



OFFICIAL REPORT
AITHISG OIFIGEIL

Rural Affairs and Islands Committee

Wednesday 11 September 2024

Session 6



The Scottish Parliament
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - www.parliament.scot or by contacting Public Information on 0131 348 5000

Wednesday 11 September 2024

CONTENTS

	Col.
DECISION ON TAKING BUSINESS IN PRIVATE	1
RURAL AFFAIRS AND ISLANDS REMIT	2

RURAL AFFAIRS AND ISLANDS COMMITTEE

21st Meeting 2024, Session 6

CONVENER

*Finlay Carson (Galloway and West Dumfries) (Con)

DEPUTY CONVENER

*Beatrice Wishart (Shetland Islands) (LD)

COMMITTEE MEMBERS

*Colin Beattie (Midlothian North and Musselburgh) (SNP)

*Ariane Burgess (Highlands and Islands) (Green)

*Rhoda Grant (Highlands and Islands) (Lab)

*Rachael Hamilton (Etrick, Roxburgh and Berwickshire) (Con)

*Emma Harper (South Scotland) (SNP)

*Emma Roddick (Highlands and Islands) (SNP)

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Karen Adam (Banffshire and Buchan Coast) (SNP)

George Burgess (Scottish Government)

Jim Fairlie (Minister for Agriculture and Connectivity)

Mairi Gougeon (Cabinet Secretary for Rural Affairs, Land Reform and Islands)

Donald Henderson (Scottish Government)

Malcolm Pentland (Scottish Government)

Iain Wallace (Scottish Government)

CLERK TO THE COMMITTEE

Emma Johnston

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Rural Affairs and Islands Committee

Wednesday 11 September 2024

[The Convener opened the meeting at 09:01]

Decision on Taking Business in Private

The Convener (Finlay Carson): Good morning, and welcome to the 21st meeting in 2024 of the award-winning Rural Affairs and Islands Committee. Before we begin, I ask everyone to ensure that their electronic devices are switched to silent. This morning, we have apologies from Elena Whitham, and we welcome back to the committee Karen Adam as a substitute.

Our first item of business is to consider whether to take item 3 in private. Are we agreed?

Members *indicated agreement.*

Rural Affairs and Islands Remit

09:01

The Convener: Our next item of business is an evidence session on the Scottish Government's policy priorities and its programme for government commitments that are relevant to the committee's remit.

I welcome to the meeting Mairi Gougeon, the Cabinet Secretary for Rural Affairs, Land Reform and Islands, and Jim Fairlie, the Minister for Agriculture and Connectivity. Joining us from the Scottish Government are George Burgess, the director of agriculture and rural economy; Donald Henderson, the deputy director of the nature division; Malcolm Pentland, the deputy director and lead for marine economy and communities; and Iain Wallace, the head of the operations portfolio at the marine directorate.

We have about two hours for discussion. Before we begin that, I ask the cabinet secretary to make a brief opening statement.

The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon): Thank you, convener. Together with the Minister for Agriculture and Connectivity, Jim Fairlie, I am happy to be with the committee this morning to discuss the priorities of the rural affairs, land reform and islands portfolio over the course of the coming year.

Scotland's rural economy is a major source of growth for Scotland. It delivers an economic contribution worth £39 billion, which is 26 per cent of the Scottish total in gross value added in 2021. Yet, we know that communities across rural Scotland and our islands face a number of unique challenges, including the higher cost of living, so we are determined to make sure that those challenges are addressed across all of our policies.

We have set out in the programme for government just some of the key pieces of work that will be undertaken for the benefit of those who live in our rural and island communities. The new national islands plan, to be published in 2025, and the forthcoming rural delivery plan will set out how we will support those communities. The carbon neutral islands project is beginning to show how islands can take forward climate action that supports communities sustainably and supports resilience at the same time as reducing emissions.

I also look forward to taking the next steps on our good food nation journey, which include laying the national good food nation plan before Parliament. In terms of seafood, I will focus on securing quota and providing the regulatory

frameworks to enable fisheries businesses to operate, alongside ensuring the long-term sustainability of fish stocks.

The agriculture reform programme will deliver on our vision for agriculture by continuing to support farmers and crofters to reduce emissions. It will also deliver biodiversity improvements through greater uptake of key baselining activities such as carbon and biodiversity audits and soil analysis.

Forestry is one of Scotland's success stories, and we plan to build on that through the planting of 10,000 hectares of woodland this year. We also remain committed to protecting animal health and welfare and plant health. Working jointly with partners, we will ensure that we meet our statutory obligations and, crucially, safeguard trade, protect public health and maintain our highest possible standards.

It will, of course, be a busy year for the portfolio and, no doubt, for the committee, with our commitment to take forward three key pieces of legislation. The crofting bill will make crofting regulation less onerous for active crofters and the Crofting Commission, provide clarity in law and introduce some immediate positive outcomes for crofters and their communities. It will also allow the Crofting Commission to better regulate crofting.

The natural environment bill, which will be led by the acting Cabinet Secretary for Net Zero and Energy, Gillian Martin, will contain elements relating to national parks and deer management, which sit in my and Mr Fairlie's portfolios. We will support the bill's introduction.

I will also continue to take forward work on the Land Reform (Scotland) Bill, which was introduced to Parliament in March and is being scrutinised by the Net Zero, Energy and Transport Committee. The bill sets out ambitious proposals that will change for the better how land is owned and managed in our rural and island communities.

That is a brief overview of some of the work that will be undertaken across the portfolio. I am happy to take any questions that you, convener, and the committee members have.

The Convener: Thank you very much, cabinet secretary. We have questions about various themes that touch on the priorities that you have mentioned.

Will you give us an idea of the timing of the crofting bill, when we are likely to see the good food nation plan and when the natural environment bill will be introduced, to give us an indication of what our work programme might look like?

Mairi Gougeon: I am happy to provide as much information as I can. I will hand over to Mr Fairlie, who can give more of an update on how the work on crofting is developing.

You mentioned the good food nation plan and other work. We have a deadline by which we have to introduce the plan. The committee will, no doubt, be aware that we undertook extensive consultation on the first draft of it. We received a significant response to that. We are working through that to update the draft that we have before we lay the plan in Parliament. We fully intend to lay it before the deadline, which is 30 June next year. The Parliament has 60 days from then in which to scrutinise it, and we have another three months from that point before we lay a draft final plan. I will keep the committee updated on that work as it progresses.

I will touch briefly on the natural environment bill. I hope that the committee appreciates that it is not for me to say when it will be introduced. I am not the lead minister on that bill although, as I touched on in my opening remarks, elements of it are relevant to my portfolio. There was a consultation on some of the measures in relation to that. We are working through the consultation responses as we develop the proposals that will form part of that legislation.

I hand over to Mr Fairlie.

The Minister for Agriculture and Connectivity (Jim Fairlie): Good morning, convener and committee. Congratulations on being an award-winning committee. I thoroughly enjoyed watching your speech and seeing your photographs on Thursday evening at the *Holyrood* magazine award ceremony. Well done.

On the timing of the crofting bill, you will be aware that we have gone through the consultation process and that our officials are now looking at what people have fed back into that. The priorities on the bill are to help more people to become crofters and to better support existing crofters and their businesses. We want to enable more and different activity to be undertaken on common grazings, including empowering the Crofting Commission to tackle breaches through a more streamlined process and to resolve crofting regulatory issues more quickly through new and revised powers for the commission.

There have been 15 engagements throughout the crofting regions, and that work will now all be put into the mix. I have made some visits to crofting communities to have face-to-face conversations with people about what they are looking for from the bill.

The bill will be introduced in this parliamentary session, at the end of this year or the beginning of next year.

The Convener: We will now look at those themes in a bit more detail.

Ariane Burgess (Highlands and Islands) (Green): I have a couple of questions. Cabinet secretary, you touched on the good food nation plan. Will you tell us a little bit about the Scottish food commission and how the process is going for that?

Mairi Gougeon: Yes, absolutely. I brought the regulations for the commission to the committee earlier this year. We announced that we had appointed Dennis Overton as its chair a few weeks ago, in mid-August. That is an important first step in establishing the commission, and we will look to recruit further members.

We want to make sure that the commission is up and running at the same time as we introduce the plan. We think that that timeline makes sense, but I am happy to keep the committee updated as that work progresses.

Ariane Burgess: I have a follow-on question. I know that you said that you are not fully leading on the natural environment bill, but the programme for government states that the bill will

“provide powers to update environmental impact assessments and habitats legislation to support the delivery of our net zero and biodiversity goals.”

Do you foresee that those powers could be used to extend requirements for EIAs across all sectors, or is it the intention to streamline the EIA process or do something else?

Mairi Gougeon: I would be happy to follow that up with my colleague, if that would be helpful for the committee. However, again, I am not directly leading on that area of policy, so I am reluctant to say anything in particular about it at the moment. The areas that are relevant for this portfolio relate largely to national parks and deer management, but I will follow that up with colleagues and I am happy to provide more information.

The Convener: You touched on deer management. Is that likely to be part of the natural environment bill, or will separate policies come forward to the committee to be dealt with on a case-by-case basis? How will that appear?

Mairi Gougeon: The PFG sets out that the natural environment bill is about updating and modernising the national parks legislation, and deer management features as part of that. That is the current intention.

The Convener: So, individual pieces of deer legislation are not likely to come to the committee outwith that bill. Is that correct?

Mairi Gougeon: I do not anticipate that. It is about using the bill as the vehicle for any changes that we need to introduce via primary legislation.

The Convener: Thank you.

We will go on to theme 2, which is on the climate and biodiversity plans.

Ariane Burgess: The climate change plan has been delayed. I am interested in hearing how that will impact on the development of rural policy and, in particular, on ensuring that the forthcoming rural support plan and other aspects of agricultural reform align with the new five-year carbon budgets.

Mairi Gougeon: I am happy to respond to that. No doubt, committee members will be aware that the Climate Change (Emissions Reduction Targets) (Scotland) Bill has just been introduced. I believe that it will be scrutinised by the NZET Committee, which has started taking evidence on it.

On how agriculture policy is developing, as I have talked about extensively at committee previously, we have set out our programme and route map for agricultural reform and set out when we expect changes to be implemented and when the information about those changes will be shared. We have obligations according to the legislation that was passed by the Scottish Parliament just before the summer recess—the Agriculture and Rural Communities (Scotland) Act 2024—that mean that we must have cognisance of and regard to the climate change plan and the policies in it as we develop our rural support plan. We will, of course, be doing that.

The development of those policies go hand in hand, whether they are in relation to climate change or biodiversity. We will be working closely with colleagues on climate change as the plans are developed and feed through into that process, as well as taking forward the programme that we have set out.

The current proposals on carbon budgets in the Climate Change (Emissions Reduction Targets) (Scotland) Bill as published were based on the advice of the Climate Change Committee. If the legislation is passed as envisaged, five-yearly carbon budgets would be introduced. We would have to get advice from the CCC as to what those carbon budgets would involve and what they would look like. The intention would be to publish another climate change plan after that point.

There is still an awful lot of work to be undertaken on that, but, as colleagues around the table will, no doubt, be aware, the acting Cabinet Secretary for Net Zero and Energy, Gillian Martin, will provide an update for MSPs next week, to provide more information on all of that.

Ariane Burgess: I have a couple more questions. Regardless of when the next climate change plan is published, section 35 of the

Climate Change (Scotland) Act 2009 states that the climate change plan must set out ministers' proposals and policies in relation to

"the reduction of Scottish whole farm greenhouse gas emissions"

through the use of many tools and approaches, including nutrient resource budgeting, organic farming and agro-ecology. Is the Scottish Government on track to set out such policies, and will there be sufficient money in tiers 2 through to 4 to support the majority of farmers to adopt those approaches?

