



OFFICIAL REPORT
AITHISG OIFIGEIL

Rural Affairs and Islands Committee

Wednesday 8 May 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 8 May 2024

CONTENTS

Col.

AGRICULTURE AND RURAL COMMUNITIES (SCOTLAND) BILL: STAGE 2 1

RURAL AFFAIRS AND ISLANDS COMMITTEE

12th Meeting 2024, Session 6

CONVENER

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

DEPUTY CONVENER

*Beatrice Wishart (Shetland Islands) (LD)

COMMITTEE MEMBERS

*Alasdair Allan (Na h-Eileanan an Iar) (SNP)

*Ariane Burgess (Highlands and Islands) (Green)

*Kate Forbes (Skye, Lochaber and Badenoch) (SNP)

*Rhoda Grant (Highlands and Islands) (Lab)

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

*Emma Harper (South Scotland) (SNP)

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

*attended

THE FOLLOWING ALSO PARTICIPATED:

Karen Adam (Banffshire and Buchan Coast) (SNP) (Committee Substitute)

Tim Eagle (Highlands and Islands) (Con)

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

Colin Smyth (South Scotland) (Lab)

Brian Whittle (South Scotland) (Con)

Beatrice Wishart (Shetland Islands) (LD)

CLERK TO THE COMMITTEE

Emma Johnston

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Rural Affairs and Islands Committee

Wednesday 8 May 2024

[The Convener opened the meeting at 09:01]

Agriculture and Rural Communities (Scotland) Bill: Stage 2

The Convener (Finlay Carson): Good morning, and welcome to the 12th meeting in 2024 of the Rural Affairs and Islands Committee. I remind members who are using electronic devices to please switch them to silent.

Our business this morning is consideration of the Agriculture and Rural Communities (Scotland) Bill at stage 2. I welcome Mairi Gougeon, the Cabinet Secretary for Rural Affairs, Land Reform and Islands, and her officials.

Before we begin, I will briefly explain the stage 2 procedures for members and the public. There will be one debate on each group of amendments. I will call the member who lodged the first amendment in that group to speak to and move the amendment, and to speak to all the other amendments in the group. I will then call any members who have lodged amendments in that group. Members who have not lodged amendments in the group but who wish to speak should catch my attention. If she has not already spoken to the group, I will then invite the minister to contribute to the debate. The debate on the group will be concluded by me inviting the member who moved the first amendment in the group to wind up.

Following the debate on each group, I will check whether the member who moved the first amendment in the group wishes to press it to a vote or to withdraw it. If they wish to press ahead, I will put the question on that amendment. If a member wishes to withdraw their amendment after it has been moved, they must seek the agreement of other members to do so. If any member present objects, the committee immediately moves to vote on that amendment.

If any member does not want to move their amendment when called, they should say "not moved". Please note that any other member present may then move such an amendment. If no one moves the amendment, I will immediately call the next amendment on the marshalled list.

Only committee members are allowed to vote. Voting in any division is by a show of hands, and it is important that members keep their hands clearly raised until after the clerk has recorded the vote. The committee is required to indicate formally that it has considered and agreed each section of the bill, so I will put a question on each section at the appropriate point. I will not be asking you questions about the procedure.

Before section 1

The Convener: Amendment 92, in the name of Colin Smyth, is grouped with amendments 93, 96, 20, 94, 95, 21 to 23, 97, 98, 24, 25, 3, 99 to 101, 26, 27 and 102 to 108. I point out that, if amendment 96 is agreed to, I cannot call amendments 20, 94 or 95 and that, if amendment 98 is agreed to, I cannot call amendments 24 or 25 due to pre-emption.

Colin Smyth (South Scotland) (Lab): I am pleased to speak to amendment 92 and my other amendments in the group. Section 1 sets out the overarching objectives of agricultural policy. Those objectives will influence the rural support plan, which is required to set out the expected use of the powers in section 4 to provide support through various payments and other schemes that will implement agricultural policy in practice. As such, section 1 describes the overall purpose of the bill and its various provisions.

As drafted, the objectives include a mix of outcomes and processes that seek to achieve those outcomes, but the link to the implementation of policies is currently unclear. The aim of amendment 92 is to include a clearer purpose clause that provides a clearer link between the overarching policy objectives and the rural support plan. My intention was that the overarching purpose clause would include the objectives rather than just refer to them, but I was conscious that members would be lodging amendments to the various objectives.

As members know, the bill as introduced includes four objectives. They are broadly appropriate, but the separation of

"sustainable and regenerative agricultural practices"

from

"the production of high-quality food"

is, in many ways, problematic. Agricultural practices are the means of producing high-quality food, so there is very much a link to how we produce that high-quality food and other farm products.

Amendment 95 proposes that sustainable food production become a clear overarching purpose of agricultural policy through the first objective of the production of high-quality food

“using sustainable and regenerative agricultural practices”.

I appreciate that agricultural practices are also deployed to produce products that are not, or do not directly become, food, including farm products such as feedstuff for animals, crops for energy or fibre, and animals that are kept as pets or for riding. My amendment addresses that through the addition of the term “and other farm products”.

Amendment 3 seeks to add “to improve animal welfare” to the overarching objectives of agricultural policy. Although the welfare of animals is referred to in the bill’s long title, that does not have any legal authority, so it is an omission to exclude animal welfare from the objectives. Amendment 3 and, in a slightly longer way, amendment 22 seek to address that.

We have a moral obligation to the millions of sentient animals in our food systems to ensure that we have the highest possible standards. As I said in the stage 1 debate, Scotland’s farmers cannot and will not compete in a race to the bottom on pricing standards. High-quality food is produced to the highest possible animal welfare standards, and the bill’s objectives should reflect that. If we placed an obligation on our farmers and crofters to adapt to, for example, a new regulation on animal welfare and health, supporting them to make those improvements would be perfectly reasonable and a legitimate use of agricultural support.

Amendments 98 to 100 seek to strengthen the wording of an existing objective—objective (c)—for a number of reasons. First, the use of the word “facilitation” in objective (c) is, in my view, too weak. Secondly, the use of the phrase “on-farm nature restoration” is flawed in two respects. It is limited to restoration, but protection is also important and a valid objective. It is also limited through the use of the phrase “on-farm”. Although the activities that may be supported will be on farms, the impacts, consequences and objectives of those activities might be wider. For example, species that are allowed to breed successfully on a farm will expand to wider areas, and good habitat management on a farm will have an impact on water quality and flood management downstream. Therefore, I do not believe that the use of the phrase “on-farm” is necessary, and it could have consequences for the range of activities that might be supported that, ultimately, go beyond farms.

The wording of the terms relating to climate and nature should relate more directly to those that are used in similar legislation, such as the Climate Change (Scotland) Act 2009 and the Natural Heritage (Scotland) Act 1991. That is what amendments 99 and 100 seek to achieve.

On amendments 103 to 106, evidence that was given to the committee during stage 1 shows that there is widespread concern about the narrowly drawn list of objectives. Beyond the overarching objectives, some detailed purposes are set out in schedule 1. In comparison, the Agriculture (Wales) Act 2023 provides additional guidance on the interpretation and application of its land management objectives. Amendments 103 to 106 recognise that detailed purposes are set out in schedule 1, but they adopt the Welsh approach of providing further explanation of how the overarching objectives should be interpreted.

Amendment 107 proposes that a duty be introduced on ministers to act in accordance with the objectives of the bill. Similar wording on duties exists in other Scottish legislation.

Finally, you will be pleased to know, convener, amendment 108 would provide by regulation the power to amend the objectives of agricultural policy, but any such amendments must be made by affirmative procedure.

I move amendment 92.

Emma Harper (South Scotland) (SNP): Good morning, everybody. I worked on drafting amendment 93 with NFU Scotland. It is a fairly simple amendment, but I believe that it is an important one. I am sure that we can all agree that it is important to specify the role of Scottish agricultural policy. Through amendment 93, I believe that we are emphasising Scotland’s world-leading reputation for high-quality agricultural production and high standards of animal welfare. As NFU Scotland highlights, those commitments should be specified in the bill to enhance the understanding and importance of Scottish provenance.

During my past eight years as an elected member for the South Scotland region, I have spoken in chamber debates and have raised questions about promoting and protecting the provenance of our world-class produce, especially in the language of protected geographical indicator status. We know that we have world-class produce in Scotland, including our Scotch beef, Scotch lamb and other products, and I know that we are always keen to support the work of Quality Meat Scotland and the Scotch whisky industry. They are so valuable for our economy.

I will keep my contribution short. The legislation sets out the requirements for Scottish agricultural policy and it should be defined as such.

Beatrice Wishart (Shetland Islands) (LD): Amendment 96 amends the second objective in the bill by broadening it from referring only to food production to referring to agricultural and food production. Adding the word “agricultural” delivers a more accurate definition of farming and crofting

activity, as it captures all aspects of agricultural production that are not directly related to food per se but are still of importance, such as animal feed and renewable energy.

I support amendment 27, in the name of Rhoda Grant, as Scotland's agriculture sector is diverse and that diversity should be supported and encouraged.

I also support amendment 22, in the name of Elena Whitham, because it adds an objective on the promotion and support of agricultural practices that protect and improve animal health and welfare.

Finally, I will comment on amendment 101, in the name of Rachael Hamilton. Although I am not averse to adding farmers explicitly to that objective, the change of wording from "enabling" to "allowing" is a weakening of the overall objective. I ask members to support amendment 96.

Rhoda Grant (Highlands and Islands) (Lab): Amendment 20 includes food security in the bill as part of the overarching objectives. There are several reasons for that. As we have seen with the war in Ukraine, such events—indeed, world events—can hamper our access to food.

Amendment 21 deals with local food production. We know that food miles create carbon. Therefore, the closer we are to food security and the fewer food miles we use, the better things are. We also know that access to locally produced food is more sustainable and cost effective for communities. Those two amendments mean that the objective in section 1(b) would read: "food security, and the production of high-quality food access to locally produced food for every person in Scotland."

Amendment 26 would insert a new overarching objective to ensure that rural businesses have sufficient funds and resources to enable them to provide fair work conditions. We often hear from crofters and small farm enterprises that it is impossible for them to make a living from their agricultural activity. That is in part because of the unequal way in which we currently distribute support funding. I hope that later amendments will go some way towards changing that. It is often the smaller enterprises that sequester more carbon and provide higher natural benefits. Therefore, when distributing support funding, we should look to provide a fairer income for those small businesses.

Amendment 27 recognises the carbon and nature benefits of small crofts and small farms, and it seeks to ensure that future support recognises that and provides them with adequate support. Currently, producers on less than 3 hectares—specifically those in horticulture—are excluded from support. Although the small producers pilot fund is welcome, it has been

allocated only £1 million in 2024. There are 20,000 small producers, of whom only 7,000 are registered for rural payments. They receive, on average, £143 per year per hectare for businesses under 30 hectares, whereas every hectare of region 1 land receives £223 per hectare a year. That is simply unfair, and the new scheme needs to address that. Small and diverse agricultural units can deliver high land productivity at levels that are well above those delivered by larger-scale monocropping. They also store more carbon and have a higher nature value—all things that we should be supporting.

09:15

With regard to the other amendments in the group, I am puzzled by Rachael Hamilton's amendment 94—I cannot understand why we should not be aiming for high-quality food. I understand what she is trying to do with amendment 97, which is very similar to my amendments.

I am also puzzled by Ariane Burgess's amendment 24. The bill is about the distribution of farm subsidies. If that funding is more widely distributed, it could damage the industry and, with it, our push towards net zero. Therefore, I do not think that I can support that amendment, but I am happy to listen to her reasoning in that regard. I am also puzzled by amendment 25. Again, I will listen with interest to see what is meant by it.

I have a lot of sympathy for Beatrice Wishart's amendment 96 but, because it would knock out my amendments, I will not be able to support it.

I support Colin Smyth's amendments in this group.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): I recognise that amendment 94 is puzzling to many, but I hope that I can explain my thinking behind it.

As is noted in the stage 1 committee report, a definition of "high-quality food" is not provided in either the bill or the accompanying documents. We were told by the Scottish Government officials that high-quality food relates to

"unadulterated produce that comes out of the ground and that is produced under the basic standards and expectations of Scottish agriculture." —[*Official Report, Rural Affairs and Islands Committee*, 29 November 2023; c 4.]

