less than two years old. This is clearly a wholly unsatisfactory response and one that does not assist with the commitments to moving to climate-friendly heating systems in houses.

I am writing to ask what solutions are available to assist those who have purchased new homes without their heat pumps being MCS certified and what action can be taken to ensure that those purchasing houses, particularly with the New Build Heat Standards 2024, do not have the same difficulties as this constituent.

Thank you for your assistance on this matter.

Yours sincerely,

[Redacted s.38(1)(b)]

Office of Ariane Burgess MSP Highlands and Islands Region

Normal Working days : Tuesday and Thursday

AB45

Minister for Climate Action
Ministear airson Gnìomhachd na Gnàth-shìde
Alasdair Allan MSP/BPA
T : 0300 244 4000
E : scottish.ministers@gov.scot

Ariane Burgess MSP
[Redacted s.38(1)(b)]

Our Reference: 202400440152
Your Reference: Heat Pump installed in New Build without MCS certification

18 November 2024

Dear Ariane,

Thank you for your email of 7 November about an issue raised by one of your constituents concerning heat pumps without MCS certification being fitted by housing developers. Ensuring high standards and quality assurance for consumers is at the heart of our approach to Heat in Buildings. It is important to ensure that customers get the comfort and emissions saving benefits that they expect by ensuring high quality, reputable installers are used. In designing Scottish Government support schemes, we are committed to a requirement for strong quality assurance. For clean heating, house owners are required to use MCS installers to access Scottish Government funded support programmes. The Scottish Government's Home Energy Grant and Loan scheme no longer provides new funding for solar panels as of August this year. Previously funding was available for solar PV, limited to where this was installed as part of a package of measures including an MCS accredited heat pump. In relation to new buildings, guidance is provided to house builders in Section 4: Heat Pumps of the Domestic Building Services Compliance Guide for Scotland recommending that "heat pumps should be designed and installed in accordance with the technical standards given in the Microgeneration Certification Scheme's Microgeneration Installation Standard: MIS 3002, subject to the limitations on scope as outlined in this Standard". I hope this information is helpful.

Yours sincerely,

ALASDAIR ALLAN

AB46

Minister for Housing
Paul McLennan MSP
T: 0300 244 4000
E: scottish.ministers@gov.scot

Ariane Burgess MSP
Convener, Local Government,
Housing and Planning Committee
The Scottish Parliament
Edinburgh
EH99 1SP
By Email:
localgov.committee@parliament.scot

25 September 2024

Dear Convener,

Housing (Cladding Remediation) (Scotland) Act 2024

I am writing further to your correspondence of 4 September 2024, in which you ask for an update on a range of matters raised by the Committee in connection with their scrutiny of the Housing (Cladding Remediation) (Scotland) Bill, which received Royal Assent on 21 June 2024. Specifically, you asked for an update on progress with the Cladding Remediation Programme, an update on buildings/entries in the programme's Pilot, an update on the approach to buildings not in the Pilot, and an update on communications and engagement. I have set out further detail on each of these matters in turn below.

Cladding Remediation Programme

The Cladding Remediation Programme is accelerating the pace of delivery now that the Act has been passed and the Single Building Assessment (SBA) technical specification has been published. The latter enables the Scottish Government, developers and other building owners to commission competent SBAs in line with the specification.

As you will be aware, operational delivery under the Act is underpinned by statutory 'Standards', which the Act provides are specified by Scottish Ministers (s. 32(1)(c)). It is my intention to publish these Standards in November 2024. These will comprise the SBA technical specification (already published), along with provisions setting out the compliance, audit and assurance processes with which we expect all persons undertaking Cladding Remediation works to comply.

It is my intention to lay Commencement Regulations shortly thereafter, with a view to ensuring that the Scottish Government can exercise the powers provided for in the Act that support operational delivery activity. I will write further to the Committee in anticipation of laying those Commencement Regulations.

Furthermore, we are now taking concrete steps to set in train a number of SBAs. Having signalled my intention to do so in Parliament on 10 September (in response to a Supplementary Question by Mark Griffin MSP), on 17 September the Scottish Government published a formal Invitation to Tender to conduct SBAs for 12 properties (all of them entries in the Pilot programme, without a linked developer). I consider this to be a significant step forward in the Cladding Remediation Programme.

Additionally, significant progress has been made on the 'Developer Remediation Contract'. A draft has been issued to developers¹ and Homes for Scotland, and officials will meet with their representatives later this week with a view to concluding negotiations, and developers signing as expeditiously as possible.

Cladding Remediation – Pilot

There are 107 entries in the pilot phase of the Cladding Remediation Programme. Entries in the pilot can comprise a single block or building, or a development, or part of a development consisting of multiple blocks or buildings.