09:15

Mairi Gougeon: That is the key question, and I know that we have discussed the budget at length. The fact is that we do not have any clarity on what the future budget will be. Obviously, if we are bringing forward policies, we want to make sure that we are adequately resourced to deliver them. We want to be able to deliver on the ambitions that are set out in our vision for agriculture and to implement the change and transformation that we all want. We want to work with our farmers and crofters as they produce food, but to do so in a way that reduces their emissions and also enhances nature and delivers on our ambitions for biodiversity.

We will, of course, keep the committee updated as the proposals develop. Again, I cannot say what will be in the carbon budget, what that budget will look like or what advice we will receive. We need to see what information and advice we get and look to develop the plans and proposals from there.

Ariane Burgess: Do you have a timescale for that?

Mairi Gougeon: All that I have is what is being set out in relation to the Climate Change (Emissions Reduction Targets) (Scotland) Bill right now. The advice on the carbon budget is expected to come out around spring next year. All of that will depend on the passage of the bill and what comes out of that process, but that is what is anticipated at the moment. Again, I am not the lead minister on the bill. Gillian Martin is, and she is offering an information and advice session next week.

Ariane Burgess: Is the work on the bill holding up your ability to move forward with decisions around the tier 2 to 4 budget allocations, or is the hold-up to do with the fact that you do not know what budget allocation is coming from the United Kingdom?

Mairi Gougeon: First, we do not know what the overall quantum of the budget will be, and, secondly, we are still to design some of the future tiers of the new framework. We set out in the route

map when we expect each of the new tiers to be introduced, and we are working according to that timeline.

Ariane Burgess: I am also interested in hearing what progress is being made on the key deliverables in the draft biodiversity delivery plan for 2024-25 as they relate to future agricultural policy and the rural support plan, fisheries, aquaculture and forestry—the whole lot.

Mairi Gougeon: There is a lot in there, so I will try to get through as much as I can and then I might turn to Donald Henderson for more information.

We are already delivering on that through a number of mechanisms and streams of work that we are taking forward through the agricultural reform programme, as well as through other current work and programmes. You are, no doubt, aware of the agri-environment climate scheme—AICS—which we use to help to deliver on our biodiversity ambitions.

There are also conditions that are being introduced next year in relation to farming support and the introduction of the foundations of a whole farm plan. Part of that plan is a package of audits, and we expect farmers and crofters to undertake at least two out of the five audit options that are there. One of them is biodiversity auditing. We have also been working with NatureScot on the development of a biodiversity app that will help to garner information on what is on farm.

Quite a lot of work is under way that will help us with that wider delivery. Donald Henderson can add more information.

Donald Henderson (Scottish Government): I think that you have largely covered it, cabinet secretary. George Burgess might have more to add on the specific application to farming and agriculture.

The biodiversity strategy—it exists in draft at the moment, but we will be finalising and publishing it during the remainder of this year—sets out the overall strategy and aims. How each sector delivers on the strategy is a matter for the sector; the cabinet secretary mentioned some of the ways that farmers can do that, such as through the app. Sometimes, quite modest change can make a valuable contribution.

Ariane Burgess: I asked about key deliverables. It is good to hear about the agricultural delivery in relation to biodiversity, but there are also fisheries, aquaculture and forestry.

Mairi Gougeon: The delivery of those is embedded in the policies as we work through them. In terms of the work that we are taking through in fisheries and aquaculture—

Ariane Burgess: Can you give us an indication of progress?

Mairi Gougeon: I understand that I will be coming to the committee in a few weeks to discuss aquaculture and our progress in relation to that. There are a number of pressures in our seas, which impact not just on aquaculture but on fish stocks more generally.

We have also been working on development. We have introduced interim measures in relation to some of our inshore fishery stocks, and we are looking at wider measures more generally. Some of the work that we are taking forward is outlined in the programme for government.

I emphasise that the work on climate change and biodiversity is not happening in isolation from other policy areas. It is very much embedded in the changes and the transformation that we are implementing, and it very much features in all policy areas across the portfolio.

Ariane Burgess: Has there been any progress on the forestry aspect?

Mairi Gougeon: There have been a number of improvements—for example, to the forestry grant scheme. Of the planting that has been done in the past couple of years, about 50 per cent was native woodland. Of the approximately 15,000 hectares of planting that has been done in the past year, about 50 per cent was native species.

In addition, we will soon see the introduction of the new UK forestry standard, which will apply to all forestry applications after 1 October this year. It contains quite significant changes on species diversity planting on peatland, so we will see a number of improvements through that.

Ariane Burgess: Thanks for giving that detail.

The Convener: I am not sure that I am clear on exactly what you think the impacts will be of the delayed climate change plan. We will have to have new schemes to support low-carbon beef production, and the suckler beef climate group has reported on those. There will almost certainly be conditionality in the environment aspects of legislation, so there must be an impact on your development of that. If we do not see a climate change plan being laid in November, what is the likely impact on developing agriculture policy?

Mairi Gougeon: In the work that we are taking forward, we already know that we have stringent targets to meet. Regardless of when the climate change plan might be published, our overall ambition is still to achieve net zero by 2045, and we still have to report annually on how we are doing on emissions. The targets that we have had on agriculture, for example, are really stretching. The programme of work that we have set out and the timeline for it have been important in allowing

us to illustrate how we intend to reduce emissions over that period and how we will do so through the framework of future support and incentivising the behaviours that we want.

We already know that we have stringent targets to meet. Regardless of when the climate change plan might come through, that will not stop or inhibit any of that work, because we know that we need to continue to work at pace to implement those changes.

The Convener: We move to a question from Rhoda Grant.

Rhoda Grant (Highlands and Islands) (Lab): My question is on the impact of wildfires on biodiversity. My understanding is that the Scottish Fire and Rescue Service gave evidence on how it is equipped to deal with such fires. It said that estates are much better equipped than it is, because the service does not have leaf blowers or all-terrain vehicles. Therefore, when a wildfire happens, it does not have the appropriate equipment. It is not clear to me that it has any hope of getting it any time soon, either. Have you spoken to your colleagues about that situation and how the service could be better equipped?

Mairi Gougeon: I would have to follow that up with the committee, because that area falls to Siobhian Brown in the community safety aspect of her role. I would be happy to do so and to provide more information to the committee.

Jim Fairlie: May I add a tiny point, convener?

The Convener: Certainly.

Jim Fairlie: It should be noted that the relationship among estates, landowners, keepers and the Scottish Fire and Rescue Service is a very good one. Despite the difficulties that were experienced in taking the Wildlife Management and Muirburn (Scotland) Act 2024 through Parliament, that relationship is strong and stakeholders are working together. I accept that the Scottish Fire and Rescue Service will want to have all the equipment that it needs to tackle wildfires, but, as Ms Grant well knows, remote and rural communities rely on local people to be part of such efforts. That relationship is one that we need to continue to foster and nurture.

The Convener: Before we move on again, I have a question. You touched on progress on the key deliverables in the draft biodiversity delivery plan. How will those affect the rural support plan when it is published?

Mairi Gougeon: It is as has been set out. All the areas that we must have regard to are described in detail in the legislation that we passed, through various amendments to the Agriculture and Rural Communities (Scotland) Bill on the rural support plan. We are not dealing with

these policies in isolation. Whatever is set out in relation to the biodiversity strategy and the delivery plan—there will also be a natural environment bill, which will underpin some of that in legislation—will feature in our development of the future agricultural support system and framework.

The Convener: We will move on to discuss agricultural support reform, starting with a question from Rachael Hamilton.

Rachael Hamilton (Etrick, Roxburgh and Berwickshire) (Con): You have teed me up nicely, convener. When will the rural support plan be published, cabinet secretary?

Mairi Gougeon: We will be aiming to publish the rural support plan next year. As I hope you can appreciate, and as I just outlined in relation to the amendments that have been made to the legislation, a number of requirements are set out for the engagement that we must undertake for preparation of the rural support plan. We could not take forward that work without having the legislation passed first—without knowing what must be included.

As I said, the intention is to publish the plan next year. As the timelines become clearer, I will, of course, keep the committee up to date.

Rachael Hamilton: Would the same apply to the code of practice on sustainable and regenerative farming and the secondary legislation?

Mairi Gougeon: The committee has previously asked me about the programme for secondary legislation. As further detail on that emerges, we will provide as clear a timeline as we can. We have, of course, obligations, under the legislation, on the development of the code of practice. We have started early engagement on it, and we are due to consult on it this year. My hope is that we will publish the code next year.

Rachael Hamilton: The rural development plan was announced a year ago by the Scottish Government. There have been questions from stakeholders on the significant resource and ministerial time that have been taken for the plan, but it has so far delivered nothing tangible for rural communities. Would you accept farmers' concern about the time that it is taking?

Mairi Gougeon: Do you mean the rural delivery plan?

Rachael Hamilton: Yes—the rural delivery plan.

Mairi Gougeon: The rural delivery plan is an entirely separate strand of work. The plan has not been published yet, and the commitment is to lay a plan during this parliamentary session. A

number of key strands of work are being pursued as part of that, and we are also developing a new national islands plan. That largely relates to outlining how we are delivering and how we will deliver for rural Scotland in relation to the policies that we will be introducing.

The rural delivery plan discusses how we can improve evidence-based decision making by establishing some of the key performance indicators that we need in order to monitor progress, and saying how we improve communication tools and pursue rural mainstreaming and the development of a rural lens toolkit that we can use. That work is still very much on-going. We have a ministerial working group that is helping to take that work forward.

The plan will build on work that has been done previously, such as that which has been done by the National Council of Rural Advisers and the recommendations that came out of that work. The intention is not to duplicate what has been done before but to build on it. We are still on track for publishing the plan, and we have committed to doing that during this session of Parliament. I will be making the committee aware of that.

Rachael Hamilton: It might be helpful for the committee to understand how much ministerial time and resource has been put into developing the rural delivery plan, so that we can understand what significant investment in resource has been put into it in order to achieve the output that is expected from the key performance indicators and all the things that you have talked about. It is important to get value for money.

I wish to move on to discuss some of the previous funding. In total, £100 million was cut from rural affairs: £32 million from the forestry grant scheme, £5 million from the nature restoration fund, £33 million from the support funding for the Bew review and £28 million from further rural affairs funding. That amounts to £100 million in cuts. How can the Scottish Government expect food producers, land managers and farmers to deliver on the environmental objectives and produce food at the same time as it is cutting the budget?

Mairi Gougeon: On that point, and in relation to some of the savings that you have mentioned, it is important to point out that we have continued to support our farmers and crofters through the transition.

09:30

You mentioned some figures, and you touched on the figure of £33 million. Some £46 million is due to be returned to the portfolio from savings that had previously been offered, but those were from underspends—they were not taken directly

from the pockets of farmers and crofters, and we have maintained payments, which I am particularly proud of at a time when we know that our farmers and crofters need that support. We have offered that support through the programme on preparing for sustainable farming, which we funded and is helping to encourage uptake of carbon audits, soil testing and animal health and welfare plans. That is because we want to support the transition and to help our farmers and crofters as much as possible.

Yes, savings have been made—savings have had to be made right across Government—to meet our budget position, but we are still delivering: we are getting payments out the door and we are helping with the transition.

Rachael Hamilton: Do you expect that money to be returned according to the timetable that was previously promised, now that Shona Robison has announced £0.5 billion of cuts?