Therefore, there is a fairly woolly explanation coming from the Scottish Government. With no definition of "high quality" detailed in the bill, that will lead to a lack of clarity for farmers. I look forward to hearing from the cabinet secretary as to whether she will work with me to add a definition to the bill at stage 3, if amendment 94 is not agreed to.

Amendment 97 would insert a new purpose of “the protection and preservation of food security”

into the objectives of the bill. As we all know, food security should be at the heart of the bill, given that Scotland’s food producers face significant challenges in the coming years. The amendment is intended to ensure that the bill delivers on strengthening Scotland’s food security.

Amendment 101 would allow for the recognition of farmers as an objective of the bill by specifically including them in section 1(d). By making specific reference to farmers, the amendment seeks to highlight the crucial role of farmers and to ensure that they are noted in the bill as a distinct group. Although some might believe that farmers are already encompassed by the term “rural communities”, my amendment would put beyond all doubt that allowing farmers to thrive should be a clear and distinct objective of the bill.

My amendment 102 would create an additional bill objective to protect and effectively manage soil health. Soil health, as we know and have heard in evidence, is an integral part of farmers’ ability to deliver high-quality food, climate adaptation and food security. Of course, that will also be integral to the code of practice on sustainable and regenerative agriculture.

On my colleagues’ amendments, I am very happy to support amendment 92, in the name of Colin Smyth; amendment 93, in the name of Emma Harper; amendment 20, in the name of Rhoda Grant; amendment 22, in the name of Elena Whitham; amendment 23, in the name of Ariane Burgess, which I pick out as dealing with a factor that is important to young people; and amendment 108, in the name of Colin Smyth.

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): Amendment 22, in my name, will make it very clear that

“the promotion and support of practices that protect and improve animal health and welfare”

are core objectives of Scottish agricultural policy. I know that there is cross-party and broad stakeholder support for ensuring that we recognise the key role of promoting and supporting animal health and welfare in the successful delivery of other objectives.

The case that there can be no high-quality food production without first ensuring that practices deliver animal health and welfare is well made and I am sure that all here support it. Some might say, however, that animal welfare matters are already covered in law elsewhere, that the issue is accepted and does not need further elaboration. That surely only highlights, in my view, how integral it must be to what we do. By including it as an objective, we are making a clear statement of

the values of Scottish agriculture. If we want the world to acknowledge the provenance and high quality of our Scottish produce, we must start with being clear that the promotion and support of welfare matters deeply to us. I therefore ask the committee to support the amendment.

Ariane Burgess (Highlands and Islands) (Green): My amendment 23 would add an agricultural policy objective to

“enable generational renewal through support for new entrants, young farmers and crofters.”

Currently, almost zero support is available to help people who are starting out in the sector. With the average age of farmers in Scotland now over 65, it is imperative that we attract and support new entrants into those critical jobs on the land if we are to achieve the other objectives in the bill, such as

“the production of high-quality food, ... on-farm nature restoration,”

climate action and the thriving of rural communities.

The European Union’s common agricultural policy includes the objective “to support generational renewal” and, in most countries in Europe, new entrant support is considerably higher—for example, in France, it includes €100,000 grants over the first four years of business, priority when purchasing land and income support while the business is set up.

We are working with more limited resources, but adding the objective around the importance of new entrants would ensure that they are given due consideration in the rural support plan. This is a probing amendment, and I will be interested in hearing what the Scottish Government thinks about how that important policy objective could best be achieved.

My amendments 24 and 25 would strengthen the bill’s section 1(c) objective on climate and nature. Currently, that objective unhelpfully restricts the focus of climate and nature considerations in agricultural policy to only what can be achieved “on-farm”. However, as Stop Climate Chaos Scotland wrote,

“many of the measures likely to be implemented under this Bill, will have implications ... for nature, for emissions, and for adaptation that do not arise ‘on-farm’ but elsewhere.”

For example, why should agricultural policy facilitate the restoration of on-farm curlew habitats but not off-farm rivers that are being polluted by agricultural run-off, adding pressure on our endangered wild salmon?

If removing the on-farm restriction completely is a step too far, my amendment 25 is a compromise. It simply adds “between-farm” as another sphere to be considered. That recognises

the importance of ecological connectivity between farms to encourage landscape-scale land management, which the Rural Affairs and Islands Committee report highlighted as missing from the bill. It would also align with the aims of the recently extended regional land use partnerships to maximise the contribution that our land can make to addressing the twin climate and biodiversity crises.

I support Colin Smyth's amendments 99 and 100, which would also have the effect of removing the blinders of the on-farm restriction. I also support his amendments 104 and 105, which provide a way of assessing whether the climate and nature objectives are being met.

I support the principle of Colin Smyth's amendment 92 of assuring that

"support is in the public interest."

However, the purpose clause that the amendment would add considers only agricultural support, while the bill deals with wider support for rural communities, so I cannot support the amendment as drafted.

Colin Smyth's amendment 95 and Beatrice Wishart's amendment 96 would take the focus off food production by widening out the section 1(b) objective to include other agricultural production as well. I do not support that. Other agricultural production, such as animal feed, biomass and ingredients for whisky and beer, will likely continue to receive public funding.

However, the point of the objectives section is to focus our minds on what the aims of agricultural policy and support should be—on what will provide the most public good. For me, it is clear that a key public good is food for people here, in Scotland, and I believe that that should be supported more than commodities to be traded in an increasingly uncertain and exploitative global market.

For similar reasons, I do not support Rhoda Grant's amendment 20 to add the phrase "food security". That phrase is often used as a justification for unfair trade deals and prioritising imports over local home-grown food from our own farmers. I would support it if the term used was "food sovereignty".

I turn to Rachael Hamilton's amendment 94, to remove the aim of "high-quality" food production. I appreciated her clarification as to why she wished to remove those words, and there is something interesting there regarding the need for definition, but I cannot support amendment 94. "High-quality" can mean food produced to higher environmental and animal-welfare standards or food that is fresher because it is locally produced. Given that Scotland is not a huge country, we cannot

compete on the quantity of food produced, but we can aim for quality.

The Convener: I am curious as to what your definition of "food sovereignty" is.

Ariane Burgess: The problem with food security, as I said, is that it opens the door to trades, and I have experience of that. Food sovereignty is about the people who live in a place making decisions about the food that they want to eat. There are many aspects to it and I do not want to go into it in too much detail, as I want to get on. It is really about people making choices rather than having things imposed upon them through international trade agreements. There are many more things that could be said about it, and I can send the convener more information.

I strongly support Rhoda Grant's amendment 21, to add

"access to locally produced food"

to the objectives. That would help to ensure that agricultural policy aligns with related food-system policies, such as the good food nation plan, the local food strategy and the right to food in the forthcoming human rights bill.

Rhoda Grant's amendment 26 would add an objective to ensure that

"rural businesses have sufficient funds and resources to enable them to provide fair work conditions."

Fair work is critical, and that is why I worked with the Scottish Government to ensure that the rural support plan will have to consider fair work. I believe that the plan is the most appropriate place for that consideration and that amendment 26 is too detailed for the high-level objectives.

I fully support the principle of Rhoda Grant's amendment 27 on

"enabling diversity in agricultural landholding and practice by facilitating crofting and small-scale production."

I have lodged a similar amendment, which would make that a matter to be considered in the rural support plan, and I believe that the plan is a better place for such a provision.

The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon): I thank committee members for their comments on the amendments. I would agree with quite a lot of what has been said, overall.

It may be helpful, first, to set out the rationale for adopting the approach to the objectives that we did. Then I will turn to each of the amendments that have been lodged.

We published our vision for agriculture in 2022, and we developed it through extensive discussions with our core rural partners. That vision has extensive and broad support, and it sets

out a route and an approach to rural Scotland that I think we all want to see.

In its purpose and objectives, the bill seeks to systemise the vision into clear strategic objectives. That was the result of considerable thought, to ensure that clear principles were applied in legislation in a way that would enable flexibility to deliver them.

I agree with the intentions behind some of the amendments in this group—for example, on some of the things that we have talked about today, such as soil health and new entrants. However, the objectives are designed not to list all possible priorities, but to be broad enough to cover a wide range of matters through the high-level wording, including issues that may emerge in the future.

09:30

There are some points that members have made that I am happy to welcome, but I ask members to bear in mind the process, which has involved key rural partners, and the strategic approach that has led us to our drafting. Although many of the amendments are well intentioned, some of them are not necessary.

I turn to Colin Smyth's amendment 92, which seeks to create a purpose section at the beginning of the bill. Again, although the amendment is well intentioned, it is an unnecessary addition, because the bill as drafted already makes it clear that ministers must use their powers to meet the policy objectives, which will be further drawn out through the rural support plan. As we have set out a range of high-level objectives, I do not consider that we need a purpose section on top of that.

The main purpose of the bill is set out in the first paragraph. The bill does more than enable support for farmers, but the proposed purpose section is silent on support for rural communities. I do not think that that is the right approach, even if we needed a purpose section. Accordingly, I ask the committee not to support amendment 92.

I turn to Emma Harper's amendment 93. I am proud to say that it is recognised globally that Scottish agriculture produces high-quality output. I understand that some might think that the amendment would add an unnecessary point of clarification in a Scottish bill, but setting that marker for the high-quality and regenerative future of our industry is positive, so I am happy to support amendment 93.

Beatrice Wishart's amendment 96 seeks to remove the second overarching objective from section 1(b), which concerns the

“production of high-quality food”

and replace it with a reference to

“sustainable and high-quality agricultural and food production”.

The first objective, in section 1(a), is the

“adoption and use of sustainable and regenerative agricultural practices”.

Therefore, to a certain extent, the amendment would replicate the first objective and is unnecessary. It is also unnecessary to expand the second objective in the way that is proposed, because the reference to “high-quality food” is intended to encompass the good practices that Government expects in the production of food that might be supported under the terms of the bill, and that includes with regard to sustainability. I ask the committee not to support amendment 96.

Rhoda Grant's amendment 20 and Rachael Hamilton's amendment 97 seek to amend the overarching objective on high-quality food in section 1(b), so that, for the purposes of agricultural production under the act, the objective would include “food security”, under amendment 20, or the

“protection and preservation of food security”,

under amendment 97. Food security is, of course, a hugely important issue, and the Scottish Government established a food security unit last spring. That was based on the recommendations of the short-life food security and supply task force that we established together with our food and drink industry.

Although I agree with the overall sentiment behind amendments 20 and 97, I do not believe that section 1 is the right place for them. Agriculture and food security are linked, but they are not synonymous. I am more minded to support amendment 47 from Emma Harper, which is proportionate and balanced because it recognises the clearer link with rural support plans. It demonstrates our commitment to food security on the one hand, but it recognises on the other that agricultural policy on its own cannot deliver food security. For those reasons, I ask the committee not to support Rhoda Grant's amendment 20 or Rachael Hamilton's amendment 97.

Rachael Hamilton's amendment 94 seeks to amend the second overarching objective set out in section 1(b) to remove the reference to “high-quality”. That would mean that, for the purposes of agricultural production under the act, the objective would be the production of food. Although I understand and appreciate the explanation that Rachael Hamilton has offered, the Government is committed to maintaining Scotland's reputation for producing and manufacturing high-quality food and drink. The second objective supports that continued aim, and we want to continue to have a focus on support for high-quality produce.

Accordingly, I ask the committee not to support amendment 94.

Rachael Hamilton: Will the cabinet secretary comment on the committee evidence session in which high-quality food was described as

“unadulterated produce that comes out the ground and that is produced under the basic standards and expectations of Scottish agriculture”?—[*Official Report, Rural Affairs and Islands Committee*, 29 November 2023; c 4.]

That does not represent high quality. Although we want to have an aspiration for farmers and crofters to produce high-quality food, it is important that we define what high quality means in terms of food production. Will the cabinet secretary support and work with me in order to potentially lodge a stage 3 amendment in that vein?

Mairi Gougeon: I am happy to have a further discussion with Rachael Hamilton on that issue, but I cannot commit to what such an amendment might look like, because I would have to consider any potential implications.