We are aware of 'pilot assessments' having been undertaken for 30 of the pilot Entries. These numbers relate to known pilot assessments only – as developers, homeowners or other organisations could have commissioned assessments without informing the Scottish Government. The actual numbers may therefore be higher and could increase as further information becomes available.

Pilot works to mitigate or remediate risks have started for five of the pilot entries. Works in this context refers to any action taken to address known cladding-related risks, including Urgent Interim Measures. Works to remediate risks have not been completed for any of the pilot entries. Although work on the external wall cladding system has been carried out on one building, a SBA carried out to the standard to be specified by Scottish Ministers under section 32 of the Housing (Cladding Remediation) (Scotland) Act 2024 is required to ensure that all works required have been identified and completed ahead of being designated as complete. As noted above, we have now issued Invitations to Tender for SBAs for 12 pilot entries in scope, without a linked developer.

Buildings not in the Pilot Programme

While we continue to work through a number of routes to enrich the quality and efficacy of programme data, we continue to use as an outline planning assumption (noting that this requires to be caveated) the data that was published alongside the Financial Memorandum to the Bill. That data indicated that c. 350 high-rise and up to 500 medium-rise buildings across Scotland may require assessment and some level of remediation across all tenure and building ownership types.

We are also continuing to scope out options to increase the pace of the programme by exploring systems and mechanism that can be put in place for owners and residents to alert the Scottish Government of cladding issues. This has the potential to significantly enhance the pace of the cladding remediation programme.

Developers have a key role to play in the assessment, risk mitigation and remediation of buildings with potentially unsafe cladding. For many such buildings, taking forward assessment and any remediation required will be a matter for the relevant developer or other responsible body, and the Scottish Government is developing a process to monitor this.

Communications and Engagement with owners and residents

To improve communications and engagement with owners and residents we are taking a number of steps including a regular newsletter; improvement to the content and detail of the Scottish Government website; frequent engagement through the High-Rise Action Scotland Group; and the development of a pre-assessment charter. Finally, and to comply with the Act's provisions on pre and post engagement, we will be writing to relevant owners and occupiers shortly to inform them that we have issued Invitations to Tender for SBAs for their properties.

I hope these updates are helpful to the Committee, and I will be happy to provide any further information which may be of use.

Yours sincerely,
Paul McLennan

AB47

Cabinet Secretary for Net Zero and Energy
Rùnaire a' Chaibineit airson Cothromachadh Carboin is Cumhachd
Gillian Martin MSP/BPA
T : 0300 244 4000
E : scottish.ministers@gov.scot

Arianne Burgess MSP
arianne.burgess.msp@parliament.scot

Our Reference: 202400418609
Your Reference: FW: Letter from Ariane Burgess MSP regarding the urgent need for improved monitoring for sewage overflow sites in Scotland

8 July 2024

Dear Arianne,

Thank you for your email of 12 June 2024 regarding monitoring for combined sewer overflows. I am replying as the acting Cabinet Secretary for Net Zero and Energy. I can re-assure you that Scotland's rivers, lochs and coastal waters are world renowned and the Scottish Environment Protection Agency (SEPA) classifies 66% in overall good ecological condition. For water quality alone, SEPA classifies 87% of our water environment as having 'good' water quality and last year 98% of Scotland's bathing waters passed stringent environmental standards. Scotland's River Basin Management Plans (RBMP) have measures in place to achieve 92% 'good' water quality by 2027. However we are never complacent. Indeed, £880 million has already been invested between 2010- 2021 to meet environmental quality drivers and activities under Scottish Water's improving urban waters routemap commits up to a further £500 million during the regulatory period 2021-27. Scottish Water is committed to protecting Scotland's urban waters and will continue to work in partnership with the Scottish Government, SEPA, local authorities, customers, and others to this end. The Scottish Government takes the issue of pollution incidents very seriously and recognises that any sewage pollution is unsightly and can have negative implications for public health and the environment. However, it is not accurate to characterise all spills from Combined Sewer Overflows (CSOs) as sewage spills and it is not the case that spills will always cause pollution incidents. CSOs are an integral part of a sewage network, designed to spill highly-diluted wastewater to the environment to avoid overloading the sewer system and causing it to back up and flood homes and businesses during periods of intense rainfall. What is normally spilled is wastewater which has been highly diluted by rainwater - the toilet sewage element is typically less than 1% of the total volume. CSOs must be licensed by the independent regulator, SEPA, and any unsatisfactory discharges will be identified so that Scottish Water can invest to reduce the environmental impact. You have raised specific concerns on the level of CSO monitoring. As you may be aware, Scottish Water has already committed to installing an additional 1,000 monitors by the end of 2024. I am pleased to report that Scottish Water has already installed some 800 monitors so it is well on track to deliver on its commitment. However, a monitor can only tell you if an asset is spilling, it does not provide detail