Mairi Gougeon: We have not had the budget for the forthcoming year, but that is all subject to discussions with the Cabinet Secretary for Finance and Local Government.

The Convener: We are not going to dwell on the budget now, because we will deal with that in future evidence sessions. You said that farmers are still getting their payments and that those have not been cut. However, the Bew review suggested that farmers should be getting an additional £61 million—it said, in effect, that that was the shortfall. Where in the agriculture portfolio is that £61 million not being spent, and where is that having an impact on progress towards your goals?

Mairi Gougeon: If you are talking about the whole quantum of funding, as the committee will be aware and as we touched on during our committee appearance on the budget at the start of this year, £15 million of that money was returned to the portfolio and £46 million is still to be returned. Largely, that money was from areas in which there had been underspends or where it would not have been possible to spend the budget within that allocation, which is why those savings had to be returned. However, again, those savings will be returned to the portfolio—I have that commitment from the Cabinet Secretary for Finance and Local Government. Again, those discussions will be on-going in relation to the upcoming budget.

Rhoda Grant: The Bew money came about because some of our farmers, especially crofters, were receiving less than average payments for their land. Can you give an assurance that, when that money comes back to the portfolio, it will be used to increase the amount that people get per hectare, especially for those who are doing the most to be carbon-neutral crofters and for hill

farmers and so on, who really were due that money?

Mairi Gougeon: That all needs to be taken into consideration, and there are a few important points to outline in that regard. Some of the funding that had been returned for capital went directly to support programmes such as the croft house grant scheme and the crofting agricultural grant scheme. We want to ensure that that money is used for the benefit of our farmers and crofters.

We have had the national test programme—the preparing for sustainable farming programme—which I outlined. We have been supporting carbon audits to help businesses to get a better understanding of their baselines and performance in order to ensure that they achieve efficiencies from that and learn from the work that they have undertaken. It has been really helpful to utilise that work. Again, everything is subject to discussion and we do not know what future allocations will be. However, we will continue to engage with stakeholders in the development of any proposals for the use of that funding in the future.

Rhoda Grant: I will push you on that a little. The money was given specifically because Scottish farmers and crofters were receiving a lot less per hectare than the average throughout Europe. If this money is not used to increase the amount of money that goes to them, it will not be being used for the purpose for which it was given.

Mairi Gougeon: It is also important to remember that we continue to fund some schemes in Scotland that simply do not exist elsewhere in the UK now or in Europe and that directly help our farmers and crofters. The less favoured area support scheme is an example of that. We have made a commitment to continue that funding, in recognition of how important it is for our farmers and crofters.

That is something that we continue to fund that is not being funded elsewhere. Funding has moved to a completely different model elsewhere in Europe, too. We have to ensure that we are utilising our funding and doing what is best for farmers and crofters in Scotland, and that is exactly the programme that we are developing and delivering.

The Convener: You said that you are proud that you have continued to pay farmers at that level, but an independent review—the Bew review—suggested that Scottish farmers were being short-changed by £61 million. Where should that £61 million be spent? Are you saying that farmers do not actually need it, that they can get through and that the payments are adequate? As Rhoda Grant said, it was identified that Scottish farmers were being underpaid by £61 million. Where are the challenges in the budget that mean

that that £61 million is not being paid out to farmers?

Mairi Gougeon: To be absolutely clear, is the £61 million the overall figure that you are referring to—

The Convener: I mean the Bew review money.

Mairi Gougeon: —from the ring-fenced funding that is still to be returned? I know that that is hugely important for farmers and crofters. It is ring fenced and is being returned to the portfolio. I cannot tell you right now exactly what that will be spent on or how it will be utilised, because that is the subject of discussions with the Cabinet Secretary for Finance and Local Government, to work out the profiling of when that funding will be returned.

The Convener: I suppose that the question is what the impact is on farmers of not having that £61 million, which was identified by an independent inquiry.

Mairi Gougeon: Again, the £61 million was largely from unspent funds—

The Convener: No, no. The Bew review identified that Scottish farmers should get paid an additional £61 million.

Mairi Gougeon: I am sorry, but the figure that you are referencing there—I know that there is the £61 million of ring-fenced funding, but in relation to that—

The Convener: Okay. Maybe I should start from the other side. What is your understanding of the Bew review and the money that was identified as extra money? What is your understanding of the Bew review?

Jim Fairlie: My understanding of the Bew review—George Burgess might come in with more clarity and detail—is that, over a period, hill farmers in Scotland were being paid less than hill farmers in other areas of the UK. You will remember the campaign that went on for a number of years to try to get parity in area-based payments. That campaign went to and fro for a number of years. I cannot remember the exact figure, but I think that about £120 million was identified that should have come to Scottish farmers but was held by the UK Government.

The Bew review was done largely through Jim Walker—he did the negotiation—and the funding that was identified through the review was then allocated to the Scottish Government. That was back in Fergus Ewing's time as cabinet secretary. Those conversations were going on, and I remember that there was a bit of to-ing and fro-ing between the Government and the National Farmers Union Scotland about how that money should be allocated. My understanding is that

some of that money was allocated to try to create a funding system that would allow farmers to buy capital projects. I do not think that the £61 million is entirely related to Bew; it was money that could not be allocated because farmers could not get access to the equipment that they needed at a particular time: the raw materials were missing. There is a bit of confusion about what the £61 million is and what the Bew review was doing.

The final read-out from the Bew review is not yet clear. I think that some of it is still to be implemented by the UK Government, but George Burgess will give far more clarity than I can.

George Burgess (Scottish Government): Mr Fairlie has given a good historical account of the Bew process. I do not recognise the figure of £61 million in relation to Bew. The £61 million is savings that have been found from the portfolio. As the cabinet secretary has outlined, it is money that was not going to be spent. We have, in effect, got an IOU from the finance secretary saying that that money will be coming back into the portfolio. A tranche of that is Bew money that was allocated quite late in the day by the UK Government—two years ago, I think—at a point when it was difficult for us to accommodate it in spending plans.

Since then, the Bew allocation has been mainstreamed in the rural budget; the UK Government does not separately identify it in its letter on ring fencing. As Mr Fairlie said, some elements of the Bew review are yet to be implemented. The key recommendation was that there should be discussion and agreement among the four UK Administrations on future funding. The cabinet secretary has written to the new Secretary of State for Environment, Food and Rural Affairs, and we hope to engage with DEFRA as soon as Monday on the issue. Given the complexity of Scotland's budgeted savings and the Bew review, it might be better for us to write to the committee with further details ahead of the session on the budget in a fortnight's time.

Jim Fairlie: In terms of the on-going negotiations and clarification of what the Bew review will deliver, Scotland currently gets about 70 per cent of the funding envelope that is available for the UK—we want to ensure that Scotland gets at least 70 per cent, given the weight that is given to Scottish agriculture and the work that we want to do with climate mitigation, food production and the natural environment.

I hope that we will get a funding package that is an increase on current funding levels, that the engagement between ourselves and the UK Government is collegiate and that it understands what we are trying to do in the rural portfolio. We want to enable Scotland to carry out its climate mitigations, stop rural depopulation, ensure that we can continue to produce food and improve our

biodiversity. We are trying to do all of those things, but none of that will work unless we get funding. I hope that the new UK Government is in a negotiating spirit when we start to meet with it.

Ariane Burgess: You have cued me up nicely to go into a bit more detail.

Several stakeholders whom I am working with who have seen the rural support plan proposals say that they fall far short of previous commitments on transforming how farmers are supported. They are concerned that tier 2—my favourite topic—will not move beyond the greening status quo. To support more farmers to adopt sustainable regenerative agro-ecological approaches, tier 2 needs to have stronger conditions and more budget, at least within a couple of years.

I have a couple of questions on that. First, what work is the Scottish Government doing to explore how it can strengthen tier 2 over time to support more farmers on more farmland to implement more measures?

Mairi Gougeon: In relation to the work on tier 2, I am concerned to hear those stakeholders' views on the rural support plan. The plan was strengthened during the legislative process by the amendments that were lodged on what the plan has to set out. The vehicle for delivering the change will be in secondary legislation, which we will introduce in due course, as I outlined in my response to Rachael Hamilton. We will notify the committee once we are a bit clearer on what the timeframe for that will look like.

We have not yet introduced the tier 2 measures. That work is still very much under development, and we are discussing it. I would not write off any of the tier 2 measures at the moment. Just before the summer, as part of the update to the route map, we announced that we would be using the greening mechanism. For users, essentially, nothing will change in how they interact with our systems over the next three years. We want to be ambitious with the programme, but we realise that there will be a transition period, which is why the route map sets out when the changes will be introduced. Again, that is very much a work in progress.

Ariane Burgess: Connected to that, I am interested in hearing to what degree you are looking at moving away from area-based greening measures and adding whole-business measures such as no use of pesticides, minimal use of bagged nitrogen and a percentage of feed source being on farm.

Mairi Gougeon: On specific measures, as I said, we published some of the areas that we were considering and have set out examples of measures that could be implemented and could

work—we are not covering all areas at the moment, but that is based on the information and science that we have. We are very much looking to get feedback on what should be included in tier 2. Further, earlier this year, we stated that we were looking to develop various pilot projects on the use of methane inhibitors; that is another example.

As I said, the information about those measures that we have published is not definitive and the plan is still a work in progress, so it is not possible for me to commit to what will be in it.

09:45

Ariane Burgess: You have previously discussed the national test programme with the committee. Given that the Agriculture and Rural Communities (Scotland) Act 2024 has a new definition of soil biology, is that test programme going to be expanded so that it involves farmers looking at soil biology rather than just chemical inputs?

Mairi Gougeon: I thank the committee for all the work that it did during the passage of the bill that became that act, because some of the amendments that were made greatly strengthened the legislation. When we develop our future policy, we will have regard to everything in the act, including the point that you mention, so that will feature in our plans. Again, I cannot say definitively that that will form part of some of our programmes or funding streams, but we will have regard to it.

Ariane Burgess: Is there a timescale for when you can start to say things more definitively?

Mairi Gougeon: Again, we have tried to set out as much information as we can through the route map about when more information will become available. As I have said, the rural support plan is going to be published next year, before the new part of the future framework is implemented with the enhanced tier, which is due to be introduced in 2026. There will, of course, be more information in relation to that, and I will keep the committee updated.

Ariane Burgess: The route map has been a helpful tool, so thanks for that.

The Convener: Emma Harper will ask questions on our next theme, which is forestry.

Emma Harper (South Scotland) (SNP): Good morning. I know that forestry is a big industry for Scotland—I think that it is worth £1.1 billion to Scotland's economy and supports 34,000 jobs, and it is really important in the South Scotland region. I have a question about the Royal Society of Edinburgh's report on forestry, which was published in February, but first I would be

interested in hearing an update on forthcoming workstreams and challenges for forestry and woodland creation.

Mairi Gougeon: No problem. As with many other areas of the portfolio, an awful lot of work is going on in relation to the issue. As you highlighted, forestry is critically important not just for our rural economy but for our wider economy. As you outlined, it is worth £1.1 billion to our economy and supports tens of thousands of jobs. However, there is a great deal more potential there. Statistics show that we are one of the biggest importers of timber in the world, and we could provide more of our own timber and use more of our own supply—that would be the aim.

There is no getting around the fact that this has been a difficult year for forestry in terms of the budget—I touched on some of the figures earlier, and I mentioned the cut to the forestry grant scheme this year.