I disagree with Rachael Hamilton’s point about the explanation being woolly, because we have high standards when it comes to cross-compliance and the statutory management requirements that we have in place. Broadly, if people comply with the high, rigorous standards that we have in place, that will meet the definition of high-quality food. I am more than happy to have a conversation with Rachael Hamilton, but I ask the committee not to support amendment 94.

Colin Smyth’s amendment 95 would change the second overarching objective, set out in section 1(b), so that, for the purposes of agricultural policy under the bill, the objective would be

“the production of high-quality food and other farm products using sustainable and regenerative agricultural practices”.

The amendment is unnecessary because other products in production are included in schedule 1 to the bill, and how we want them to be produced in return for support can be covered in regulations. Food production is the core purpose of agricultural policy and I am keen that we keep that focus. Therefore, I ask the committee not to support amendment 95.

Rhoda Grant’s amendment 21 would add to the second overarching objective of agricultural policy, set out in section 1(b), which concerns the production of high-quality food. It would mean that, for the purposes of the bill, there would be an additional objective of

“access to locally produced food for every person in Scotland”.

We are absolutely committed to ensuring access to quality local food through our good food nation vision. The first draft national good food nation plan acknowledges that there is a great deal of

interest in local food and in using public procurement as a tool to support the ambition for Scotland to be a good food nation. The work to achieve the aims of the amendment fits better with the purpose of the Good Food Nation (Scotland) Act 2022 and our on-going work on the national plan.

Amendment 21 would also extend the purpose and objectives of the bill beyond agricultural policy. It is the Government’s objective to enable access to locally produced food for every person in Scotland, but it does not seem right to make that the objective of agricultural policy. Therefore, I ask the committee not to support amendment 21.

Ariane Burgess: It is interesting that you have said that the objective of locally produced food will be met more through the 2022 act and the good food nation plan, but how can we be sure that that will be the case?

Mairi Gougeon: We are taking forward work on the good food nation plan, and I know that the committee will have a role in scrutinising that. The consultation on the plan closed last month. We were keen to engage widely, and we hope that what we have set out in the plan will achieve our overall objectives and our vision for a good food nation. I am happy to continue to engage with Rhoda Grant and other members around the table with an interest in the matter. I want to ensure that the good food nation plan is as strong as possible, and I recognise that it will, of course, evolve over time.

Elena Whitham’s amendment 22 seeks to provide for animal health and welfare to be included in the objectives, and Colin Smyth’s amendment 3 seeks to provide for animal welfare to be included. That emphasises a strand that runs from Scotland’s long-established history of having good-quality livestock to our recent agricultural vision, and that strand will continue into the code for sustainable and regenerative agriculture. At stage 1, we heard a lot from stakeholders about how important that is and that we should state that as an objective of agricultural policy in Scotland. I think that Elena Whitham’s amendment 22 is preferable to Colin Smyth’s amendment 3, so I ask the committee to reject amendment 3 and accept amendment 22.

I agree whole-heartedly with the intention behind Ariane Burgess’s amendment 23. I want to include in the new tier framework schemes that will help us to deliver that intention in a way that is consistent with the high-level objectives in section 1. However, the amendment relates to a specific aim rather than a high-level objective, so it would be inappropriate to include in the bill what is proposed in the amendment. Moreover, enabling what I have set out could, arguably, be a key way of delivering objective 4, which is

“enabling rural communities to thrive.”

I hope that that reassures Ariane Burgess and that she will not move amendment 23. However, if she does, I ask the committee not to support it.

Ariane Burgess has also lodged amendments 24 and 25. Section 1 of the bill sets out the key objectives for agricultural policy, and the third objective refers specifically to “on-farm” support. I am not sure where agricultural policy and those objectives would be delivered other than on farms. The objectives seek to intrinsically link agricultural policy and food production, with there also being the need for

“on-farm nature restoration, climate mitigation and adaptation”.

The bill does enable a much wider range of support, but section 1 is focused on agriculture and is not the place for any wider objectives. It should be remembered that the bill is primarily to support agricultural producers who then might wish to take up climate and nature measures. Widening the bill’s scope by removing the term “on-farm” risks dilution of support for farmers and does not recognise that other support is available outwith agricultural support. For example, we have the nature restoration fund. I therefore ask the committee to reject amendment 24.

On amendment 25, the bill already includes powers that enable farmers, crofters and land managers to collaborate between farms and at landscape scale if they wish to do. That includes funding for third-party support to deliver grants and support to enable such collaborations to occur. I therefore ask the committee not to support amendment 25.

Colin Smyth’s amendments 98, 99, 100, 104 and 105 remove the current objective for nature restoration and climate and replace it with a range of new separate objectives, as well as additional detail. Much consideration has gone into ensuring that the wording in the bill and in the objectives reflects terms with common meaning that can be articulated to the vision. The four objectives are not listed in order of priority, but it is important to note that, by their very nature, they are high-level and wide-ranging and are aimed at supporting the others. On-farm nature restoration, climate mitigation and adaptation are clearly covered by the current objectives, so I struggle to see what value there would be in separating them into individual objectives, as has been proposed by Colin Smyth’s amendments 98, 99 and 100.

His amendments 100 and 105 propose inserting the term “natural heritage”. I want to be clear that enhancing our nation’s natural heritage is something that we all subscribe to, but that term has contested understandings and using it might narrow the scope of intent of the existing objective.

On-farm nature restoration is already suitably and clearly covered by the objectives in the bill as it is drafted, so I struggle to see what replacing it with a specific nature objective would achieve.

Amendment 104 seeks to reintroduce an objective on climate mitigation and adaptation. Those are already suitably and clearly covered by the objectives in the bill and we are already bound by the requirements of the Climate Change (Scotland) Act 2009, so I struggle to see what value that amendment offers. For those reasons, I ask the committee not to support that group of amendments.

Rachael Hamilton’s amendment 101 looks to alter the text of the objective in section 1(d):

“enabling rural communities to thrive.”

The amendment proposes adding reference to farmers as part of that objective. The amendment reflects the vital importance of farmers to our rural communities and I fully recognise the key role that farmers play in supporting the socioeconomic vitality of rural areas. However, farmers are an integral part of our rural communities and I do not think that they should be viewed as separate to that and to the communities where they live and work. That is why I think that Rachael Hamilton’s amendment 101 is unnecessary and I ask the committee not to support it.

Rachael Hamilton: You say that you do not want farmers to be viewed as separate from rural communities, but you have set out rural communities as a separate entity, although some farmers might see themselves as business people, some as hobby farmers and so on. I have been listening to you since you have started speaking to the amendments, and you have repeatedly and consistently used the word “farmers”. You have talked about farmers, farmers, farmers, never rural communities, rural communities, rural communities. So, you are not describing rural communities when you talk about farming support, and this is a framework bill to support farmers and crofters.

When we took evidence, we heard a lot about farmers’ wellbeing and livelihoods and heard a lot of information about farmers thriving rather than just rural communities. I think that this is absolutely integral. If you do not accept my amendment 101, I think that we should perhaps work together to ensure that farmers are explicitly acknowledged in the context of thriving rural communities.

Mairi Gougeon: I disagree with Rachael Hamilton’s interpretation. I come back to the rationale that I have set out for our not supporting amendment 101. I do not think that it is helpful to separate out farmers in that context, because they are such an intrinsic part of our rural communities.

I referred to farmers earlier, and we have specific measures relating to our farmers and crofters. I therefore think that we are talking slightly at cross-purposes in that respect.

On amendment 26, fair work principles are core to the Scottish Government's approach to the economy and the labour market, as I have sought to make clear with my amendment 5. The positive intent behind amendment 26 is not in question, but there are a myriad reasons why a rural business might not have sufficient funds and resources, many of which are beyond the influence of Government. Although I understand what Rhoda Grant is seeking to do, I cannot support amendment 26, not least because it asks the Scottish Government to do something that is outwith its powers, however much we might wish that the situation were otherwise. Therefore, I ask the committee not to support amendment 26.

09:45

Rhoda Grant: Amendment 26 is framed in order to encourage the distribution of support in a way that allows certain people to make a living. There are people working on the land who are producing food or providing public goods in relation to carbon and nature restoration, but who cannot make a living and are being forced out of business. Amendment 26 was designed to ensure fairer distribution of funds so that those very necessary and welcome businesses can continue to thrive.

Mairi Gougeon: That is what I meant when I said that I absolutely understand and appreciate where you are coming from with amendment 26. I am more than happy to have a further conversation about the issue, but, because all the powers that would be required to meet that objective do not necessarily rest with the Scottish Government, I am not in a position to support amendment 26.

Rhoda Grant's amendment 27 seeks to add an objective to provide further support to people involved in small-scale production and crofters. I agree that the bill will be improved by adding a new objective of agricultural policy providing support for diversity. I note that amendment 48, in the name of Ariane Burgess, has a similar purpose and is more comprehensive in that regard. Therefore, I ask the committee to support amendment 48 and not amendment 27.

Alasdair Allan (Na h-Eileanan an Iar) (SNP): I wonder whether the point about redistribution is also relevant to the formation of a rural support plan. Will the impact of agricultural policy on redistribution be a factor in forming a rural support plan?

Mairi Gougeon: We want what we include in the bill not to restrict our ability to cap, taper or redistribute. We will undoubtedly come on to that when we discuss amendments in later groupings. It is fundamental to our approach to policy development that we work with our farmers and crofters to see which mechanism works best. I appreciate the evidence that the committee has heard in that regard, but it is important that we go through that process and that we have the flexibility provided in the bill for whatever mechanism we might choose to develop.

Rachael Hamilton's amendment 102 seeks to widen the objectives to include soil health, in order to highlight the importance of the overall biological condition of soil. I absolutely recognise and agree that the protection and effective management of soil health is crucial to sustainable and regenerative farming and is aligned with our wider biodiversity and climate adaptation work, and with our efforts to cut emissions from the agriculture sector. However, the bill enables us to provide support for that purpose, as soil health is specified in schedule 1. Therefore, I do not think that amendment 102 is necessary and I ask the committee not to support it.

If Colin Smyth's amendment 103 were agreed to, it would add further text to section 1 to emphasise the importance of sustainable agricultural businesses to rural communities and would link that to the objective set out in paragraph (a) of section 1, on the adoption and use of sustainable and regenerative agricultural practices. However, the objectives of agricultural policy in section 1 already take into consideration the importance of sustainable agricultural businesses, not least through the inclusion of the objective in paragraph (b), on the production of high-quality food. For those reasons, I ask the committee not to support amendment 103.

Colin Smyth's amendment 106 seeks to update the objective set out in paragraph (d) of section 1, on enabling rural communities to thrive, to emphasise two of the factors that will enable communities to thrive, including shorter supply chains and incomes received by farmers and crofters. The purpose of the objectives in the bill is to cover the range of factors that foster thriving rural communities. Although I recognise the key importance of shorter supply chains and of

"the adequacy and fairness of incomes received by farmers and crofters"—

to be clear, I absolutely support those aims—I do not agree that there is a need to emphasise them in section 1, given the wide range of factors involved in enabling rural communities to thrive. I therefore ask the committee not to support amendment 106.

As with amendment 92, on the creation of a purpose clause, I believe that, although well intentioned, amendment 107 is unnecessary. The bill already makes it clear that the powers that are sought are to be exercised to meet the objectives set out in part 1. The rural support plan, on which I will offer more context, will make clear how we will deliver on those objectives and how we will evidence progress towards them and the broader statutory duties. I hope that that offer will not only deliver on the positive intent behind Colin Smyth's amendment but will go further by making it clear that ministers will report on and evidence all of this. Accordingly, I ask the committee not to support amendment 107.

On amendment 108, I sought to ensure that the bill's objectives were drafted sufficiently broadly and at a high enough level to capture the vision for agriculture and ensure flexibility with regard to how that will be realised. However, I also recognise that, over time, what the Government and the Parliament wish for the objectives of agricultural policy might change, and Colin Smyth's amendment 108 seeks to provide a regulatory power to make those changes. It offers that further flexibility, with a clear place for effective scrutiny, should it be clear that changing or refining objectives in the future is needed or desirable. Therefore, I welcome Colin Smyth's amendment 108 and ask the committee to support it.

