

Minister for Agriculture and Connectivity
Ministear an Àiteachais agus Ceangal
Jim Fairlie MSP
Jim Fairlie BPA



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

Finlay Carson MSP
Convener, Rural Affairs and Islands Committee
The Scottish Parliament
EDINBURGH
EH99 1SP

By email: rural.committee@parliament.scot

27 September 2024

Dear Convener,

I look forward to return to Committee on October 8 in order that we might progress Wednesday's deferred SSI.

In advance, I want to be clear that the key purpose of "The Rural Development (Continuation of Operation) (Miscellaneous Amendment) (Scotland) Regulations 2024, brought to your Committee on Wednesday 25 September, is to allow the CAP SRDP legacy schemes to continue to operate from 1 January 2025.

It has a coming into force date of 1 January 2025 for this reason and, as an affirmative SSI, requires Committee approval and Ministerial signing before that date in order to come into legal effect. Further, I must note that the SSI was laid in time to allow for the 52 day laying convention as is appropriate for an affirmative SSI.

I must be clear to the Committee that if this straightforward SSI, required to keep the CAP SRDP legacy 'machine' running, were not to be made this year then payments from the rural development programme to our farmers, crofters and land managers will not be able to be made in 2025.

To reiterate the assurance of the Policy Note and of my evidence to your Committee; this SSI is not linked to future support models being co-developed with partners in our Agricultural Reform Programme. That future support will be delivered through the use of the Agriculture and Rural Communities (Scotland) Act 2024 (the 2024 Act), with its development clearly articulated in the Rural Support Plan alongside with a programme of SSIs, and their enactment subject to Committee scrutiny.

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

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

INVESTORS IN PEOPLE[™]
We invest in people Silver



Much focus at Committee was on the Less Favoured Area Support Scheme (LFASS), no doubt because the payment rate of that legacy scheme is set in regulation. It is worth again reiterating here that the reason that scheme has its rate set in regulation is to offer transparency and certainty of support to LFASS recipients.

Not only does it offer certainty to applicants, but it reflects the reality of administering a complex legacy scheme to in excess of 11,000 farmers and crofters. Ensuring that paying this support is achievable and can be better planned for, something ever more important as we manage annual budget in a legacy CAP system never designed for that. I will say clearly here, and expand on this below, that once a new model replaces LFASS these regulations will be discontinued.

That it is set at the rate that was operated in 2018 is reflective of budget realities; notably that ring-fenced rural funding, unilaterally set by the UK Government, has not matched inflation nor is the sum received by the Scottish Government reflective of the potential of our land to help feed the nation as well as contribute to nature and climate outcomes.

The rate does, however, represent the greatest sum received by applicants through the entirety of the last EU CAP programme, prior to a required decrease for 2019-20 that has since been remedied by the Scottish Government. Given that this SSI is about maintaining the present model, until its replacement, I am confident this is the right rate to set.

That noted, I must stress that the SRDP is broader than LFASS alone. This SSI is needed to allow payments to be made for a range of legacy support schemes ranging from the Agri-Environment Climate Scheme, to the Forestry Grant Scheme, to crofting support. These cannot be continued without this SSI.

Further time was spent upon the choice of 2030 as the timespan for continuation. I will be clear that this is a 'belts-and-braces' approach to ensure support for EU legacy schemes can be maintained until they are replaced in a phased transition into the Four Tier Framework model.

Committee members will, of course, be intimately familiar with the Agriculture Route Map - [Agricultural Reform Route Map \(ruralpayments.org\)](https://www.ruralpayments.org). This sets clearly how support will change in a managed process and Members may wish to reappraise themselves of the dates of transition of the EU legacy schemes that are laid out in the route map so far. This will demonstrate that a number of different dates will pass for different regulations from 2025 up to at least 2028 or possibly beyond, depending on the particular workstream or scheme that is being introduced.

For instance, we have stated that we will continue with the beef calf scheme until 2028, but other schemes may be implemented sooner, like the Whole Farm Plan, or later, depending on timescales and schemes involved. Therefore, it is only right that contingency is factored in to any plans, and that is why the ability to continue to use legacy schemes was set through to 2030, to give us the flexibility to make these on-going changes without coming back to Committee to lay more SSIs every time we change a scheme or regulation.

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

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

INVESTORS IN PEOPLE[™]
We invest in people Silver



Taking LFASS as an example here; we have publicly committed that a replacement support for our farmers and crofters in areas of constraint will be housed in Tier Two of our support framework. This will be a co-developed support that we would seek to empower through the 2024 Act, and once it is ready the present legacy LFASS support model would be 'switched-off'. I hope that explanation simplifies the understanding of the Committee and allows us to move forward with the process of allowing us to continue the payments for our rural sectors.

Again, I will emphasise that this SSI is not to change policies in place, it is not to allow for new outcomes, its purpose is to allow the government to continue to make payments in whatever format those payments are to be made. I must emphasise again these types of payments exist only so that those farming in areas of constraint are able to receive additional support, that those engaging in support for nature and climate outcomes have their support maintained, and that crofters are helped to keep many of our most fragile communities active.

If the Committee chooses not to pass this SSI, then this is what is at risk.

Yours sincerely,



JIM FAIRLIE

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

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

INVESTORS IN PEOPLE™
We invest in people Silver