As I noted, in the past year, we have planted 15,000 hectares of new trees, and half of that was native woodland—that is the highest-ever level of planting. With the funding that we have, we will be able to plant about 10,000 hectares over this year and the coming year, which is lower than the previous year's figure but still represents about 75 per cent of the overall planting that is happening in the UK.

I mentioned work on updates to the UK forestry standard, which will apply to new projects as of next month. That has been an important piece of work.

We have undertaken a review and implemented some changes to the forestry grant scheme over the past year. That touches on some of the points that were raised in the RSE's report. We are considering ways of delivering more planting alongside rivers, and we want to ensure that farmers and crofters are also able to plant more trees. We have upped the support that is available at the smaller scale to enable more of that to happen.

The integrating trees network has been critical in showcasing examples of how trees can be integrated into farming businesses as well. The focus this year has been on maximising the funding that we have, using it as best we can and getting the trees into the ground.

In relation to the RSE report, Ariane Burgess and I had discussions with the RSE and Scottish Forestry, and amendments to the Agriculture and Rural Communities (Scotland) Bill were lodged before the summer. Although there are points in the report that we welcome, there were concerns about some issues that were raised in it, and the dialogue between Scottish Forestry and the RSE is on-going in relation to those matters.

Emma Harper: The RSE made 16 recommendations. Riparian planting was part of that, and it looked at other issues, such as planting on peatland or deep peat being exempted.

The report, which I have in front of me, talks about landowners getting public money, but the Scottish Government owns more than 1 million hectares of land, the National Trust owns land and RSPB Scotland owns land. It is not just about private landowners getting forestry grants.

I was also looking at a response from Daniel Ridley-Ellis, who is the head of the centre for wood science and technology at Edinburgh Napier University. He brought out some points from the report. I note that you say that there are parts of the report that are positive, that you agree with and that we can take on board, but there are other parts about relying on products that come from other countries—for instance, we import 80 per cent of our timber. I am interested in that aspect of the report. We need to do what we can to be less reliant on timber coming from elsewhere. If we improved planting and supported more forestation and woodland creation, would we be less reliant on timber from other countries?

Mairi Gougeon: Yes, and a lot of work can be done to improve that situation. Some of the issues that you outlined, such as planting on deep peat, have been dealt with through the updates to the UK forestry standard that I mentioned.

The species diversity percentage has increased, and the maximum percentage of a single species in a planting scheme has reduced from 75 per cent to 65 per cent. There are also updates in relation to planting on peat.

The industry had some concerns about some of what had been expressed in the report. Scottish Forestry was disappointed not to have been engaged in the report process, but engagement since then has been positive in producing discussions.

What is important in all of that is that we need a mix. Our native planting is hugely important, as is our productive forestry. As with everything, it is about ensuring that we get the balance right. However, our productive sector is critical for all the reasons that we have outlined today and because of the wider economic impact, too.

Emma Harper: I have a wee final question. You mentioned 65 per cent. When people criticise tree planting, they talk about blanket Sitka, but the new guidance means that 65 per cent of the planting scheme would be conifer and the other 35 per cent would be native trees. Am I right that that is the current standard? It is not just blanket Sitka—it is a mix of native broad-leaf species as well as conifer.

Mairi Gougeon: Yes—there would be more of that mix. As I said, that is part of the new UK forestry standard that will apply. The proportion of single species has gone down from 75 per cent to 65 per cent as part of that new standard.

Forestry now is very different from how it was in previous generations and decades. It is not planned, implemented or planted in the same way as it would have been generations ago. It is important to recognise the improvements that have been made through that process.

However, it is also like many other areas—we are constantly looking to improve. Some of the discussions that we had as part of the bill process were helpful in setting some of that out. Community engagement is also hugely important. We are looking at how we can improve that—for example, we are working with the guidance that has been provided by the Scottish Land Commission.

We are constantly striving to improve wider engagement, and we also want to ensure that we have productive forestry. We know that productive forestry has a positive impact on our emissions, as does our wider native planting and some of the newer science. Getting that mix right is critical.

Rhoda Grant: There are concerns about greenwashing and people planting trees just to improve their reputation. There were recent press reports about an organisation that had received grants for planting trees although very few trees that it planted had survived. What work is being undertaken to ensure that planting is for the right purpose, that we will be able to harvest it, and that people are not using public money to greenwash?

Mairi Gougeon: The woodland carbon code, and the additionality tests that are set out in it, plays a hugely important part in that. We want a system that is ethical and one that people can invest in and rely on.

We have made some changes to the woodland carbon code and have put in additionality tests, which I think have improved the scheme. I can follow up on those specific examples, because there are all sorts of drawbacks that can be taken from schemes. I would be happy to look into that and to furnish the committee with further information on how we are monitoring those schemes, if that is the wider point that you are getting at.

Rhoda Grant: Yes—I was asking about monitoring them and making sure that, if the work is not done and the money is not providing public good, the money comes back and is not used for greenwashing pollution elsewhere.

Mairi Gougeon: Absolutely. I do not have any forestry colleagues with me today, so I am happy to follow up with more information on that.

The Convener: You sound very positive about forestry, but, in reality, a 40 per cent cut to woodland grants has had a dramatic impact on our forestry sector. In the programme for government, it was stated that at least 10,000 hectares of woodlands are to be restored, but the official target prior to that was 18,000 hectares, so that is a huge cut. That will have an impact on the Government's climate change targets, especially if those 18,000 hectares were to be for planting fast-growing conifers. Employment in the forestry industry has increased by 30 per cent since 2015, and the message that the Government is sending does not promote much confidence in the sector although investment in the sector depends on that confidence in future wood supplies. That is one of the biggest issues.

What is your vision after March? There is no indication of what the targets will be after then. It is a long-term industry, so what is your vision for forestry? Is the target to remain at 10,000 hectares, or are you looking to get back to the target of 18,000 hectares?

Mairi Gougeon: I absolutely appreciate and accept your points. There is no getting away from the fact—I have been quite honest and transparent about this—that there was a big cut to the forestry grant scheme this year, which has undoubtedly had an impact. It is also particularly disappointing that, at a time when we have seen our highest-ever planting levels—15,000 hectares, which is a massive achievement—we have had to reduce the target to 10,000 hectares. That is certainly not where I want to be.

I have had numerous discussions with industry and other organisations on the back of that, because, understandably, there was a lot of concern about it and about the overall confidence of the sector. We do not have a budget for next year, so I cannot say at this stage what will be available. However, I have a positive vision for the future of forestry in Scotland. I would like to see those rates increase and to improve that trajectory, because tree planting was on a clear trajectory. I absolutely accept that the cuts have had an impact, and, unfortunately, we are not able to meet the targets that we had initially set.

The Convener: The industry is planting seedlings and growing trees. What can you say that will give it confidence that there will be support and that the targets will rise in the future? I know that we do not know what the budget is, but what is your vision for future planting?

Mairi Gougeon: I have been engaging with industry on that, as have officials in Scottish

Forestry, because strong relationships exist there. I can only reiterate what I have already said—I hope that we get back on that positive trajectory.

Forestry is a hugely important sector for Scotland, and we have so much more potential not just for our wider economy but for the circular economy and for helping us to meet our emissions targets. As I said earlier, our key focus this year has been on ensuring that we get the absolute maximum value from the funding that is available this year, and I very much want to continue that.

10:00

Ariane Burgess: I have a number of questions on this topic, and then I will circle back to some of what my colleague Emma Harper brought up.

At the moment, we import a lot of timber into Scotland. I have been trying to get to the bottom of something that is a bit technical. We could be using more Scottish timber to build housing, for example. The engineering specifications would need to be for C16 timber, but current specifications are for C24 timber, which is European or Scandinavian-grown timber. Making that change could unlock an incredible amount of potential for the sector. We are already doing a great job of using timber-framed housing in Scotland, but that is not done south of the border, and that could be an incredible opportunity for forestry in Scotland. Somebody needs to push a bit further, to understand why that is not happening and why C16 timber is not being specified. I would appreciate it if you could do something about that.

Mairi Gougeon: I would be happy to follow up with you on that particular issue. Perhaps I will meet forestry officials to ask about that.

Ariane Burgess: Thank you.

Let us go back to the RSE report. As you know—we have had discussions on this—one of my proposed amendments to the Agriculture and Rural Communities (Scotland) Bill would have required an environmental impact assessment as a condition of public funding for forestry schemes of more than 50 hectares. That would have affected only a minority of forestry schemes but would have ensured that the majority of land that was managed for forestry was managed responsibly. Will you outline why the Scottish Government takes the position that there is no need to conduct an EIA for large-scale forestry projects, unlike in most other sectors?

Mairi Gougeon: I know that we have covered that topic in some of our previous discussions. I will simply outline that every project that is above 20 hectares has to go through an EIA screening process. If the project is found likely to have a

significant effect, an EIA is required for that project.

At the moment, not many EIAs have been required. That has been taken as a sign that the system is not working, whereas it is more a sign that the system is working, because of all the modelling and screening that has to be undertaken for woodland projects. Scottish Forestry colleagues work closely with the projects throughout the process of woodland creation, to make sure that all the mitigations are in place and that the projects are in as strong a position as they can be. That means that, by the end of the process, an EIA may not be required, because all those mitigations have been put in place. That is the fundamental reason why we did not agree to those amendments.

We also did not want there to be a chilling effect on tree planting, which we have seen in other areas. Such measures have deterred some smaller planting schemes from coming through.

Ariane Burgess: Okay. Maybe there is some misunderstanding. Earlier, you mentioned communication between Scottish Forestry and RSE during the passage of that bill. However, I understand from RSE that meetings are not being taken up, so could you encourage that to happen? If there has been a miscommunication and a misunderstanding, it would be great if there could be more communication between those organisations. I think that the RSE report has a lot of very good ideas for the future of Scottish forestry and how we can do it better, but we need that communication.

Mairi Gougeon: Absolutely. You are right that there were some good points in the report; some of them have already been acted on or implemented through measures that I have outlined today. I am more than happy to pick that up with officials.

Ariane Burgess: I have become aware of polarisation in the forestry sector, which seems to happen across a lot of the sectors in rural areas. I have had conversations with people high up in Scottish Forestry about that, and there are concerns about it beginning to happen. I think that it is happening in commercial forestry and conservation.

I would love to hear the Government's thinking on that. We have a fantastic model in the Common Ground Forum project for deer management. What can we do to prevent polarisation and to get people together to talk about what is really a shared issue? How do we ensure that Scotland's woodlands and forests thrive and that people come into all parts of that sector, from seed planting right through to conservation? How do we ensure that people come into the sector, talk with

one another and share ideas and best practice in leadership?

Mairi Gougeon: You are absolutely right. There has been a lot of work on that, some of which I touched on in my previous response to Emma Harper, particularly when I spoke about community engagement.

Some projects do a really good job on wider engagement and involving people in the process, but there are others where that simply is not the case. We want to ensure that good engagement becomes standard in the applications that come to us. We constantly strive to improve those processes and to do exactly what you have set out, because forestry has multiple benefits if it is done in the right place and in the right way. It is critical to get that right.

Rachael Hamilton: Cabinet secretary, I listened to what you said to Ariane Burgess about community engagement with commercial forestry plantations. That has not happened in the Glenprosen estate, which the Government purchased for £17.6 million. When Màiri McAllan talked about how wonderful that was going to be, she spoke about community, biodiversity and the environment, but we are hearing reports from the glen that houses that once housed people and created jobs are no longer doing so and are now in disrepair, and that the glen is being depopulated.

As well as carrying out an environmental impact assessment, what is the Government doing to ensure that public money, to the tune of £17.6 million, is benefiting communities?