The Convener: I invite Colin Smyth to wind up and to press or withdraw amendment 92.

Colin Smyth: On amendment 92, enabling bills such as this one would give Governments wide-ranging powers; they are a powerful tool for those Governments and will be for a long time into the future. The cabinet secretary might be clear about the purpose and the link with the objectives, but the bill is not, and it is by no means certain that a future Government would be so clear, too. My purpose clause seeks to focus the powers conferred by the bill on the delivery of the objectives, instead of giving some future Government completely free rein, which, in my view, the bill currently does.

I would just note that Ariane Burgess's concerns about the wording of the clause could be dealt with at stage 3. It would be deeply disappointing to oppose the view of Scotland's environmental groups on the need for a clear purpose clause in the bill by opposing the amendment on the basis of the need for a tweak in the wording at stage 3.

Contrary to what the cabinet secretary has said, amendment 94 does not detract from the importance of food production. Instead, it recognises that agricultural practices are the means to produce high-quality food and that, as a result, they should be carried out in a sustainable way.

On amendments 103 to 106, the cabinet secretary says that the wording of the objectives is wide. In my view, the objectives are vague, and we do not really know what some of the aims are. Effectively, the cabinet secretary is saying that everything and anything proposed in the amendments is already covered in some way by the objectives, but that is far from clear. For example, what does the Government mean by

"enabling rural communities to thrive"?

That could cover a multitude of areas. I understand why Governments want vague objectives—it gives them free rein to do whatever they want when drafting the rural support plan—but providing more detail and definitions will ensure that specific issues are covered, instead of our operating as suggested by the cabinet secretary, who says that such issues might be covered.

As for the issue of animal welfare, I did not hear any objections to amendments 3 and 22, which is a welcome recognition that, if we do not include a commitment to animal welfare in the objectives, we cannot guarantee that the standards that apply now will always apply, let alone be improved. In my view, that was a clear omission by the Government in the bill as introduced. I am conscious that amendment 22 is similar to my amendment 3, so, if amendment 22 is agreed to, I will not need to move amendment 3.

I will end on a positive note by thanking the cabinet secretary very much for supporting amendment 108, and I hope that the committee will do so, too.

I press amendment 92.

The Convener: The question is, that amendment 92 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 92 disagreed to.

Section 1—Overarching objectives of agricultural policy

Amendment 93 moved—[Emma Harper]—and agreed to.

The Convener: I call amendment 96, in the name of Beatrice Wishart. I remind members that if amendment 96 is agreed to, I cannot call amendments 20, 94 or 95 due to pre-emption.

Amendment 96 moved—[Beatrice Wishart].

The Convener: The question is, that amendment 96 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 96 disagreed to.

Amendment 20 moved—[Rhoda Grant].

The Convener: The question is, that amendment 20 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 20 disagreed to.

Amendment 94 not moved.

Amendment 95 moved—[Colin Smyth].

The Convener: The question is, that amendment 95 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Grant, Rhoda (Highlands and Islands) (Lab)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Burgess, Ariane (Highlands and Islands) (Green)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 2, Against 7, Abstentions 0.

Amendment 95 disagreed to.

Amendment 21 moved—[Rhoda Grant].

The Convener: The question is, that amendment 21 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Burgess, Ariane (Highlands and Islands) (Green)
Grant, Rhoda (Highlands and Islands) (Lab)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 21 disagreed to.

Amendment 22 moved—[Elena Whitham]—and agreed to.

Amendment 23 not moved.

Amendment 97 moved—[Rachael Hamilton].

The Convener: The question is, that amendment 97 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)

Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 97 disagreed to.

The Convener: I call amendment 98, in the name of Colin Smyth. I remind members that if amendment 98 is agreed to, I cannot call amendments 24 or 25 due to pre-emption.

Amendment 98 moved—[Colin Smyth].

The Convener: The question is, that amendment 98 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Grant, Rhoda (Highlands and Islands) (Lab)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Carson, Finlay (Galloway and West Dumfries) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 1, Against 8, Abstentions 0.

Amendment 98 disagreed to.

10:00

Amendments 24 and 25 not moved.

The Convener: Amendment 3, the name of Colin Smyth, has already been debated with amendment 92.

Colin Smyth: Given that amendment 22 has been agreed to, I will not move amendment 3.

Amendment 3 not moved.

Amendment 99 moved—[Colin Smyth].

The Convener: The question is, that amendment 99 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Grant, Rhoda (Highlands and Islands) (Lab)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Carson, Finlay (Galloway and West Dumfries) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 1, Against 8, Abstentions 0.

Amendment 99 disagreed to.

Amendment 100 moved—[Colin Smyth].

The Convener: The question is, that amendment 100 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Grant, Rhoda (Highlands and Islands) (Lab)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Carson, Finlay (Galloway and West Dumfries) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 1, Against 8, Abstentions 0.

Amendment 100 disagreed to.

Amendment 101 moved—[Rachael Hamilton].

The Convener: The question is, that amendment 101 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 2, Against 7, Abstentions 0.

Amendment 101 disagreed to.

Amendments 26 and 27 not moved.

Amendment 102 moved—[Rachael Hamilton].

The Convener: The question is, that amendment 102 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 102 disagreed to.

Amendment 103 moved—[Colin Smyth].

The Convener: The question is, that amendment 103 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Grant, Rhoda (Highlands and Islands) (Lab)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Burgess, Ariane (Highlands and Islands) (Green)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 2, Against 7, Abstentions 0.

Amendment 103 disagreed to.

Amendment 104 moved—[Colin Smyth].

The Convener: The question is, that amendment 104 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Grant, Rhoda (Highlands and Islands) (Lab)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Carson, Finlay (Galloway and West Dumfries) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 1, Against 8, Abstentions 0.

Amendment 104 disagreed to.

Amendment 105 moved—[Colin Smyth].

The Convener: The question is, that amendment 105 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Grant, Rhoda (Highlands and Islands) (Lab)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Carson, Finlay (Galloway and West Dumfries) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 1, Against 8, Abstentions 0.

Amendment 105 disagreed to.

Amendment 106 moved—[Colin Smyth].

The Convener: The question is, that amendment 106 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Burgess, Ariane (Highlands and Islands) (Green)
Grant, Rhoda (Highlands and Islands) (Lab)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 106 disagreed to.

Amendment 107 moved—[Colin Smyth].

The Convener: The question is, that amendment 107 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Grant, Rhoda (Highlands and Islands) (Lab)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Burgess, Ariane (Highlands and Islands) (Green)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 2, Against 7, Abstentions 0.

Amendment 107 disagreed to.

Amendment 108 moved—[Colin Smyth]—and agreed to.

Section 1, as amended, agreed to.

The Convener: I will now pause the meeting for 10 minutes to allow the clerk to distribute to members the purpose and effect notes that the Scottish Government has provided on its amendments. I am disappointed that the notes were provided only after close of play last night, which has given members little time to consider them. However, we will take 10 minutes now to look at them and will resume at 10:16.

10:06

Meeting suspended.

10:16

On resuming—

After section 1

The Convener: Amendment 109, in the name of Colin Smyth, is grouped with amendments 110, 111, 64, 150, 189 and 190.

Colin Smyth: Amendment 109, in my name, seeks to introduce a duty on ministers to set and achieve specific targets and indicators in relation to the bill's overarching objectives. It is important to stress that the amendment does not seek to set those targets in the text of the bill; it merely places the duty in the bill, while the targets themselves would be set by ministers through secondary legislation. That would get the balance right between not making the primary legislation too restrictive and making it clear that there should be

measurable indicators and that those should, ultimately, be voted on by Parliament to provide appropriate scrutiny.

Amendment 150, in my name, seeks to ensure that the distributional impact of future support is assessed and transparent in relation to budgets, farm size and income. It also seeks to ensure that the application of the fairer Scotland duty, as set out in part 1 of the Equality Act 2010, is also reported on and transparent.

Having regard to the impacts of policy in terms of distributional inequalities is a key aspect of a just transition to a future net zero world. The amendment would serve to ensure that, as agricultural policy encourages a transition, it does so in a just and fair way.

The common agricultural policy 2023-27 includes a mandatory redistribution of income support, with EU countries required to dedicate at least 10 per cent of their direct payments to the redistributive income support tool, increasing the income of small and medium-sized farmers. In contrast, the modest amendment that I have lodged does not go as far as that; it would simply place a duty on ministers to outline the distributional impact of funding schemes and to consider methods of redistribution in scheme designs.

I hope, therefore, that the committee will be able to support both amendments 109 and 150.

I move amendment 109.

Rachael Hamilton: Amendment 110 would insert a provision that progress against objective 1(b), which is

“the production of high-quality food”,

should be monitored by the Scottish food commission. The amendment is designed to acknowledge the functions of the commission under the Good Food Nation (Scotland) Act 2022 in monitoring the effectiveness of addressing food-related issues.

Amendment 111 would require an annual review and a report on

“the impact of the ... Act on achieving the objectives set out in section 1”.

It is, I believe, a sensible amendment that is designed to increase accountability by requiring evaluation of the bill's effectiveness against the delivery of the intended objectives. If we agree that the objectives are the key aims for the bill, it is reasonable to ask Scottish ministers to review the impact of the bill against those key metrics annually. That would ensure that they remained focused on the agreed objectives in the bill.

My amendment would also improve Parliament's ability to scrutinise the delivery of secondary legislation against the intended outcomes of the bill. That is particularly important given the context that it is a framework bill, with much of the policy detail coming in secondary legislation.

Amendment 190 would introduce a requirement on ministers to produce an annual food security report. That document would report on disruptions to Scotland's food supply chain as well as on what steps the Scottish Government was taking to address them. As I previously stated in relation to amendment 97, food security should be at the heart of the bill. Scotland's food producers will face significant challenges in the coming years. An annual food security report would ensure that Scottish ministers were aware of the issues in the supply chain, and it would require that they outlined the actions that they were taking to strengthen Scotland's food security. That would also provide a quantifiable assessment to Parliament and stakeholders, to enable them to hold the Scottish Government to account on that issue.

Turning to the other amendments in the group, Scottish Conservatives will support Colin Smyth's amendment 109, Rhoda Grant's amendment 64 and Beatrice Wishart's amendment 189.

Rhoda Grant: The purpose of amendment 64 is to try to grasp the impact of third-party investment on land management. Greenwashing is causing real problems in our fight against climate change, and it is becoming more widespread. Polluters often seek to fund carbon sequestration to allow them to continue their pollution while portraying themselves as being carbon neutral or even better.

I learned recently that stopping deforestation generates carbon credits. How on earth can we meet our net zero obligations when we are already using our current natural capital to increase pollution? The market is unmanaged and we must get a grip on it. Amendment 64 would allow us at least to see the scale of so-called green investment in Scotland and take steps to prevent our land from being abused by polluters.

I support the other amendments in the group that seek to improve reporting on the objectives of the bill and to measure success or otherwise. If we are to meet those objectives, we must measure progress towards them.

Beatrice Wishart: Amendment 189, in my name, would create a new section in the bill that would place a duty on Scottish ministers

"to report to Parliament on Scotland's food security".

It replicates the food security reporting requirements for the United Kingdom in the Agriculture Act 2020. As food security is a key issue, I believe that such a reporting requirement would be helpful in generating statistical data on food security in Scotland that could be used to inform policy.

Amendment 190, in the name of Rachael Hamilton, would also place a duty on Scottish ministers

"to report to Parliament on Scotland's food security".

Although I share Rachael Hamilton's aims on that point, I would ask members to support my amendment 189, as I consider that the reporting period of three years is more achievable than the annual reporting period that is set out in amendment 190.

The Convener: Would any other members like to comment?

Ariane Burgess: I would like to comment on Colin Smyth's two amendments in this group. Amendment 109 would place a duty on ministers to produce

"Indicators and targets ... for measuring progress"

against the bill's objectives. Measuring progress is crucial, which is why I am in conversation with the Scottish Government about requiring the rural support plan to set out, among other things, how the monitoring and evaluation of support will be implemented. I believe that that is a better solution than putting targets into legislation.