on whether there is a negative environmental impact. That is why the independent regulator SEPA closely monitors our waters. We have been working to understand and address this issue for some time - in partnership with SEPA, Scottish Water carried out a comprehensive Scotland-wide environmental study programme to assess and model the impacts of its assets on water quality during the 2015 to 2021 investment period costing £40m. These computer models can now allow Scottish Water to understand when CSOs will spill, under what rainfall conditions and the impact those spills will have on the environment. This allows Scottish Water to accurately target investment towards the CSOs causing the greatest environmental impact. You have also raised concerns with the funding of SEPA. I can confirm that SEPA, along with other environment bodies, plays a pivotal role in protecting and maintaining a safe, healthy and sustainable environment for the people of Scotland. This is achieved through funding from Scottish Government alongside SEPA's regulatory activities funded by cost recovery under the principle of polluter pays. The budget settlement for 2024-25 announced on 19 December 2023 recognises the increasing level and quality of work being delivered by SEPA which is why despite such challenging financial circumstances, the organisation will benefit from an 5% uplift to its core funding, bringing its core budget to £52.6m in 2024-25. Finally, your constituents may also find it helpful to note that the Scottish Government has recently consulted on Water, Wastewater and Drainage Policy. The policy proposals are designed to protect our water, wastewater and drainage services; better understand the impacts of climate change on these services; and, maximise the benefits that can be delivered for the people of Scotland. This includes consideration of appropriate wastewater collection and treatment, including overflows. Our consultation is now closed and the results are available online. The results will help inform the policy actions that should be taken to ensure our services can adapt to the climate emergency.

Yours sincerely,

AB48

Minister for Climate Action
Ministear airson Gnìomhachd na Gnàth-shìde
Gillian Martin MSP/BPA
T : 0300 244 4000
E : scottish.ministers@gov.scot

Ariane Burgess MSP
[Redacted s.38(1)(b)]

Our Reference: 202400410176
Your Reference: New Build Heat Standard

23 May 2024

Dear Ariane Burgess MSP,

Thank you for your recent enquiry seeking clarification on issues raised recently regarding the introduction of The New Build Heat Standard (NBHS). I am responding as the Minister for Climate Action. Firstly, I would like to clarify that there is no blanket ban on wood burning stoves. I would like to reassure you that we have heard the concerns raised recently about the use of solid fuel burning stoves and are taking these fully on-board. The Scottish Government recognises the use of these stoves particularly in rural and island communities, particularly where loss of power may be more frequent, the impacts more pronounced and alternatives unavailable. As you have rightly understood, currently the NBHS applies only to new buildings applying for a building warrant from 01 April 2024. Under the Standard, wood burning stoves or other 'direct emission heating systems' can still be installed to provide 'emergency heating' where such a solution can be justified. This provision was included in direct response to consultation feedback, to recognise the unique needs of Scotland's rural communities. However, we acknowledge that the way in which technical guidance is currently drafted on what constitutes emergency heating can be difficult to reconcile with the nature of wood burning stoves which are often installed for more frequent use, rather than solely as emergency systems. To address this we are, initially, considering what further clarity can be provided in the guidance and will work with concerned parties, developers, and Local Authorities to ensure that any updates to the existing technical guidance address this. I would also like to clarify that in some very rare cases where it is not possible for clean heating systems to be installed in new buildings, for example, in cases where the electrical demand for heating could not be met, then a dispensation or relaxation of the standard is an available process. This may apply to developers applying for new building warrants new on the Isle of Eigg. In many instances, a heat network, when available, would be the most suitable solution. A heat network is considered clean heat regardless of the fuel used which means that a network powered by bioenergy would be permitted. Proposals for the NBHS were subject to full consultation in 2021 and again in 2022, and both consultations showed strong support. We also ran an external working group, six open, online workshops and 12 interview sessions with businesses spanning multiple sectors. Events were held online to ensure as much representation from islands communities as possible. This extensive engagement informed a range of

impact assessments published alongside the regulations, including the Islands Communities Impact Assessment which can be accessed here: [New Build Heat Standard - gov.scot \(www.gov.scot\)](http://www.gov.scot). I hope the above information provides reassurance that the Scottish Government continues to listen to the feedback we have received on the introduction of the NBHS and are taking steps initially to consider what further clarity is needed.