Mairi Gougeon: That is certainly not what I have heard, but I am happy to follow that up. I believe that Forestry and Land Scotland has been undertaking consultation and engagement on its land management plan for that estate, which is very much about involving local communities. That is what we expect landowners to do, and our public organisations should lead by example. Wider involvement is hugely important and I would expect that to take place.

Rachael Hamilton: Would you be willing to ensure that what you are hearing from FLS is actually true? Jobs have gone and houses are in disrepair, so it is important to recognise that what you are being told is not the reality.

Mairi Gougeon: There are some important details within that. There were particular times when Forestry and Land Scotland would not have been able to engage with people living on the estate because of when that transaction took place. Again, I am more than happy to follow up on those details, because it is important to get the facts correct.

We certainly do not want to see depopulation of the glens. If anything, we want to see the opposite and people being encouraged to come into that area. That is very much the approach that is being taken. I will investigate any concerns, which I take really seriously, as I must, because that is an important responsibility. I am more than happy to follow that up.

The Convener: We are making good progress. I suggest that we take a 10-minute comfort break before coming back to tackle the big challenge of fisheries.

I suspend the meeting until 10:20.

10:08

Meeting suspended.

10:19

On resuming—

The Convener: The next theme is fisheries and Rhoda Grant has the first question.

Rhoda Grant: The cabinet secretary will be aware of press reports about modern slavery on fishing fleets. What action is she looking to take to ensure that that does not happen, that workers in fishing and agriculture who are not local and might have travelled from a distance are properly looked after and that employers comply with UK law and take seriously their responsibilities as employers to those people?

Mairi Gougeon: You have raised a really important point and hugely important issues. From the outset, I want to make it clear that we condemn any trafficking of people and any exploitation of those who work in this country. We strengthened the law in relation to that in 2015 with an act that gave the police more powers and generally tried to strengthen the law in relation to such offences. However, undoubtedly, issues exist that we need to address.

You raised the matter in relation to fisheries first of all, and there are few issues to touch on in that regard. In relation to agriculture, in particular, you will be aware of the points that Richard Leonard raised during our discussions on the Agriculture and Rural Communities (Scotland) Bill and some of the issues that surfaced when the bill was going through Parliament. We support the Worker Support Centre, which highlighted some concerns with us, and I met it during the discussions on the bill.

The issue straddles a few policy areas. I will be meeting Richard Leonard—next week, I think—together with the Minister for Housing, so that we can try to address those problems. When it comes to housing policy, as I think that I said during the

debate on the agriculture bill, we should expect the same accommodation standards for people regardless of where they are from or the jobs that they do. That is the ultimate aim of the policies that we are developing. However, that policy development and the discussions on that bill have highlighted the fact that there are gaps that we need to work together to address. Therefore, I hope that next week's meetings will be a step towards that, and I know that the Minister for Housing is considering the matter, too.

In relation to the fishing industry, part of the problem is the use of transit visas. Ultimately, the various laws that would apply to workers here do not apply to those working under a transit visa. We raised concerns about this matter, including the use of those visas, with the UK Government.

We want the fishing industry to be an attractive career of choice. The industry itself has worked on a number of initiatives to try to get more people to work across the industry, but we absolutely have to do what we can to tackle those issues where we know that they exist. Obviously, any prosecutions will be for the Crown Office and Procurator Fiscal Service and Police Scotland to deal with. However, we condemn any of that behaviour, and we want to ensure that people are working in suitable conditions when they come to live and work in this country.

Rhoda Grant: There is a difficulty with identifying people, especially in fishing, because they are at sea for a lot of the time. Has the cabinet secretary given any thought to how to better interact with fishing crews in order to ensure that they are not in slavery and that their conditions are reasonable? Could marine protection vessels be involved in that work, if they are working with boats at sea? Have they had any training in dealing with those issues? What steps has the cabinet secretary taken to protect people who are in a very vulnerable situation?

Mairi Gougeon: I will hand over to Iain Wallace, who might have more information, particularly with regard to marine protection vessels and that side of things.

Iain Wallace (Scottish Government): We are looking at training options and how those sit with the powers of the officers on marine protection vessels. However, I would say that, if those officers spotted something of concern—or raised a concern, because it might be a police matter rather than a marine protection issue—we have mechanisms through our intelligence process to share that information with Police Scotland.

Emma Roddick (Highlands and Islands) (SNP): Good morning. The cabinet secretary will be aware of comments from fishermen in Shetland about the advising of quotas and that happening

far enough in advance that fishermen are able to plan. I hope that she will be able to comment on how that could be improved in the future so that fishermen are not, as they put it, fishing on a hope and a prayer until they know the quota that they are working to.

Mairi Gougeon: I appreciate that point. I think that that relates to the additional quota that we receive. We had a consultation on that at the start of the year, which contained quite a few options, and we received a number of responses to that. Ultimately, with regard to fishing opportunities, that additional quota makes up 11 per cent of the overall quota that is allocated to industry. I appreciate the frustration about the time that was taken to confirm that. Unfortunately, it was a case of ensuring that we worked through detailed responses to the consultation before allocating the quotas.

We always like to learn from these processes, and we appreciate that that was difficult for the industry. Of course, we like to provide people with that information as soon as possible.

Emma Roddick: I am grateful for that reassurance. Another big concern is inaccurate labelling and other landing documentation, particularly where vessels land in one place but sell elsewhere. Can the cabinet secretary speak to improvements in inspections and the rate of inspections at landing sites in order to verify catches?

Mairi Gougeon: Iain Wallace will be able to provide more detailed information in relation to that question.

We proactively publish a lot of the information in relation to the work that we undertake so that we are entirely transparent about the level of inspections. In the past, we have received quite a lot of correspondence on that and there has been a feeling that some vessels are being treated differently from others, but the work that we have undertaken has shown that that is not the case. Overall, nearly 4,000 intelligence reports have been received and there have been about 2,000 inspections. Some of that equates to massive increases in the overall inspection rate—a 50 per cent increase in the number of intelligence reports that have been received. All of that has been because of the prioritisation that that has been given.

The checks are done on a risk basis in some areas, and Iain will be able to provide more detail on that.

Iain Wallace: As the cabinet secretary said, we are looking at our overall operating model and for ways to continually improve that. With regard to boardings and inspections, we have had a big focus on driving our productivity. Compared to

2022 and 2023, we have seen a 36 per cent increase in our boardings at sea and a 39 per cent increase in our inspections.

As the cabinet secretary said, that is coupled with looking at how we improve the model from end to end. At the front end, it is about gathering more intelligence, which then informs how we best prioritise our efforts. We have documentation checks prior to landings. For example, all non-UK vessels are checked before they land in the UK. We then look at what we do at sea and what we track through the vessel monitoring system, and we carry out checks once the landings have taken place.

We have continued to try to improve what happens when a vessel lands in the European Union or other countries, and we are doing a piece of work to strengthen that data sharing. Again, that will strengthen that model as well as the assurance that all vessels are compliant and that, where there are issues, we are taking action at the right time.

Emma Roddick: That is great, thank you. Last week, we heard about the possibility of the marine directorate using quotas to raise revenue and incentivise behaviour change. Is the marine directorate able to do that currently, and what percentage of quota is allocated in that way?

Mairi Gougeon: I do not know whether that is in reference to the additional quota, but I will hand over to Malcolm Pentland.

Malcolm Pentland (Scottish Government): Could you expand on the context in which you heard that?

Emma Roddick: Last week, the committee received evidence on how revenue could be raised by the marine directorate by using quota and making changes that incentivise behaviour change among those who are working in the industry and in order to ensure sustainability.

Malcolm Pentland: That is a potential option but there are no immediate plans for that.

10:30

Beatrice Wishart (Shetland Islands) (LD): Good morning. I would like to ask about fisheries management plans. The fisheries policy authorities are to jointly publish individual fisheries management plans, or FMPs—there are always initials and abbreviations. There is a list of 22 that are being led by the marine directorate, and they need to be published by the end of 2024. DEFRA published its first five FMPs for England and Wales in December 2023. What progress is being made on the fisheries management plan for Scottish waters?

Mairi Gougeon: There are 21 FMPs that are being led by Scotland and there a couple more that we are taking forward jointly with DEFRA. This has admittedly been a really complex piece of work. It has required stakeholder engagement and work across the different UK Administrations, not to mention the variety of assessments that have to be undertaken as part of that, including the conservation advice and strategic environmental assessments. As part of that process, we also have to consider the wider interaction with other policies and pieces of legislation. It is a really complex picture and we have to try to work through that in developing the plans. On top of that, we need to consult on them. I mentioned the engagement and how important that is.

As you mentioned, the deadline for the plans is coming up at the end of the year. Some of the challenges that we are facing in relation to the FMPs that we are producing in Scotland are shared by the other UK Administrations. You mentioned that some of the FMPs for England and Wales have been published, but, in general, we are all coming up against the same problems in working through the process. We are in discussions with the other UK Administrations and I hope to be able to provide more of an update to the committee in due course on the overall timelines for the plans.

Beatrice Wishart: Will you expand a wee bit on what the challenges are for all the Administrations?

Mairi Gougeon: They are the challenges that I have broadly outlined. Various assessments need to be undertaken, there is the interaction with legislation, and we need to put those things together. We also need to do the wider consultation. We have built in time to enable all of that to happen. If we are to introduce the fisheries management plans, we want to make sure that we get them right and that they are as thorough as they need to be.

However, the absence of the fisheries management plans does not mean that we are not actively managing our fisheries. We continue to do that. The plans will help to provide more transparency around that, but we have encountered those complexities in the process. I will write to the committee with further updates on that in due course.

Beatrice Wishart: The things that concern fishermen include the spatial squeeze, which is significant around the North Sea; the competition that is being faced with renewables such as offshore wind; and developments in the blue economy. Are those things impacting the work that is being done for the fisheries management plans?

Mairi Gougeon: I have outlined some of the assessments and the different interactions that need to be considered. There are a variety of factors as to why the work has taken longer than was anticipated. I appreciate your point about the pressures that exist in the marine space. The national marine plan 2 is being developed—that work is being led by the Acting Cabinet Secretary for Net Zero and Energy—and updates on it were provided last month. A lot of the issues that we are discussing will be considered in relation to the timescales that are being looked at there.

As I said, we are proceeding with the work and we are trying to do it as well and as thoroughly as we can. I will provide further updates to the committee on how that work is progressing.

The Convener: My understanding is that the draft management plans need to be laid by 7 October and the whole process needs to be completed by the end of the year. Given what you have said, it sounds unlikely that that will happen. Are you going to request that the joint fisheries statement be changed and the date pushed back to reflect that?

Mairi Gougeon: I will provide a further update on that. Once I have confirmed what that is going to look like, I will write to the committee and provide that information.

The Convener: Okay, so it is likely that the date will slip.

Mairi Gougeon: We are finding the deadlines really hard to stick to. Again, that is a problem that is being faced across the UK at the moment. We are having those discussions and I will update the committee on that programme of work.

The Convener: Okay. Thank you.

Rachael Hamilton: I will follow on from Beatrice Wishart's questions. I do not know whether you managed to catch Mike Cohen from the National Federation of Fishermen's Organisations on "Farming Today" yesterday. He talked about how important it is to take an evidence-based scientific approach when making decisions on FMPs. How does that square with the reduction in the budget for research and science, as you will have heard from the evidence session last week, given how important it is to ensure that fishermen are able to provide food to put on our plates?