The Government has made strong calls for the ability to adjust trajectories and alter plans and policies, given the fast-changing nature of the climate and nature emergencies and the volatile global food system. Colin Smyth's amendment 150 would require the Scottish Government to "publish a statement" with detail on the distributional impact of each support scheme. I fully support the intention to encourage the Scottish Government to consider social justice and a just transition when it is designing farm support schemes, which is why I have lodged amendments on redistribution and the front loading of payments.

However, amendment 150 would not require ministers to enact the redistribution. It requires them to only publish a statement about the redistribution of support schemes after the fact. In order to ensure that schemes are designed to achieve policy objectives, including thriving rural communities and a just transition to sustainable and regenerative agriculture, I am exploring an amendment for stage 3 that could require an external body to conduct an assessment of the public value that the support schemes would deliver. I believe that it would be preferable for the

assessment to be done by an external body rather than by the Scottish Government. Looking at agricultural support with fresh eyes may produce a more objective assessment.

Mairi Gougeon: During stage 1, I signalled the importance of monitoring and evaluating the contribution that support might make towards the delivery of our objectives and the meeting of our statutory duties. However, I suggest that the rural support plan would be the appropriate place for us to do that, as the full framework of support that would be enabled by the bill can be considered together rather than through a separate set of regulations, which amendment 109 calls for.

We should also be wary of requiring targets to be established when the legal effects of them are unclear and the duty to achieve them is unqualified. As we will all be aware, targets are very easy to set and are much more challenging to deliver in practice, especially when it is largely down to the efforts of a wide range of third parties to meet them. In the next group of amendments, which is on the contents and scrutiny of the rural support plan, I will set out my intention to come back to the Parliament at stage 3 with a more suitable framing of the planned requirements to cover a wide range of the issues that were raised at stage 1, as well as issues that have been raised by stakeholders, including on the monitoring and evaluation process. In my view, that approach would more effectively deliver on the intent that I believe is behind amendment 109. Therefore, I ask Colin Smyth not to press his amendment. If he does, I ask the committee not to support it.

Rachael Hamilton's amendment 110 amends section 20 of the Good Food Nation (Scotland) Act 2022 to require the Scottish food commission to

"keep under review progress in achieving the objective in section(1)(b)"

of the bill. Section (1)(b), on the overarching objectives of agricultural policy, says:

"For or the purposes of this Act, the objectives of agricultural policy are the production of high quality food".

The 2022 act contains provisions to establish a new Scottish food commission to provide the oversight for the delivery of the provisions in the act. The Scottish food commission will be an executive non-departmental public body and its purpose will be to provide oversight of the good food nation plans, as required by the 2022 act. Expanding that purpose to include oversight for legislation, including the bill that we are considering, is not useful and it may prevent the commission from effectively exercising its existing functions. It is vital that the commission is allowed to focus on ensuring the delivery and implementation of the good food nation plans by Scottish ministers, local authorities and health

boards. For that reason, I urge members not to support amendment 110.

On amendment 111, when public expenditure is involved and is being provided to help to deliver a wide range of objectives, it is right that regular progress is reported on. However, the expectation that review periods are set to arbitrary timescales that might not be reflective of the timetable for the support that is in place is not right. There is a distinct risk that Rachael Hamilton's amendment 111 would require there to be reporting on such a frequent basis that it would become hugely costly and burdensome and that that would get in the way of delivery, which I do not think would be in anyone's interests. We need to provide for appropriate monitoring and evaluation. As I have outlined, I believe that the rural support plan is the right place for that activity to be undertaken. I will set out what that might look like in the debate on the next group of amendments. Accordingly, I hope that Rachael Hamilton will not move amendment 111, and I urge the committee not to support it if she does.

Rachael Hamilton: The cabinet secretary must understand why members of the committee and others have lodged amendments of this nature. We asked for more clarity and detail on the rural support plan, which we did not get and we were not provided with. Evidence suggests that others who work in and around the sector agreed with us. That is why many of these amendments have been lodged. However, the cabinet secretary is now telling us that the detail will come at stage 3. I want it to go on the record that I would have appreciated having had sight of your intentions. You can understand why we have lodged these amendments.

10:30

Mairi Gougeon: Absolutely. I appreciate that. We will go into more detail on that in discussing the next grouping, and I hope that what I set out will address many of the concerns that committee members and stakeholders have raised. We want to make sure that we look at that holistically and that whatever measures we introduce in that regard are introduced at the right place in the bill process, which I believe is at stage 3.

The Convener: The statement that you just made suggests that you think that a review should be taken every five years, in line with the rural support plan. Is it correct that any reporting period would be five years?

Mairi Gougeon: We will discuss that in relation to the amendments in the next grouping. I do not want to pre-empt that discussion, because I know that there are a lot of amendments on the issue and I want to make sure that we look at it

holistically. I want us to be able to have that full discussion so that we end up in a place where the rural support plan is able to deliver what we all hope and expect it to.

I understand that amendments 189 and 190 require the Scottish ministers to lay a report on food security before the Parliament. Amendment 189 requires a report with statistical data across five food security themes every three years, and amendment 190 requires a report with information on supply chain disruptions and Government actions to address them every year.

As we have heard from members, food security is a hugely important issue. I absolutely recognise that, not least because of the threats that we now face, including the impacts of Brexit and the ongoing impact of the illegal invasion of Ukraine by Russia. In response, this Government, as I have outlined, undertook to act on a range of recommendations that came forward as a result of the work that we have done with the food security and supply task force, which we co-chaired. That led to establishing a food security unit in the Scottish Government.

I appreciate why Beatrice Wishart has sought to replicate the provisions in the United Kingdom Agriculture Act 2020 on reporting on food security. Of course, I would be happy to replicate that in full if Scotland was independent, had control over all the levers and had access to the sort of information that the UK act requires and that contributes to food security. I offer Beatrice Wishart assurance that we co-operate closely with the UK Government and other devolved Governments in providing data on those matters for the purposes of the UK food security report, where that information is held. Officials and I continue to seek to ensure that Scotland has access to Scotland-level data, where that is available. However, where it is not, amendment 189 as drafted would require us to meet reporting measures that we simply cannot meet, which would not be appropriate.

Rachael Hamilton's amendment 190 is slightly less onerous in what it would require us to report on, but it creates more of an unhelpful timeline. Moreover, it asks Scottish ministers to explain how they will resolve potential disruptions to the food supply chain that it might not be within our gift, powers or resources—nor, indeed, within devolved competence—to resolve.

However, on amendments 189 and 190, we might be able to put something in the bill in relation to that issue that is proportionate and effective and that provides useful information that is not currently delivered elsewhere—for example, by Food Standards Scotland in relation to its statutory role and responsibilities. I therefore ask Beatrice Wishart and Rachael Hamilton not to

move their respective amendments, so that we can have that further discussion before stage 3. If they do move them, I urge members not to support them.

I understand the desire for scrutiny of the use of public funds, but amendment 64 would create an arbitrary reporting requirement when it is important that we do not place restrictions on the timescale, method and publication of reporting. We all understand that farming and crofting is a long-term endeavour and that it takes time for outcomes to be realised, which is at odds with asking for annual reporting. Again, the proper place for that effective monitoring and evaluation is in the context of the rural support plan. Looking holistically at the impact of support in relation to the objectives of the bill and our statutory duties, I ask Rhoda Grant not to move amendment 64. If she does, I ask members not to support it.

Although I absolutely acknowledge that amendment 150 was lodged in good faith, I cannot accept that it is right to table arbitrary periods, nor to set exacting specifications, before the monitoring and evaluation framework has been co-developed if we are to ensure that the right information can be gained from those applying for the support that is on offer. I also think that the reporting required by the amendment would be very onerous, as well as very expensive to deliver, and would not be a good use of our limited resources. I will shortly speak about a substantial offer to return at stage 3 with more duties that the rural support plan must encompass, which I believe will address our positive intent more effectively. I therefore ask Colin Smyth not to move amendment 150. If he does move it, I ask members not to support it.

Colin Smyth: The bill as introduced confers a wide range of powers but with few checks and balances. The intention behind amendment 109 is to find a way to increase the accountability relating to the policy while improving the governance of agricultural policy. The agriculture budget is substantial and, in my view, there needs to be a mechanism to ensure that the way in which that public money is spent is clearly connected to the objectives and is demonstrably in the public interest.

The objectives themselves are very broadly written and, sadly, that has not been changed by amendments in the previous grouping. Establishing indicators and targets would give a much clearer sense of what outcomes the Government is trying to achieve. Leaving any meaningful direction on what our targets should be entirely to the Government, so that it can do what it likes through the rural support plan, does not provide the scrutiny that we should expect. That simply gives the Government free rein, especially

given the vagueness of the objectives. That is what the Government would want, of course, and I think that Rachael Hamilton is entirely right in saying that the lack of detail in the intentions of the rural support plan is inexcusable. That is the reason why I lodged my amendments.

Amendment 150 is a modest amendment that places a duty on ministers to outline the distributional impact of funding schemes. Anyone who is opposed to that does not have a lot of credibility, frankly, if they say that they support a fairer distribution of support. It will not have escaped the attention of environmental groups across Scotland who are watching this meeting that the Scottish Greens have completely sold out on amendments in group 1 on placing the environment at the heart of the bill. In opposing the amendments in this group, they will surpass themselves.

I would say to the cabinet secretary that promising something in the future that we do not know about is a way of opposing an amendment at this stage, and that does not give us any basis for doing so. I will certainly press and move my amendments, although I will not hold my breath on their being agreed to. I hope that what the cabinet secretary has to say on the future direction of the rural support plan alleviates my concerns.

I press amendment 109.

The Convener: The question is, that amendment 109 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 109 disagreed to.

Amendment 110 moved—[Rachael Hamilton].

The Convener: The question is, that amendment 110 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 110 disagreed to.

Amendment 111 moved—[Rachael Hamilton].

The Convener: The question is, that amendment 111 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 111 disagreed to.

Section 2—Rural support plan

The Convener: Amendment 28, in the name of Colin Smyth, is grouped with amendments 29, 112, 30, 31, 113, 114, 32, 115 to 117, 33, 118 to 120, 34, 121, 35, 122 to 124, 36 to 39, 125, 40, 126 to 129 and 41. I remind members of the pre-emptions and direct alternatives in this group, which are shown in the groupings paper.

Colin Smyth: I will speak to amendment 28 and to my other amendments in this group. The aim of amendments 28, 29, 33, 34, 36, 39 and 41 is to ensure that the rural support plan has appropriate parliamentary scrutiny, so that ministers cannot make changes without accountability. After discussion with the Parliament's bill team, it became apparent that the only way in which to do that was to introduce the rural support plan by regulation and to make those regulations subject to the affirmative procedure.

The rural support plan is likely to have a greater influence on the lives of agricultural workers, farmers and crofters than the bill itself, so it would be wrong to allow ministers of current or future Governments unchecked power to simply draft the rural support plan as they please without proper scrutiny by Parliament.

Amendment 112 would require that the rural support plan sets out definitions and outcomes for the bill's objectives, as well as how ministers intend to achieve those outcomes. It is widely acknowledged that one of the reasons why we fail to meet our climate targets, for example, is that the Government has lots of plans and strategies but often has no clear route map for how those plans and strategies will be implemented to meet their objectives. We need to avoid that when it comes to the rural support plan and ensure that the plan contains a clear route map for delivering the objectives that the bill sets.

Amendments 30 and 31 seek to ensure that a clear requirement is placed on ministers in the bill to include an indicative multi-annual financial framework in the rural support plan. That would provide certainty to the sector and enable farmers and crofters to invest, plan better and deliver on the required outcomes that we expect from them in relation to the plan. It would also provide certainty for the Scottish Government in the delivery of new support mechanisms. We know that our farmers and crofters work to a long timescale and that the environmental actions that will be needed will require repeated funding over a period of years. From 2019, the UK Government has delivered a five-year funding framework for agriculture, so there is precedent for doing that.

Amendments 30 and 31 are linked to amendment 115, and the consequential amendment 113, which also includes the need for "indicative proportionality of multi-year budgets", along with other requirements for the rural support plan.

I made the point earlier that the bill is very much a framework bill and that the most important decisions will be made afterwards through the rural support plan. It is therefore imperative that parliamentarians, stakeholders and those whom the rural support plan will impact—namely, our farmers, crofters and rural communities—have a clear understanding of what each rural support plan will include.