Yours sincerely
GILLIAN MARTIN

AB49

Cabinet Secretary for Transport
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Ariane Burgess MSP
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Our Reference: 202400411448
Your Reference: Reduction of bookable spaces for bikes on Calmac ferries (Case Ref: AB5265)

13 May 2024

Dear Ariane,

Thank you for your email dated 24 April 2024, regarding the reduction of the number of bookable bicycle spaces on ferries servicing the Western Isles. Your enquiry has passed to me as Cabinet Secretary for Transport, given that Ferries sits within the Transport portfolio. My officials have spoken to CalMac Ferries Limited regarding the circumstances of your enquiry, and they have confirmed that the Isle of Lewis, which is the vessel serving Barra, can take up to 20 bicycles on each sailing without impacting car space. They have further clarified that bicycle capacities are set by the Master or the crew, and reflect how many they can accommodate and secure. The bicycles are accommodated in small areas of the vehicle deck, which cannot be used for vehicles. In addition, once these areas are full and dependent on the size of the vessel, the crew would look at some form of bicycle rack that can sit on the vehicle deck, to ensure the bikes can be secured to prevent damage to other bikes and vehicles. However, not all vessels/ports will have them available and would only be considered if it did not affect vehicle space. This could be used if, for example, there was an event on the island where a large numbers of cyclists were expected. In this incidence the port staff would configure the system to block off the amount of deck space needed for the bike rack(s). With regards to online bookings, while ports may be able to make arrangements depending on facilities available to them, once the initial bike capacity has fully booked, the system will not accept any further bike bookings. Finally, CalMac have advised, if not all of the vehicle deck space is in use, and there is capacity to carry more than the 20 bookable spaces, the crew would aim to accommodate as many additional bicycles as they can on board. I hope you find this supportive to relay to your constituent, and thank you for bringing these concerns to my attention.

Yours sincerely
FIONA HYSLOP
Cabinet Secretary for Transport

AB50

From: Burgess A (Ariane), MSP
<Ariane.Burgess.MSP@Parliament.scot>
Sent: Tuesday, August 20, 2024 7:50 PM

To: First Minister <firstminister@gov.scot>
Subject: Support energy social enterprises in PfG

Dear John,

I trust you are well and enjoying the tremendous challenge and opportunity of serving as First Minister.

As I mentioned to you, I wanted to pick up on a couple of things that came up during our work together on the Social Enterprise CPG. Firstly, you shared with those present at our first meeting that you would like to see **one-third of Scotland's businesses set up as social enterprises**.

At our second and last CPG meeting Neil McInroy presented on community wealth building and spoke about the need for **predistribution of the wealth that will be generated by the renewable energy boom**. We briefly discussed this as an opportunity not to be missed.

I see these two points as connected and **one way to advance towards these aims is to support the scale-up of the community energy sector**. The majority of communities that install or take ownership of local renewables set up as social enterprises. They reinvest the revenue into their local economies, providing lasting benefit through community-led housing and community regeneration, for example, and helping eliminate fuel poverty.

I am writing directly to you because I am concerned that this vital community empowerment issue may fall through the cracks between ministerial portfolios and acting appointments.

Scotland has a proud and positive legacy of community ownership of energy. But **progress has slowed and the sector is now at risk of significant decline**:

- Mature generation projects are starting to reach the end of their expected lives without clear paths to continue, due to planning hurdles and grid constraints;
- 25% of Scottish community energy groups do not even have capacity to apply for funding support;
- For the first time in several years, no new community organisations reported involvement with a renewable electricity generation project.

I would appreciate a meeting to discuss the **7 calls to action** set out by Community Energy Scotland and partner organisations (attached), to secure a positive future for community energy.

Including at least one of these measures in the upcoming **Programme for Government** would be the start of the urgent action that is needed to prevent sliding backwards, both in terms of renewables capacity and community wealth building.

I would appreciate it if your office could suggest a time for a meeting either this week or next (between Wednesday and Friday). I realise having been more involved in the PfG process in previous years, that work on this will be drawing to a close, but I am also aware that additional elements can be introduced in the final days of the process.

Every recess I meet with community development companies. I have seen how those with renewables behind them are able to operate on another level, providing housing and good jobs as well as and other benefits in their communities. All communities deserve to benefit from Scotland's abundant natural resources and energy transition, and it's essential that we act now to avoid losing progress that has already been made.

Sincerely,

Ariane

Ariane Burgess MSP Ariane Burgess BPA

Highlands and Islands A' Ghàidhealtachd agus na h-Eileanan

Scottish Green Party Pàrtaidh Uaine na h-Alba