Mairi Gougeon: The point about evidence-based decision making is absolutely right. Such evidence is factoring into the work that we are taking forward on fisheries management plans. I would not disagree with that point, because that is hugely important. We want to base FMPs on the best available evidence, and the stocks that we have focused on initially have been those on which a wider set of information is available.

Colin Beattie (Midlothian North and Musselburgh) (SNP): I have a few questions about the trade and co-operation agreement between the UK and the EU—we cannot seem to get away from Brexit and such things. The agreement covers a lot of different issues about fishing, such as quotas, days at sea and so on. The transitional arrangements that were agreed come to an end in 2026 and there seems to be the potential for renegotiating the fisheries arrangements.

First, to what extent was the Scottish Government involved in the negotiations on the original agreement, which resulted in the transitional arrangements being put in place? Secondly, have there been discussions with the new UK Government on the priorities of Scottish fishermen and the involvement of the Scottish Government in the negotiations? Fisheries is a much bigger issue in Scotland than it is south of the border, so it would be appropriate for us to be involved.

Mairi Gougeon: I absolutely agree. We certainly do not want to wait until the forthcoming TCA before we put across our position on what we expect the agreement to look like. I had a brief initial meeting with the Secretary of State for Environment, Food and Rural Affairs, Steve Reed, in the summer, just after his appointment. The Minister for Agriculture and Connectivity and I, together with those from the other devolved Administrations, will be meeting the UK Government on Monday. I hope that that will provide a bit of a reset for relations with the UK Government, which is what we need. We will be able to approach such issues and make known to the UK Government our interests and the areas that we see as important. Fisheries are disproportionately important to Scotland and our wider economy, so we want to ensure that our interests are represented as much as possible.

We have some other expectations for a future TCA. We have set out our position on what a veterinary and sanitary and phytosanitary agreement could look like, because the arrangements could certainly be improved. It sounds as though the UK Government wants to head in that direction, too, so that we can remove some of the barriers to trade with the EU.

We are clear in all our discussions with the UK Government that nothing should be done at the expense of industries that are important to Scotland. It is hugely important that we have a seat at the table and can feed in to discussions. I will certainly be seeking that through my engagement with the UK Government.

Colin Beattie: My first question was about the original agreement. Was the Scottish Government involved in the negotiations on that?

Mairi Gougeon: Not as far as I am aware. I do not know whether Malcolm Pentland has any further information.

Malcolm Pentland: I do not think that the Scottish Government was involved directly, but we had conversations at the time with our counterparts in relation to the agreement.

Colin Beattie: The transitional arrangements finish in 2026. Are there any implications for Scottish fisheries as a result of that? Are there any little attachments that we should know about, or will it be straightforward?

Mairi Gougeon: I hope that we will be in an appropriate position before that point, if we are able to enter those discussions. We would hope to have some knowledge of the future picture in advance of that.

Colin Beattie: Is there a position that the Scottish Government wants to reach in terms of improving Scotland's position in those arrangements?

Mairi Gougeon: Do you mean in relation to the whole TCA more broadly?

Colin Beattie: Yes.

Mairi Gougeon: Yes, of course there is. I mentioned, as an example, reaching a veterinary agreement with the EU, which would be very beneficial. We are also trying to remove some of the red tape that has been a real barrier to trading for us. We could certainly improve on that. We also want to continue to seek improvements with the EU on youth mobility, because there are opportunities to enhance that as well. Within all of that, we want to make sure that we get the best deal possible, whether that is for our fisheries or for other industries in Scotland.

Colin Beattie: Red tape has been a big issue. It has come up in relation to the seafood trade, for example. Because of administration problems, the UK Government recently postponed the bringing in of additional red tape for fruit and vegetables that come from the EU, but it still intends to bring it in next year. What hope is there, therefore, of reducing the red tape for our fisheries industry?

Mairi Gougeon: Broadly, there are outstanding issues with the UK Government when it comes to the border target operating model. When the model was published, we accepted it as being in all our best interests, because we need biosecurity measures in place at our borders and there was an unlevel playing field between how goods that were going out of the UK and how those that were coming in were treated. However, there are gaps in that, which is what we have been trying to pursue with the UK Government.

I hope to hold discussions with the new secretary of state about a gap on our west coast when it comes to what is moving from Ireland and Northern Ireland. That has happened because of interactions with the Windsor framework. The checks were due to be implemented by the end of October, which does not leave much time for industry to prepare. We have been seeking some clarity on that, and I believe that that timeline is scheduled to move. That is part of the discussions that we will have, because we need that urgent clarity for industry so that it knows what to expect and whether the timeline will shift.

Those things will form part of our discussions with the UK Government, because we want to make sure that we have in place an appropriate balance of measures that does not put an undue burden on our traders.

Colin Beattie: Will there be an opportunity to widen the discussions to cover things such as labour shortages?

Mairi Gougeon: In dealing with the UK Government, we have had proposals for quite some time in relation to some of the labour issues that exist across Scotland, particularly in our rural communities. We had put forward plans for a rural communities visa pilot, which had been largely endorsed by a number of different political parties as well as the Migration Advisory Committee, which saw merit in that idea. I hope that, given the reset in our relations with the UK Government, we can start to look at some of our previous ideas, so that we can improve the situation.

Colin Beattie: Do you have a feel for when the renegotiation might start or when some progress might be seen?

Mairi Gougeon: I will not know much about that until after the meeting on Monday. However, again, I hope that this is the start of a new relationship with the UK Government in which we can hope to progress some of these matters.

Ariane Burgess: It is good to hear about all the work that the marine directorate is undertaking. Nevertheless, it is currently failing to deliver on its statutory duties under the Fisheries Act 2020, among other legislation, to achieve "good environmental status" in Scotland's waters. To what extent is that for budgetary reasons?

Mairi Gougeon: A number of different factors are at play. We have been delivering some outstanding work. Some of it cuts across other portfolios and the work that both Alasdair Allan and Gillian Martin lead on in relation to the implementation of the management measures for the outstanding marine protected areas and for our priority marine features.

The consultation has opened on the offshore MPA areas and what they will look like, but there are still the inshore areas to consider. That work has taken longer than anticipated, purely because it is really complex. It covers more than 160 different sites and seeks to assess the impacts of any management measures. It has been a complex piece of work that it is undoubtedly taking time to deliver.

From a resources point of view, there are pressures on head count across the whole of Government and we have to work towards our priorities as best we can. We are managing to make progress on some of our key priority areas as quickly as we can, but there is no getting around the natural complexities that exist in some of that work, which can prevent it from being accelerated.

10:45

Ariane Burgess: Given the complexity of the work that needs to be done, do you think that the budget allocation has been underestimated?

Mairi Gougeon: As I outlined in relation to FMPs, various things can happen that officials have to deal with after we have set out our initial timelines for work, which means that they cannot progress that work in the way that they would have done. We try to deal with the various pressures as and when they arise while still delivering on the programme of work that we have set out.

Ariane Burgess: You might be hinting at my next question. At last week's round-table session, several stakeholders talked about how communication with the marine directorate has become increasingly difficult, as has obtaining transparency in relation to its work. When it has been asked why statutory requirements have not been met, the marine directorate has at times said that it has had to deal with too many freedom of information requests, as well as judicial reviews, which has used up its time and resources. It might be argued that, if the marine directorate is being inundated with FOI requests, that might be because it is not being as open and transparent as a public body should be.

How are FOI requests managed? Is the volume of FOIs indicative of a failure in transparency and partnership working with stakeholders? What is the marine directorate's position on publishing data that is collected using public money, for example, as part of projects that have been funded by the marine fund Scotland?

Mairi Gougeon: There is a lot in that question. There are some specific points that I will have to follow up on in correspondence, and I will be happy to do so in a letter to the committee.

It is a difficult situation, because there is a lot happening in the marine space, as has been touched on previously. It is also an increasingly polarised space, which can make it difficult to progress some of the policies that we are taking forward. However, we have a strong focus on our engagement with stakeholders, and strong relationships exist.

Across the piece, we have tried to put some of the engagement bodies on a more strategic footing. We have done a refresh of the fisheries management and conservation group and the regional inshore fisheries groups, and we will need to monitor the new arrangement and see whether it is working and delivering as everybody hoped that it would. The FMAC, which has various sub-groups, has been put on a more strategic footing, and it meets more regularly, in line with the terms of reference.

Those measures are bedding in, but there are opportunities for stakeholders to feed into our decision-making processes. I meet a variety of stakeholders, which is important. Maintaining those relationships is important, too.

I do not know whether Malcolm Pentland wants to add anything.

Malcolm Pentland: I have just one point to make, which builds on what has been said about the polarised context and the number of FOI and environmental information regulation requests. Often, it is the complexity, rather than the sheer volume, of cases that presents challenges, because such things have to be prioritised.

As for the point about transparency as a directorate, we are looking at what information we can more proactively publish ahead of time, so that it is there and can be accessed readily by stakeholders. That piece of work is under way.

Ariane Burgess: Can you say a bit more about how the FOI requests are managed? It is helpful that you have said that the issue is not necessarily the volume of requests but their complexity. Can you tell us how the processes are managed, or is it better for you to write to the committee on that?

Malcolm Pentland: We can certainly outline the process. It is probably no different from the process that takes place anywhere else in Government: cases will be allocated to a handler, who will gather the information within the statutory deadline, wherever possible, and respond. When there are reviews, such cases are allocated to a different part of the directorate for review. Again, that will take place within the timeframe that has been set.

Ariane Burgess: Do you proactively keep the person who has made the FOI request informed of progress, or does the process disappear into the

dark, with the result that people do not hear anything for a long time?

Malcolm Pentland: Typically, a request will be acknowledged in the first instance, and there is often follow-up correspondence to clarify a request, which sometimes includes the offer of a conversation to understand what a particular requester is looking for. If there were any question of not meeting the deadline—our rates at the moment are pretty good—we would be in touch with the requester again.

Ariane Burgess: You mentioned that you are looking at ways of being more transparent as well as looking at what data you can publish. Are you engaging with stakeholders on how that information could helpfully be shared with them?

Malcolm Pentland: No, not specifically. We have a sense of what they want from the requests that we get via FOI or other means. It is just about getting stuff published ahead of time.

Mairi Gougeon: I talked about some of the enforcement activity and inspections that are carried out, and I think that that is what has led to the proactive publishing of that information, because there were concerns around that. We want to be open and transparent about the level of inspections that take place, so the decision has been taken to proactively publish that information. It makes sense that we judge those things when they arise.

Ariane Burgess: Is there a budgetary consideration in publishing such data? Does doing that work and making it public facing create more of a burden for the directorate?

Malcolm Pentland: No, not particularly.

Iain Wallace: No. This touches on what Malcolm Pentland said about FOIs. A couple of years ago, we invested in the creation of a central person to look at FOIs and ensure that we were learning lessons from them. If we received a high volume of FOIs about a particular area, say, we would look at whether we could invest more in publishing stats, with the benefit of reducing the number of FOIs in that area.

The situation is always in flux, of course, as different areas can start to capture FOIs. However, I come back to my earlier point about looking to continuously improve on that and increase transparency at the same time.

Ariane Burgess: That sounds good. It would be great to be updated on developments in that process.

Rachael Hamilton: I have a supplementary question about the scrutiny session on the marine directorate that we held last week. Elspeth

Macdonald of the Scottish Fishermen's Federation said:

“many of us feel that there has been a serious lack of investment of public money in our inshore fisheries. We have many data gaps and poor information in relation to many of our inshore fisheries compared with some of the other fisheries.”—[*Official Report, Rural Affairs and Islands Committee*, 4 September 2024; c 14.]