Of equal importance is the chance to scrutinise those plans, especially in relation to how they will interact with the objectives that are set in law. That is why the schemes should be required to state their objectives and rationale as well as their expected uptake. The former ensures that the schemes are kept in line with the framework bill's

objectives and the latter ensures that value for money is achieved. Equally, there should be information on how funding will be monitored. That would help to establish where the best value for money is being delivered in line with the objectives.

Amendment 32 seeks to ensure that the rural support plan establishes baseline figures, which would allow proper analysis to be carried out of the progress that is being made in delivering the bill's objectives.

Given that the rural support plan will have a significant impact on agricultural workers, farmers and crofters—arguably more so than the bill itself, as I have said—it is important that the plan is not delayed any further. Amendment 35, in a similar way to amendment 122, seeks to set in legislation a date by which the first rural support plan should be delivered.

The Convener: Before we move on, I welcome to the committee Karen Adam, who is substituting for Kate Forbes, who has had to leave the meeting.

I now call Rachael Hamilton to speak to—

Colin Smyth: I apologise, convener, but I have managed to avoid speaking to several of my amendments.

The Convener: Please continue.

Colin Smyth: They are on a different page of my notes. I appreciate that there are a lot of amendments, convener, so I thank you for your patience.

Amendment 37 sets out a requirement that the Scottish ministers should consult before amending the rural support plan under section 2(5).

Amendments 38 and 40 provide more opportunities for scrutiny and transparency around the reasons and motivations for amending the plan, including evaluating progress to date when setting those future plans.

Amendment 128 seeks to set out in greater detail what is meant by "rationale". The objectives of each scheme should be detailed so that they are in keeping with the objectives of the framework legislation. To make that more robust, a justification for the intervention must be made. In addition, to ensure that there is value for money, there should be an analysis of the use of public funds to make sure that the objectives are being delivered in a cost-effective manner. As part of that, it is important that there is an explanation of the decision-making process when deciding on particular schemes, including on the evaluation of similar schemes.

10:45

Amendment 129—you will be pleased to know that this is the final amendment I will speak to in this group—reiterates earlier amendments 92 and 101 to introduce a clear link between the objectives in the bill and the decisions made by ministers through the rural support plan.

I move amendment 28.

I am finished.

The Convener: Are you sure?

Colin Smyth: Yes.

The Convener: Good. I call Rachael Hamilton to speak to amendment 114 and other amendments in the group.

Rachael Hamilton: This is a really important section. Amendment 114 requires each future rural support plan to evaluate the previous rural support plan. It is a sensible amendment that is designed to make Scottish ministers reflect on the effectiveness of the previous rural support plans in order to improve future plans. It was noted in the stage 1 committee report that an amendment to this effect would

“provide transparency and accountability around the effectiveness of the strategic priorities and budget of the previous plan in terms of meeting the overarching objectives”.

Amendment 116 requires further information about the support schemes to be set out in the rural support plan, including the objectives for the scheme, the intended outcomes, targets and milestones, how the scheme will be monitored and evaluated, the date that the scheme will commence, and the initial budget for the scheme and the sources of funding. The amendment is designed to give much-needed clarity and detail to farmers who will be impacted by future schemes. It allows Parliament to scrutinise the detail of future support schemes. An amendment to this effect was also outlined by the stage 1 committee report, which noted calls from stakeholders for the rural support plan to outline the detail on the objectives that I have asked for in my amendment.

Amendment 117 requires each rural support plan to include a scheme that is intended to support young farmers under the age of 41. Only 6 per cent of farmers in Scotland are under the age of 35, and it is clear that the future of Scottish farming is at risk in relation to that demographic. Every young person in rural Scotland should have the opportunity to farm or pursue a career in a rural sector, if they so wish. The Scottish Government needs to support our young farmers to overcome the barriers that they face, such as the high cost of securing access to land, and my amendment would ensure that young farmers are given access to specific funding that is tailored to

them. That will support the next generation of Scotland’s farmers and secure Scotland’s food and farming future. Because the Scottish Government is so keen on aligning with Europe, it reflects some of the movements that have been made in the European Union.

Amendment 120 requires Scottish ministers to conduct a food mile analysis before the publication of a rural support plan, and to have regard for the analysis in the subsequent plan. A public sector food mile analysis would improve our understanding of the challenges that Scotland’s supply chain faces. It would increase transparency and improve fairness in the supply chain for farmers and food producers. My amendment aims to reduce unnecessary food miles by ensuring that food that is produced locally can be processed locally.

Amendments 121 and 126 provide for the rural support plans to be laid before Parliament for at least 30 days, allowing Parliament sufficient time to scrutinise and report on them, as called for in the stage 1 committee report. The explanation for amendment 126 is similar to my explanation for amendment 121.

Amendment 127 requires ministers to consult such persons as they consider appropriate or affected by a rural support plan or an amended plan before publishing it. The minister previously stated that the rural support plan will be co-designed alongside stakeholders. Again, that was called for in the stage 1 committee report. This essential amendment provides reassurance to stakeholders by requiring a statutory consultation on future plans.

Beatrice Wishart: Amendment 118, in my name, requires Scottish ministers to publish and consult for a period of no less than 84 days on a draft of the rural support plan and to have regard to any responses to the consultation.

Amendment 125 creates the same requirement for any amended plan. In order for the rural support plan to deliver the desired outcomes, there needs to be effective discussion and consultation in advance of the publication and subsequent reviews of the plan.

Amendment 119, in the name of Alasdair Allan, would also require the rural support plan to be consulted on, as would amendment 127, in the name of Rachael Hamilton. I am supportive of both of those amendments for the reasons that I outlined, about the need for consultation.

Amendment 122, in my name, would require the first rural support plan to be published no later than six months, beginning with the day after royal assent.

Amendment 35, in the name of Colin Smyth, would create a similar requirement for the first rural support plan to be published no more than six months after the section comes into force. I share Colin Smyth's aim that the first rural support plan be published soon after the bill becomes an act. The agriculture sector has been crying out for certainty and information about support schemes for years, and it is important that the first rural support plan is published as soon as possible. That is also important because Parliament should be sighted on the rural support plan before approving secondary legislation on specific schemes, which are expected to come forward for consideration and approval during 2025.

Amendment 123, in the name of Tim Eagle, is a direct alternative to my amendment 122, although it specifies three months. I believe that six months is a better timescale and I encourage members to support my amendment 122.

I will support Colin Smyth's amendment 31 because an indicative multi-annual financial framework must be included in the rural support plan. It would provide the certainty that the sector needs to plan, invest in businesses and deliver on the objectives of the bill, particularly as agriculture operates over longer timescales. I ask members to join me in supporting amendment 31. I also ask members to support my amendments 118, 122 and 125.

Alasdair Allan: I look forward to hearing what the cabinet secretary has to say about the amendments before I decide whether to move mine. However, the aim of amendment 119 is simply to ensure effective consultation with those impacted or affected by the rural support plan. In order for the plan to deliver the desired outcomes, there needs to be effective discussion and consultation in advance of its publication and in advance of subsequent amendments to the plan.

Tim Eagle (Highlands and Islands) (Con): Good morning. It is great to be a part of the committee. I am not sure if I need to, but I declare an interest as I am a farmer and I have worked in the agriculture sector.

Amendments 123 and 124 both refer to the rural support plan, which, as other members have said this morning, is a critical part of the practical application of the bill and is important with regard to what farmers and landowners will do moving forward.

Amendment 123 would require delivery of the rural support plan within three months of royal assent. With that amendment, I am trying to get the rural support plan out as quickly as possible, because the plan is that we will be moving into the next stage in 2026, which is not far off.

Amendment 124 is about how we manage the change between rural support plans. The bill specifies a period of six months, but the problem with that is that six months is not a long time in the rural sector. It should be changed to 12 months, which would give farmers and land managers the greatest ability to respond to the new rural support plan.

Ariane Burgess: As other members have said, the rural support plan is at the heart of this bill. It will provide certainty to farmers and crofters, so it is important to get the contents and scrutiny right.

Colin Smyth's amendment 115 and Rachael Hamilton's amendment 116 both list certain information that they and many of us would like the rural support plan to be required to set out. I have not lodged a similar amendment because, as I noted in the debate on the previous grouping, I have been having constructive discussions on the contents and scrutiny of the rural support plan with the Scottish Government. I have been reassured that it will explore the numerous suggestions of items to be included in the plans and will work towards an effective, workable and coherent proposal for stage 3.

On Colin Smyth's amendment 129, I fully support the principle that ministers should act in a manner that will best achieve the legislative objectives; however, the amendment, as drafted, would remove the duty on ministers to prepare a plan, so I cannot support it.

Mairi Gougeon: I hope that the committee will indulge me slightly, because there is clearly a lot for me to cover, and I want to pick up on each of the areas that have been identified by members who have lodged amendments in the group. From looking at all the amendments to sections 2 and 3, it is clear that there is, quite rightly, a lot of interest in the scrutiny, content and role of the rural support plan.

There have been lots of helpful suggestions about how the bill's current provisions might be strengthened. It is crucial that we do not consider each element in isolation; we should consider them as a coherent whole to ensure that the plan is drafted and delivered and that it functions as we all want it to do.

The first rural support plan will need to take into account our transition from legacy EU CAP schemes to the new four-tier framework. The route map, which I have talked about at length in previous committee meetings, sets out the transition period, and we are actively co-developing the details of the tiers in the framework with rural partners and stakeholders. The transition period will, of course, have implications for the first plan that we produce, as we are

constrained in practice by what currently exists while we develop the details of the new system.

The Convener: You have given us some reassuring words about the rural support plan, but it is now quite some time since it became clear that a new agriculture bill would need to be introduced. Despite your warm words, and despite the committee's call, you have lodged no amendments to section 2 at all. The bulk of the committee's stage 1 report focused on the need for certainty in relation to the rural support plan and for a draft plan to be produced as soon as possible. We are not going to be provided with any reassurance that what will be produced prior to stage 3 will be sufficient, and the committee will not have the opportunity to debate the matter at all, which is very disappointing. The points in the committee's stage 1 report have not been addressed, because no Government amendments have been lodged to reassure the committee that the rural support plan will be fit for purpose.

Mairi Gougeon: Convener, I ask you to allow me to finish the rest of my points, which set out the rationale for the approach that we have taken and how we want to work with members on the amendments that they have lodged in order to find a way forward.

I do not think that it is fair to look at the overall timescales. We introduced the bill on the back of the consultation that we undertook, and we are trying to provide a bit more certainty over the period. It should be recognised that we have introduced a framework bill. As I have said previously, it is important to remember that we are talking about the foundation of our approach to developing future policy. As I outlined in relation to what the first plan might look like, we are going through a transition, and we are trying to develop policy with our farmers and crofters. I commit to working with members around the table so that we can get the plan into a shape that, I hope, will allow everybody to come together to support it.

I return to my comments. It is key that we manage the transition through the first rural support plan and that we take farmers and crofters with us without creating unnecessary stress or dislocation. We need to ensure that, when we set up the requirements for the scrutiny, content and role of the plan, the plan is able to function now, with what we have, and will be able to function in the future with what we are co-developing.

I ask members not to move amendments 114 to 116, 38, 40 and 128. In return, I commit to taking every proposed amendment away for consideration and to engaging collaboratively with members of Parliament and stakeholders. I want to come back at stage 3 with a robust set of amendments that cover the rural support plan and our approach to monitoring and evaluation,

thereby providing a wraparound approach to the issues that have been raised in this group.

Rachael Hamilton: Why did you not lodge stage 2 amendments so that we could consider them? As the convener said, that was the committee's recommendation, and I do not understand why it was so difficult to come here with such amendments.

Mairi Gougeon: Again, I ask Rachael Hamilton to allow me to get back to my comments so that I can set out what will be included.

We have had a number of conversations with stakeholders, and there has been the information that the committee has received. We are all pushing in the same direction in relation to what we want to achieve, so I hope that we can work constructively to achieve that.

Again, coming back to my comments and what I am committing to do and the issues that we will cover in relation to the rural support plan, it will cover our strategic priorities for providing support and the outcomes that we expect it to deliver. That will be important in setting the scene for a reporting period and giving everyone a clear understanding of what we are doing, why we are doing it and what we are seeking to achieve from the activity and support.

11:00

The Convener: I welcome your reassuring words. You talk about getting the committee members around the table—I think that that was the phrase that you used. Would you be willing to come back to the committee and set out exactly what your proposals are, discuss openly in a committee session what your amendments might be and allow the committee to do as you suggest, which is to work collaboratively to bring forward a rural support plan, with amendments at stage 3 that the committee has been actively involved in? Would you accept that invitation to come back?

Mairi Gougeon: I hope that you will allow me to finish my comments, because it is important that I set out what I am looking to achieve and what we hope to gain from that. I am happy to follow up with you separately. That is not normally how the process for engaging on amendments that we would lodge as a result of the discussions that we have had at stage 2 is handled. I hope that you will allow me to set out fully and clearly what we are planning to do, because that sets us on the path of a constructive way forward.

Rhoda Grant: Given that this is the crucial part of the bill, it would be good to see drafts. I understand that the members who have lodged amendments to this part of the bill will see that, but others, such as myself, who have not lodged

amendments at this stage, would be interested to see draft amendments so that we can scrutinise them properly. At stage 3, we are in a take-it-or-leave-it situation, which is not appropriate for this scale of amendment to a bill, because it really is about the operation of the legislation. I urge the minister to share drafts with the committee and allow us to take evidence from her and from stakeholders.

Mairi Gougeon: What is key and what we cannot forget is the regulations and what the bill provides us with the powers to do. When it comes to developing future schemes, that co-development process is hugely important and it is the foundation of our approach, as I have outlined. The committee will, of course, have a scrutiny role over all of that as we bring forward that further detail. As I have already outlined, the rural support plan is really there to set out our strategic priorities and it builds on what we have already set out through our vision for agriculture and the route map.

I know that the Delegated Powers and Law Reform Committee asked us to provide a draft or an outline of the rural support plan prior to stage 3, so I am happy to commit to doing that. I can provide an outline of what it might look like. However, as I have outlined in relation to the first version of the plan, it will be a living document and it will be iterative, given the phase and the period of transition that we are in.

I will return to my comments, if I can. I hope that members will allow me to finish them, because what I will set out goes a long way towards addressing the concerns that have been expressed.

We intend for the rural support plan to include the role that the four support tiers, as per the policy memorandum, will play in contributing to the delivery of the bill objectives in section 1. The tiers do not exist in isolation and it is intended that they will operate as part of a coherent programme approach to future support, as outlined in our route map.

In our climate change action policy package, which was announced by the Cabinet Secretary for Wellbeing Economy, Net Zero and Energy, Màiri McAllan, we stated that tier 2 will be important for delivering outcomes of climate and nature. We will ensure that we better articulate the role of each tier of the overall framework in driving actions to meet the bill's objectives. It will also include greater detail on the support that will be provided, including scheme descriptions, expected outcomes, anticipated uptake and indicative budgets. That is not an exhaustive list. Some of the detail that is asked for is already in place for current EU CAP schemes and is published, but I understand that bringing all of that together in one

place will provide greater transparency and understanding of the breadth of our programme of support. I will explore what more we can provide on that.

There have been a lot of asks about budgets and providing more clarity in the longer term, but unfortunately there is no getting around the fact that we are still in a position of having no UK Government budget guarantees from 2025. That has clear implications for our ability to plan agricultural support. I have already set out that funding for tiers 1 and 2 will constitute at least 70 per cent of the overall funding envelope and that a further announcement about the proportion of funding between tiers 1 and 2 will be made in June this year. I commit to seeing what additional clarity could be provided, even if any figures would only be indicative.

The contribution of our overall agricultural reform programme in meeting statutory duties relating to agriculture, the environment, biodiversity and land will be considered, too. We have already set out our climate change action policy package and the changes that we are making, so I will not reiterate those, but it is important that we clearly outline and articulate what our programme is doing to help agriculture meet emissions reduction targets.

Further details of the agricultural reform programme co-development process include what we engage on, where we engage, who we engage with, how we engage and the expected outputs that will feed into our route map. That will provide important clarity on the engagement and consultation that already exist and where the rural support plan sits in that process.

The indicative programme of secondary legislation that will follow the bill and deliver on the route map will be considered, too. I have already outlined changes from 2025, which have been scheduled into the legislative timetable for later this year. I will investigate what further advance notice can usefully and accurately be provided on the existing timeline and the quantity of secondary legislation that will follow the bill, subject to parliamentary timetables and decision making.

Further information will be given, too, on the role of rural support plans and the process of creating, amending and reporting on them. Under the CAP, a lot of work was done in developing the Scottish rural development programme as it currently exists, and we followed a set process for amending and reporting on the programme. A lot of that work went unseen and continues as we conclude the formal process of closing the EU 2014-20 programme this year. I want to learn the lessons from that—on what has and has not worked well—to help us inform the development of a rural support plan that meets our needs now and

in the future, and how best to manage the new framework and its schemes in the future.

How and when we will monitor, evaluate and report on our support, including through a future monitoring and evaluation framework, will be included, too. Again, considerable reporting work is taking place on the EU SRDP and, last month, we commenced the formal ex-post evaluation for the entire 2014-20 programming period. What we spend and how we spend it on future support needs to be effectively monitored and evaluated. Substantial amounts of public funding are given to our farmers, crofters and land managers, and it is only right that we seek a meaningful return on that investment of public money and that progress can be charted in delivering on the bill's objectives, outcomes and statutory duties.

I hope that the various points that I have outlined help to alleviate some of the concerns around the rural support plan sections as drafted and around the absence of explicit mention of monitoring and evaluation. I ask that, when considering the amendments, we do so on the basis of what I have outlined and that we take those issues away to collaboratively come back at stage 3 with a robust wraparound offer that involves amendments to the current provisions on the rural support plan.

I will turn to some of the specific amendments. Amendments 28, 29, 33, 34, 36, 39 and 41 require the Scottish ministers to prepare a plan by regulations. The purpose appears to be to ensure that each iteration of the plan is subject to prior approval by Parliament. I believe that that is too restrictive, because although Parliament must—and, of course, will—have its due place and, in particular, will be able to scrutinise all the secondary legislation that we need to put in place to support and deliver the plans, the Government also needs to be able to get on and develop and manage support for our farmers and communities, which means working with stakeholders and experts for that purpose.

We could not focus on the task at hand if Parliament had an on-going veto on the plans and proposals that we describe in successive plans and even, potentially, on quite modest changes. That would, for example, divert some of the finite resource that we have away from the co-development of future policy with industry and partners. The bill already sets clear requirements for the content, scrutiny and considerations of a plan, including that it is laid before Parliament. I have committed to returning to those issues with more explicit clarity at stage 3.

The actual detail of changes, including new schemes in the different tiers, will be provided for in secondary legislation using the proposed powers of the bill. That will provide parliamentary

scrutiny, as I said, and it will also involve further consultation and the associated impact assessments. Parliament will also be able to scrutinise the plan at portfolio evidence sessions, during the budget process and through the various matters that are set out in section 3.

For those reasons, I consider that the existing levels of scrutiny, through a wide range of regulatory powers and responsibilities relating to different sections in the bill that relate to the rural support plan, are sufficient. Therefore, I hope that Colin Smyth agrees to withdraw or not move his amendments. If he does so, I urge members not to support them.

I understand the intent behind Colin Smyth's amendment 112, but I do not believe that it is necessary. It is worth noting that there is already provision in that regard in the bill, which requires that a rural support plan

“sets out strategic priorities for providing support”

and

“a description of each support scheme”.

Section 3(2)(a) sets out that ministers “must have regard” to objectives that are

“set out in section 1”.

As I have set out, I intend to return at stage 3 with a much more explicit framing for the rural support plan and will consider how the plan might cover the proposals in Colin Smyth's amendment 112. For those reasons, I believe that the amendment is not needed. I hope that Colin Smyth agrees and will not move it.

In relation to amendments 30 and 31, as I have outlined, I would love to be in a position to legislate to provide for a multi-annual financial framework in the bill. We had that certainty and clarity under the CAP, with the EU's multi-annual financial framework but, unfortunately, the reality is that Westminster has not given any commitment on future funding or on what basis that might be provided. Currently, UK Government allocations are on an annual basis. There are no funding guarantees from 2025, and the current UK Government has refused to engage on the issue.

Rachael Hamilton: I would like clarity on what the Scottish Government would do in relation to its commitment to agriculture prior to a budget. Will the Scottish Government come forward before the budget with an indicative number that it could set towards its commitment to agriculture?

Mairi Gougeon: As I outlined in my initial comments on what we would look at in relation to the rural support plan, we want to consider how we can best help, because I absolutely appreciate that everybody wants the certainty of multi-annual funding. However, I am also trying to outline that,

given the position and uncertainty that we are in, we have no idea whether we will get a budget, or what that might look like, beyond next year. We cannot commit to that in the bill, but we want to see what we can work with and what is available to us to look at in that space.

Rachael Hamilton: Do you believe that Governments should bring forward a plan for what they are going to allocate to the rural affairs budget before a budget or a spending review? Is that what you are saying?

Mairi Gougeon: I expect the UK Government to at least engage in a conversation with us, so that we know what kind of allocation there will be and we can have a dialogue about what that budget might look like. That engagement was promised as part of the Bew review, but that conversation, despite our pursuing it, has never taken place.

Rachael Hamilton: Yes, but we have had a commitment up to the end of the financial year, plus there is the uplift from the Bew review. When you come back for the discussions and collaborative working that you want to do with the committee on the amendments relating to the rural support plan, will you also come forward with what the Scottish Government will commit in future budgets, beyond what you have already committed to?

Mairi Gougeon: I am sorry, but I do not understand the point that you are trying to make.

Rachael Hamilton: Will you come forward with a plan for how much you will commit towards the rural affairs budget prior to announcing the budget for next year?

Mairi Gougeon: I cannot make a commitment on a budget that I do not have. It would be irresponsible for me to do that.

Rachael Hamilton: In that case, how can the UK Government do so?

Mairi Gougeon: The UK Government was able to do so previously, so I do not understand why it is not able to do so now and why it cannot engage in conversation with us about what future allocations might look like.

It is important to be clear that we get the confirmation of a budget only on an annual basis from the UK Government. We get an indicative allocation, which is confirmed on an annual basis, so that could fluctuate from year to year.

As I have outlined, we want to work in that space and be as helpful as possible within the limitations that we have, but we are within severe limitations when it comes to making commitments on multi-annual frameworks and funding going forward.

Colin Smyth: Is it, therefore, the aim of the Government that, in the rural support plan, you will set out indicative budgets for future years?

Mairi Gougeon: As I have already outlined, I want to look at what we are able to do in that space. We want to provide as much certainty and clarity to people as we can. I recognise how important that is for future planning for our farmers and crofters, but I cannot commit to something that I am not able to deliver. Based on the comments that I have already outlined in relation to the rural support plan, that is an area that I want to consider.

I would like to continue and to make progress on the other amendments.

The Convener: Please do.

11:15

Mairi Gougeon: I am conscious that we have covered a lot already, but there are still a number of areas to get through.

On amendment 114, although evaluation of programmes is our standard approach—our ex post evaluation of programmes under the EU CAP is currently under way—it is important that we do not restrict the timescale or the method for, or the publication of, evaluations. There will be some things that can be reliably reported on within a planned period, but others will require more by way of longitudinal research.

We need to ensure that our monitoring and evaluation of plans, outcomes and the overall framework are robust. Our rural and environment science and analytical services division—RESAS—is preparing an agricultural reform programme monitoring and evaluation framework. It is important that we are clear about what can be reliably delivered and evidenced within planned periods and what might require a longer timeframe.

Rachael Hamilton's amendment 114 presupposes that each plan will directly replicate what was in the previous plan. However, as we know, schemes and support will—we would hope—change over time, so that could turn out to be a meaningless exercise, which would require to be carried out simply because there was a statutory requirement to carry out evaluations. For those reasons, I ask Rachael Hamilton not to move amendment 114, so that I can return at stage 3 to provide more detail on what can usefully be included in the bill that can be achieved in this area. If the amendment is moved, I urge members not to support it.