The lack of investment in research and monitoring was a common theme throughout the session. Taking into account Elspeth Macdonald's comments, will the cabinet secretary outline how effective delivery can be achieved in inshore fisheries?

Mairi Gougeon: Again, there is no getting around the fact that the marine directorate and all other directorates across the Government are under pressure, and the focus is on delivering on the Government's priorities. With regard to our inshore fisheries, in particular, a number of pieces of work are under way in that respect, and we aim to progress them as much as we possibly can. We have been spending about £9 million a year on fisheries science as a whole, and that figure has been relatively consistent over the past few years.

Rachael Hamilton: Has the head count gone down since Marine Scotland was changed to the marine directorate?

Mairi Gougeon: There were no big changes as a result of the change in name. It was done just to better recognise that the marine directorate is a directorate of the Scottish Government and not a separate organisation. I would have to get the exact head count figures, as I do not have them to hand—perhaps Iain Wallace or Malcolm Pentland has that information.

Rachael Hamilton: When will the new head of the marine directorate be recruited?

Mairi Gougeon: I do not know what the timescales are just now. Annabel Turpie has moved to a temporary position because of the various moves that are taking place. Perhaps Iain Wallace has more to say on that.

Iain Wallace: I can answer that—I am the new interim director of the marine directorate. That is hot off the press.

Mairi Gougeon: Very hot off the press.

Rachael Hamilton: Okay. That is useful for the committee.

Another area that I am slightly concerned about is the introduction of restrictions on certain kinds of fishing gear across 20 sites in Scotland. It has been indicated that that could cost the Scottish economy £66 million. Are you worried that that is just introducing highly protected marine areas by the back door?

Mairi Gougeon: That is certainly not the case. The piece of work on offshore MPAs on which we are currently consulting has been in development for a long time, and we are putting forward the full range of management measures as part of that. We have engaged extensively with industry over the past five years, or even longer, in order to bring those proposals forward. I know that some stakeholders have welcomed the fact that this piece of work has finally been progressed and that we are consulting on it. The work is being led by another portfolio, but it is certainly not introducing HPAs—I think that we have made our position on that very clear.

Beatrice Wishart: With regard to fisheries science, you will be aware that some members of the committee visited the science labs in Aberdeen a couple of weeks ago. The visit was very useful—we met some dedicated personnel there, and it was good to see the work that they were doing. I have to confess, though, that I was somewhat surprised at the condition of the buildings and the environment in which they were working, and I wondered if that was having an impact on their ability to deal with their workload and the data and evidence gathering.

Mairi Gougeon: I know that other sites, such as the University of Aberdeen, are being used, too. Having visited the site that you mention a few times myself, I know that there has been a variety of issues with it, including some that have arisen as a result of storm damage. Iain Wallace might have further information on that.

Iain Wallace: With regard to the buildings, we are now looking at options and are working with our estates colleagues on the next steps, so a timeline should emerge in due course.

Karen Adam (Banffshire and Buchan Coast) (SNP): Cabinet secretary, I have been in touch with you previously about the issues around skilled worker visas for our fish-processing sector. The sector has grave concerns about the move, given that up to about 80 per cent of its workers, including those in some of the businesses in my constituency, are immigrants.

I understand that the issue is reserved. Nonetheless, have there been any talks with the new UK Government on whether it, along with the Scottish Government, can come up with ideas to give the sector some confidence and to alleviate the stress being caused to businesses by the precarious nature of the current arrangements, given the increased thresholds? As you know, the issue has been a big concern.

Mairi Gougeon: Absolutely. I met previously with Jimmy Buchan, and with Andrew Brown more recently, to discuss some of those matters, because I recognise just how acute some of the

pressures are that the processing sector in particular is facing. It has, in fact, been facing those issues for a number of years now, and we have been trying to get some sort of resolution during that time.

We raised issues with the visa requirements, including the language thresholds, with the then UK Government in a previous forum. We had seen that in other sectors where there were shortages, specific visas had been allowed, but the same was not being applied to fisheries. We did not think that that was fair and tried to challenge it; unfortunately, though, we did not get anywhere with those proposals.

Nevertheless, as I mentioned earlier in relation to progressing some of our other proposals, such as a rural visa pilot, I hope that, in the spirit of the new engagement that we will have with the current UK Government, we can reopen and revisit some of those issues with a view to finding practical solutions to try to address these problems. That would really help our industry, particularly our processing sector. I have not had those discussions with the new UK Government yet, but I will certainly be engaging with it on that.

The Convener: To finish this section on marine, there has been—as you will be aware, cabinet secretary—a two-year research programme into the cockle population in the Solway Firth, and I believe that a report will be published very soon on the sustainability of the stocks there. On receipt of that report, will you be able to set out the Government's approach on any future commercial cockling in the Solway?

Mairi Gougeon: We would have to look at the report before we determined any future approach. As soon as I receive it, I will be happy to keep the committee updated and informed on the next steps.

11:00

The Convener: Thank you. We will move on to animal health and welfare with a question from Emma Harper.

Emma Harper: When Food Standards Scotland wrote to the Health, Social Care and Sport Committee in April about the challenge of recruiting veterinarians, it cited a number of concurrent issues, many of which have arisen as a consequence of EU exit. Another concern about food standards relates to the Government's decision not to progress with the establishment of a Scottish veterinary service. I would be interested in hearing a wee bit about that and about how we will support animal welfare.

Mairi Gougeon: The work undertaken by our official veterinarians is hugely important. I will

touch on the point about the Scottish veterinary service first and then pass over to Jim Fairlie or George Burgess, who might have more to add.

We are being quite transparent with the committee in setting out the position. The establishment of a Scottish veterinary service is still, ultimately, where we want to be. We had a programme board that had scoped out that work and what could be included in it, but, unfortunately, we do not have the capital budget to get the programme off the ground. However, should that budget become available in the future, we would look to pick up that work, as it would be in Scotland's best interests to have that service.

George, do you have more to add?

George Burgess: Yes. At last week's meat wholesalers event, there was a discussion between the industry and Food Standards Scotland. As you will be aware, Food Standards Scotland has had to increase its fees this year, largely due to the difficulty that it has had in securing workers. Under the model in Scotland, staff are employed by Food Standards Scotland instead of its having to rely on contractors, who are generally rather more expensive; last week, however, it was reporting difficulties in securing visas. Even when FSS identifies the staff, getting the visas through the system is causing difficulties and, as a result, instead of its being able to work with its own staff, it is increasingly reliant on contractors. Again, as the cabinet secretary has said, that is an issue for us to engage with the UK Government on.

At the same time, it is good that the new veterinary school in Aberdeen has taken in its first cohort of students, as it might, in time, provide a further cohort of domestic vets who are able to serve in meat hygiene, as official veterinarians and in the wider industry. Things are being done in Scotland to help us to move away from our past overdependence on non-UK or EU nationals.

Jim Fairlie: I will add just one minor point. In my discussions with Food Standards Scotland over the summer about the increase in fees, one of the issues highlighted by FSS was the fact that the UK Government has raised the earnings threshold to £48,000. That has added considerable cost, which is having to be passed on.

As the cabinet secretary has laid out, we can, I hope, reset the relationship. There is a meeting taking place on Monday, and I hope that we can start proper negotiations on how to get over some of those problems, as they are definitely having an impact on Food Standards Scotland.

However, a lot of good stuff is going on, too. As George Burgess has just outlined, a new cohort of vets is coming into the vet school, which I visited earlier this year. There is a job to be done in

talking about what a fantastic industry veterinary medicine is and in encouraging our young folk to get involved in it.

Emma Harper: So, that will mean continuing to work with Food Standards Scotland and the Animal and Plant Health Agency on animal welfare concerns. However, we are constrained, because visa applications are controlled by Westminster. Is this a case for our making another plea for greater control and choice over visas and immigration in Scotland?

Jim Fairlie: Clearly, that would be our position, but it is not where we are at the moment. We need to deal with the immediate problems and work out what we want to do in the longer term.

The Convener: On that point, where will your main focus lie in increasing the number of vets? There is a long lead-in period in that respect—after all, it takes six-plus years for a vet to be fully qualified—but you do not need a vet to undertake some of the work that Food Standards Scotland requires, such as sampling, testing, looking in the back of cattle floats or whatever. Would you consider making changes to the Veterinary Surgeons Act 1966 to allow vets to focus on the work that they absolutely need to do and potentially allow some of the other work to be done by personnel who are not fully qualified?

Jim Fairlie: The point that you have touched on is right, because there is no one focus at the moment. There are areas in which we need to find solutions, and I am open to looking at any potential solution to ensure that we have a cohort of young vets coming into the industry and that we are dealing with the issues that we have now. If there are particular areas that are causing us problems, I am open to looking at all of them.

George Burgess: I have just a brief supplementary comment. The Scottish Government has already set out its position that the 1966 act needs to be reviewed. The act is of its time and the veterinary industry has moved on a huge amount. As it is a reserved matter, we would need to work with the UK Government on it, but I know that the British Veterinary Association is firmly of the view that the act needs to be reformed, which might open up that possibility. One of the reasons for our having so many non-UK vets working in an official veterinarian capacity in the UK is that the different structures of qualifications and veterinary industries in other countries mean that there is a ready supply instead of everyone having to be qualified to the nth degree, as they are here.

The Convener: Thank you.

Minister, will you give us an update on your previous comments with regard to considering the

option of a licensing scheme for greyhound racing in Scotland?

Jim Fairlie: We are still looking at all our options. As you know, a member's bill has gathered support in the Parliament, and I do not think that we will be pursuing a licensing scheme until we see how that bill progresses through the Parliament. For a long time now, the committee has been looking at the member's bill and at greyhound racing, and I would therefore be keen to get the committee's views and hear your considerations. Mark Ruskell's bill will go through the process, so we will see how it develops and take it from there.

The Convener: I was asking my question on the back of your consideration of that matter. After all, it is you, as minister, who will decide whether a licensing scheme is something that the Government will take on board—it is not for the committee to ask you to do that.

Jim Fairlie: I am not saying that you should ask me to do that, but I am quite happy to hear your thoughts and considerations. You have scrutinised the matter as much as anybody has, so I am keen to hear your thoughts on it.

The Convener: In the previous programme for government, there was a commitment to look at extending the 2021 statutory animal licensing framework, and the Government consulted between July and September last year on its proposals. However, the current programme for government makes no mention of it, and there has been a cut in the budget for animal licensing. What are your plans in that regard, given the consultation that was carried out last year?

Jim Fairlie: I will let George Burgess answer that question in the interim.

George Burgess: The first stage of the outcome of the work on animal licensing is the announcement that was made just a couple of weeks ago on bringing in licensing for canine fertility businesses. There were a number of proposals in the consultation; we have looked at the responses to each of them and, as the first stage, we are progressing on canine fertility. That is where we see the biggest challenges.

The Convener: So, although there was no announcement in the programme for government, the work that was announced previously is continuing.

George Burgess: Yes.

Emma Harper: We spoke earlier about the Windsor framework, which I know was created to benefit Ireland and Northern Ireland and to promote continued good cross-border relationships. You said that there are west coast challenges with regard to the ports of Cairnryan,

Larne and Belfast. How will the Scottish Government support negotiations with the UK Government on the better phytosanitary, sanitary and food standards that we have talked about?

Mairi Gougeon: Work has been on-going for a long time on the border target operating model, and there has been much discussion of it. I know that the committee has received various pieces of secondary legislation implementing the model's various stages; unfortunately, those pieces of legislation have sometimes been outwith my control and have come in at the last minute.

Part of the problem that we have now is that, although the border target operating model has been implemented to some extent, it has not been implemented on the west coast, because of outstanding issues there and other interactions. We hope to clarify that, as a matter of urgency, with the UK Government, and I will raise the matter when I meet the DEFRA secretary of state on Monday. We urgently need clarity about what is happening.

As I said in a previous response, the checks are due to begin at the end of October, so we need to get urgent clarity for industry if that is going to be delayed and to know when the outstanding matters will be resolved.

Emma Harper: It was claimed that exit from the EU would reduce red tape. Do such challenges show that there is actually more red tape? That sort of thing should be sorted as a matter of urgency.

Mairi Gougeon: Absolutely. We have set out some proposals that we think would help to alleviate some of that, including a future veterinary agreement and a sanitary and phytosanitary arrangement with the EU. We have always sought that and, as I have already said, we believe that the UK Government wants to go in that direction, too. I hope, therefore, that we will be pushing at an open door when we have those discussions.

We recently published our expectations, which are available on our website. I am happy to share them with the committee if members would like to see them, but they set out what we would like to see in an SPS agreement and what we think the benefits would be. As we know, households have paid an extra £7 billion since Brexit, because of the extra costs that have resulted, and some of the barriers to trade might be removed if we can make progress with an agreement. That is, ideally, where we would want to be.

Jim Fairlie: I have met the ministers from Northern Ireland and Wales, who think that we need clarification, too. That said, I doubt that we will hit the 31 October deadline—it is unlikely at this stage that that will happen.

I keep coming back to the fact that we are trying to reset the relationship between the UK and devolved Governments. The clear message from all three devolved parts of the UK is that we really need clarity on the issue and that it has to be fixed.

The Convener: Cabinet secretary, you said that you will meet the Secretary of State for Scotland on Monday. What will be your main priority in that discussion?

Mairi Gougeon: It is the DEFRA secretary of state that I will meet on Monday, as part of the first interministerial group meeting that we have had for a year, which will reset that relationship. It is good that we will have those discussions in person. I have already set out some of our key priorities in my correspondence to the secretary of state. There are some urgent matters for clarification, some of which relate to the border target operating model. The future allocation of agricultural funding will also be on the agenda. As with other IMG meetings, I will circulate a communiqué afterwards to update members about the discussions.

The Convener: I have a brief question about the next theme, which is national parks. The Government announced a commitment to have a new national park or parks. The process began back in 2022 and we have had two years to build up a framework to take that forward. As you know, Galloway was announced as the preferred option. That decision was some 24 months in the making, if you like, but the formal consultation that will advise you on your decision on whether to designate a national park will run for only 12 weeks. That is incredibly short, and Christmas and new year will be slap bang in the middle of that, so, in effect, the consultation period will be significantly less than 12 weeks.

11:15

In Galloway, there are real concerns that the process is now being rushed, given the uncertainties about the park boundaries and the planning authority status of the national park, along with a whole list of other concerns. Will you consider delaying the final decision, given that it appears that the timescales for the process that are now being announced are far shorter than had previously been imagined?

Mairi Gougeon: I set out that timescale because I believed that the report could be completed within that time. Yesterday, NatureScot published an online page that will provide all the information about the engagement that it will be undertaking and how people can make their views known. Again, I am happy to circulate that information to the committee.

Engagement is critical in this process, as we want to know what people in Galloway think about all sorts of issues, including the boundary, governance, any potential powers that the park might have and, indeed, whether people in Galloway want a national park, which is one of the key questions that we want to get to grips with. I have been perfectly open and transparent about that. I do not have any agenda here; I genuinely want to know what people think, and I really hope that people will engage in that process.

As I said, the information was published yesterday and I will circulate it to the committee. Although there might be a formal consultation period, there will be further engagement opportunities throughout that process. I am not going to commit today to extend the consultation period. If it transpires through that process that more time is needed, I will have to consider that. However, I encourage everyone to ensure that they make their views known throughout the process.

The Convener: Would it not have been sensible, as part of the process, to carry out a full and thorough investigation of how existing national parks have impacted on policy outcomes?

Mairi Gougeon: I have made my position on that clear, too. I understand that a petition has been lodged with the Scottish Parliament's Citizen Participation and Public Petitions Committee in relation to that. However, national parks are already accountable to their boards and to the Scottish Government. They can report to the Parliament, too. We already have mechanisms in place that assess whether our national parks are achieving their outcomes, and I believe that that process is thorough enough.

The development of what could be a new national park in Galloway will not involve a like-for-like process with our two existing national parks, which are very different from each other. The proposal for Galloway would be very different again. Assuming that they want a national park, it would be for the people in Galloway to decide what they want that to look like. That is why the exercise that NatureScot is undertaking is a hugely important part of the process.

Emma Harper: The boundary that is proposed is quite a wiggly line and includes bits of East Ayrshire and South Ayrshire. There are real concerns. Folks have asked whether they can directly engage face to face and have said that it cannot just be a desk exercise. NatureScot has committed to being on the ground to engage. Can you provide an assurance that the engagement process for local people will happen on the ground?

Mairi Gougeon: I understand the point that you are making. Face-to-face engagement is really important, and I am happy to follow that up with NatureScot. If you hear any concerns, I want to know about those and to hear about them directly. An open and transparent process in which we openly engage with people is hugely important, because we want and need to hear those views. For example, you touched on the issue of the boundary. Is the boundary right? We are dealing with the proposals that were put forward by the nominating groups, but we are keen to hear all those views.

The Convener: You will be pleased to hear that this is my final question. In your introduction, you touched on the fact that the natural environment bill might include policies that would influence the creation of another national park. I presume that that is because there is no time for the National Parks (Scotland) Act 2000 to be amended. What additional policies do you see the natural environment bill containing that would pertain to national parks?

Mairi Gougeon: The proposals that were consulted on—I think that it was earlier last year—are about modernising the legislation and the aims of national parks. I cannot tell you definitively what will be in the natural environment bill, because we are still working through what proposals will be introduced, but I will, of course, keep engaging with the committee on the bill. We are considering all those issues at the moment.

Beatrice Wishart: The Government is carrying out a statutory review of national outcomes, and it says that it will create a more successful country with opportunities for all of Scotland to flourish. Will you outline how the specific needs of, and opportunities for, rural communities are being considered in the review and how the national outcomes will help rural communities to flourish?

Mairi Gougeon: The review of the national outcomes will be helpful. In relation to the indicators for the national outcomes, it has sometimes been hard to disaggregate rural data from urban data, so we have introduced a rural data dashboard, which helps us to deal with some of the issues that we have experienced. It is important to highlight that the information that we are gathering through the rural data dashboard is helping us with the rural delivery plan, which we touched on in earlier discussions. We will, of course, set out how we are delivering against each outcome, because that is intrinsic to our work and what we do. We have to deliver against the existing frameworks, and improving the data will enable us to do that.

Beatrice Wishart: Digital inclusion is key across a range of national outcomes, from education and learning to healthcare, culture,

equality and human rights. However, compared with people in urban areas, people in rural and island areas experience a wider digital divide. I recently heard from a constituent who has been told that she will not be connected to fibre broadband until 2028, which is many years after the Scottish Government's original deadline under the reaching 100 per cent—R100—programme. How is that issue being taken into account in the revised national outcomes? How will that work help to tackle the digital divide?

Mairi Gougeon: We do not necessarily need to wait for a review of the national outcomes before dealing with some of the problems. If there are particular circumstances that need to be looked into, please let me and other relevant ministers know about them.

It is important that we do not forget about the work that is on-going. Our national islands plan is a good example of that. Providing broadband and general connectivity is one of the current plan's strategic outcomes, and we have to set out how we are delivering against that outcome through the work that is being undertaken.

I appreciate that people who live in a community that does not have access to fibre broadband will feel left out, but, generally, digital connectivity has been improving. However, people in the areas that have not been reached yet will feel the issues more acutely. We have to set out how we are delivering against that outcome and others.

We picked up on a lot of the issues, some of which you have touched on, through the consultation on the national islands plan last year. We heard loud and clear that the plan needs to be updated to reflect some of the current challenges that island communities face. Those will be taken into consideration when we set the objectives in the new national islands plan, which we will publish next year.

That work is, of course, island specific, but I have also talked about what the rural delivery plan might look like. It will not replicate what is in the national islands plan, but it will set out what we are doing across different policy areas to address some of the challenges for our rural communities in Scotland.

Beatrice Wishart: I would not want you to think that I was just majoring on the islands, because connectivity issues affect people across rural areas.

Mairi Gougeon: Absolutely. The places that are affected do not even have to be that remote. I know of areas literally on the outskirts of towns, particularly in my constituency, that have not had access to that broadband through the roll-out. We have committed to expanding the programme, through our own funding, to extend its reach as

much as possible. In this day and age, digital connectivity is such a basic thing. If we want to enable more people to live and work in rural Scotland and across our islands, we need to do what we can to improve digital connectivity.

Rachael Hamilton: On that specific subject, the Auditor General, Stephen Boyle, has said that he is concerned that Scottish Government goals are not clear, measurable and achievable. Beatrice Wishart raised issues about R100 completion across regions, and there are also issues with other policies that were announced in the programme for government in 2021, 2022 and 2023. There was the rural and islands housing action plan—obviously, Scotland has an issue with depopulation—the £20 million rural entrepreneur fund, which is essential for succession planning and creating jobs, and the missing Bew funding, which we have talked about. When will the committee be able to understand the work on the rural data dashboard and the impact of the lack of delivery of those policies on inequalities in rural areas?

Mairi Gougeon: First, I refute what you said about a lack of delivery, because we have delivered on some of the areas that you have mentioned, including the publication of the rural and islands—

Rachael Hamilton: I am sorry, but I was just saying what Stephen Boyle, the Auditor General, said.

Mairi Gougeon: I know, but you have raised those areas in the PFG as ones that have not been completed, whereas it is important to outline that, as a matter of fact, they have been completed.

We have published the rural and islands housing action plan, and it is about the delivery of that plan. Housing is a hugely important matter for our islands and across the rest of rural Scotland.

I hope that you can appreciate that I am not responsible for a number of those policy areas, but part of my role is to ensure that we work across Government so that my other colleagues deliver on them.

I touched on the rural delivery plan. One of its key objectives is to ensure that we make evidence-based decisions and can track our progress, which is why our work on the key performance indicators will be important, as that will help to measure progress and make things generally a lot more transparent.

Rachael Hamilton: When will you be able to come to the committee to answer the questions around how rural inequalities are being addressed and how equality in rural areas is being achieved?

Mairi Gougeon: That is fundamental to our work across Government. I have already outlined the areas that the rural delivery plan will cover, and I have said that I will keep the committee updated on that. That work will show progress across all the different areas.

I have also touched on the national islands plan, which shows how we are delivering against those specific objectives. As a matter of course, through our different policies, we have to implement a number of assessments that look at the fairer Scotland duty. We have to outline and show how we meet our equalities duties and how we constantly strive to improve the situation for people across Scotland. A lot of that is in the published information that we already have to provide, but we are constantly striving to improve on the situation.

The Convener: That concludes our questions for today. I thank the cabinet secretary, the minister and their officials for attending. We move into private session.

11:28

Meeting continued in private until 11:57.

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

All documents are available on
the Scottish Parliament website at:

www.parliament.scot

Information on non-endorsed print suppliers
is available here:

www.parliament.scot/documents

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: sp.info@parliament.scot



The Scottish Parliament
Pàrlamaid na h-Alba