I think that Colin Smyth's amendment 32 is unnecessary, as it asks for the provision of baseline financial and funding information that is

already available every year through the budget process. I am happy to send on the links to the level 4 budgets for the current year to reassure him that that information is already publicly available. That being the case, I hope that he will not move amendment 32.

I have some sympathy with elements of Colin Smyth's amendment 115, and I understand what he is trying to achieve. As I set out in my introductory remarks on the group, the purpose of the rural support plan is to offer clarity and certainty as to how the powers that are sought in the bill are to be used. I ask members to allow me to return at stage 3 with a more holistic and—crucially—workable wraparound that sets out clearly how ministers will cover the detail of the plan. That will include consideration of the requirements that are listed in amendment 115. On that basis, I ask Colin Smyth not to move amendment 115. If he moves it, I urge members not to support it.

The same applies to Rachael Hamilton's amendment 116. In particular, I would very much like to be able to set out the sources of funding, but, as I have already outlined, until the UK Government engages in discussions on future budgets, it will continue to cause uncertainty.

On amendment 117, I reassure Rachael Hamilton and others that I fully intend to ensure that we have a scheme that effectively supports new and young entrants to farming. However, it would not be appropriate to provide for that in the way that is proposed in what we have agreed should be a framework bill. That aspect will feature in one of the tiers that will be co-developed with key stakeholders, which will, of course, be subject to regulations that Parliament will have an opportunity to scrutinise. I hope that that reassures Rachael Hamilton and that she will not move amendment 117.

I understand the intent behind Beatrice Wishart's amendment 118, and I hope that I can reassure her that it is not needed, given the significant amount of engagement and consultation that the Scottish Government already undertakes on a wide range of matters that will form the new framework and tiers. We have a long-standing commitment to co-development with rural partners, and we continue to engage closely with them. The agricultural reform programme is responsible for managing the co-development process from design through to delivery and for ensuring that that process is communicated through the route map. That approach is rooted in the Scottish approach to service design, whereby we actively work with our farmers, crofters and land managers to develop and test our future framework.

The detail of changes, including the detail of new schemes in the different tiers, will be provided for in secondary legislation, using the powers that are proposed in the bill. That will involve further consultation through the associated impact assessments, along with parliamentary scrutiny. As I have made clear, our approach is always to co-develop with our industry and wider partners to ensure that legislation and regulation are best fitted to work and deliver to outcomes. I have already committed to reporting on how we do that, with whom and to what effect in the rural support plan. I hope that that reassures Beatrice Wishart that there is no need to create a statutory consultation period of the kind that she has set out and that she will not move amendment 118. If she moves it, I ask members not to support it.

Alasdair Allan's amendment 119 helpfully identifies an issue that applies right across the bill and across all the groupings. We have a range of existing commitments to consult on proposed changes, which are, I think, inconsistent in their framing, particularly in relation to whom should be consulted with. That is why I propose again that, ahead of stage 3, Government officials will review all the current and proposed additional consultation requirements, to ensure that they are appropriate and proportionate, that we consult where it is necessary or most useful, and that there is consistency in the framing where that is important. Accordingly, I ask Alasdair Allan not to move his amendment 119, to allow that to happen.

Ariane Burgess: On the point about consultation, I am certainly aware that we have had consultations in the past that have been difficult for people to engage with. On the one hand, the Government wants people to give feedback, but, on the other hand, given the way in which consultations are laid out and the questions are put—even though the Scottish Government does try to make them accessible—it seems, from my experience of such consultations, that they are not accessible. I would like to understand whether you get that, cabinet secretary, and what you will put in place to ensure that that is addressed. As we have said, the rural support plan is critical for farmers and crofters, and we need to have a way of engaging that is accessible for them.

Mairi Gougeon: I absolutely appreciate your point. I hope that you do not find too many examples of that where we have consulted in my own portfolio, because accessibility is fundamental and I think that we have some really good examples of consultations that we have undertaken. We have touched on the Good Food Nation (Scotland) Act 2022 and some of the engagement that was undertaken on that. We have worked with Nourish Scotland, which has done fantastic work in helping us to engage more widely, as well as with other organisations. That is

important, because we want to ensure that people understand the information on which we are consulting and that the consultation is undertaken in an accessible way. We have obligations in relation to that, and all of that will be key to what we are considering when we look at the overall consultation requirements that I have set out. I hope that Ariane Burgess is reassured on that point.

With regard to amendment 120, I would probably have more sympathy with Rachael Hamilton's point if it had not been for the fact that her party had created some of the trade barriers to the export and import of food from the EU, which may now mean that imports are coming from further afield than they previously did. In addition, in spite of the member's explanation, I am not entirely clear as to what the intent behind gathering such information is, given the rurality and sparsity of the population in Scotland, particularly in our island communities, where, by definition, the number of food miles is going to be greater than what is needed to reach other areas. It is quite clear that we should be doing all that we can to produce more food and meet more of our own food needs, and to do that more sustainably in Scotland. That is a core aim of this Government.

Rachael Hamilton: Throughout the bill process, we heard from stakeholders who said that it would be useful for the Scottish Government to recognise that the processing facilities in Scotland are not up to scratch and that it would be easier for people to access food locally if those processing facilities were available, rather than food being produced in Scotland and then having to travel to England and back to Scotland to the retailers.

We need a recognition that we have to do something about that. My amendment sets out to ensure that we evaluate where those food miles are going. A number of products are travelling a long way to get back to source, and it is important that people can access food locally. I am disappointed that the cabinet secretary does not seem to recognise the intent behind the amendment.

Mairi Gougeon: Sorry—if you had allowed me to come on to my next point, I was actually going to say that I agree with what you are trying to set out. It is helpful, as you have just said, to raise awareness of food miles and the importance of that. My only point is that it is not appropriate to provide for that in the rural support plan. There are a whole variety of issues in relation to food miles, and it is not solely for this bill to address them. I think, therefore, that the bill is not the appropriate place for what you have set out in amendment 120, and I ask you not to move it.

With regard to amendment 121, as I noted in my response to amendments 28 and 29, in the name of Colin Smyth, the Parliament and its committees will have an essential role in scrutinising the secondary legislation that will need to be approved in order for us to deliver on the plan. The amendment offers a further timing, and it would simply serve no practical purpose when that later scrutiny—alongside my offer for a more holistic set of duties around the plan—would ensure that the aspects of what, when, how, why and with whom are very clear. I ask Rachael Hamilton not to move amendment 121.

Colin Smyth's amendment 35 proposes another arbitrary deadline for the production of the rural support plan—which would, if in effect, impede the development of the first plan. The first plan will need to take into account the final form of the bill on its becoming an act and the timing and detail of any secondary legislation that uses the powers of that act. The plan will need to deal with the transition between old and new support, as per the route map, with the detail being under active co-development. The deadline that is in amendment 35 would risk the short-term amendments to the plan as more detail of the transition period emerges. Overall, it would result in a sub-optimal plan that might not even reflect, as it needs to do, all the detail of the different tiers and schemes that will be set out in secondary legislation. On that basis, I ask Colin Smyth not to move amendment 35.

Similarly, Beatrice Wishart's amendment 122 would require the publication of the rural support plan no later than six months after royal assent. For the reasons that I set out in relation to amendment 35, I urge members not to support amendment 122.

Tim Eagle's amendment 123 takes us into a bit of a bidding war in relation to that. Again, for the reasons that I have already outlined, I ask members not to support amendment 123.

I understand the intent behind Tim Eagle's amendment 124. Recipients of support want as much clarity and early notice as possible of future support plans. However, requiring the publication of subsequent plans 12 months before the end of the preceding plan period, instead of the six months that is currently in the bill, would leave limited time for review and evaluation, because we also have to undertake engagement and consultation on that. That change would therefore ultimately be unworkable, which is why I am not in favour of amendment 124.

As I made clear at stage 1 and in speaking to the foregoing amendments, the Scottish Government's approach is always to co-develop with industry and wider partners to ensure that legislation and regulation are best fitted to work

and deliver outcomes. Colin Smyth's amendment 37 would cut across that activity. However, again, I understand the intent of that amendment and, as I set out in response to Alasdair Allan's amendment 119, I want to give further thought to the requirements to consult that are in the bill. I therefore hope that Colin Smyth does not move amendment 37.

If taken in isolation, what amendment 38 would require the Scottish ministers to do would not be proportionate to the scale of any changes to the rural support plan, some of which could be minor in nature. Indeed, it could hold up what could simply be a routine or minor change as part of normal programme management. I have offered to ensure that a much clearer duty on monitoring and evaluating agricultural support is set out in stage 3 amendments. I therefore hope that Colin Smyth will not move amendment 38.

On amendment 39, as previously indicated, it would be unhelpful to require the rural support plan to be subject to regulations, especially given that there is already a commitment to lay the plan before Parliament and publish it. I therefore urge members not to support amendment 39.

I addressed the issue of arbitrary statutory consultation periods in response to Beatrice Wishart's amendment 118. Amendment 125 presents the same issue applied to rural support plan amendments. It would provide no proportionality to the scale of any such amendment, which could be routine. I have already outlined that our approach is to always co-develop with our industry and wider partners and that I would report on how we do that, with whom and to what effect, in the rural support plan. I hope that what I have said offers some reassurance to Beatrice Wishart that there is no need to create such a statutory period and that she will not move amendment 125.

Amendment 40 would introduce an arbitrary requirement that does not provide any proportionality. It is restrictive and would divert finite resource away from the co-development of future policy with industry and our partners. Each and every time that ministers opted to amend a rural support plan, it would require a full review. As schemes and support will change over time—particularly during that initial phase and the transition period—that could turn out to be a meaningless exercise that does not provide any value simply because there is a statutory requirement to do it. I therefore hope that Colin Smyth does not move amendment 40.

On amendment 126, I noted in my response to amendments 28 and 29 that the Parliament and its committees have an essential role in scrutinising the secondary legislation that will be needed in

order to deliver on that plan. I therefore urge members to reject amendment 126.

Rachael Hamilton: I hear what you are saying, cabinet secretary. Basically, you are throwing a grenade at all the amendments in this group. All of us have worked in good faith with the Government bill team to shed light on the clarity, scrutiny, evaluation, impact and monitoring of the rural support plan—a lot of which we would like to be in the bill. Do you believe that a lot of that detail should be in the bill when we come to stage 3, or will you and the Government team continue with the proposal to put it in secondary legislation?

11:30

Mairi Gougeon: First of all, I disagree with your point about throwing a grenade at amendments. As I outlined in my comments, I think that there are lots of helpful things in these amendments, but there are contradictory points, too. Just as there are, as I have said, different consultation requirements to consider, there are different things to consider in various parts of the bill, and it is only right that we are able to look at all of this holistically and that we are not looking at amendments in a piecemeal way. I hope that, in everything that I have outlined with regard to all the areas that we want to look at and reconsider for stage 3, what I have said addresses some of the concerns that have been expressed.

On amendment 126, I would, as I noted in my response to amendments 28 and 29, point out that the Parliament's committees have the essential role that has been referred to. I urge members not to support amendment 126 on that basis.

On amendment 127, I would just say that, as with Beatrice Wishart's amendment 125, the amendments requiring consultation on the rural support plan provide no proportionality with regard to scale, which, again, could be routine. Accordingly, I ask Rachael Hamilton not to move amendment 127.

Amendment 128 seeks to define the rationale that Colin Smyth's amendment 115 asks for in providing greater detail about schemes. Again, I welcome the positive intent behind the amendment, but I must ask members to resist it so that I can return at stage 3 with—as I have repeated many times—a more realistic and workable wraparound that sets out how ministers will provide details in the plan. I therefore ask the member not to move the amendment. If he does, I urge members not to support it.

Finally, on amendment 129, I hope that Colin Smyth will be reassured to know that it is always my intention to act in a manner that we “consider best contributes to achieving the objectives”.

In fact, that is what I am seeking to do right now in relation to Scottish agriculture. Although I welcome the positive intent behind the amendment, I note that it takes out the current duties in the bill to prepare a plan and for ministers to exercise their functions while having regard to that plan. I am sure that that was not the intention behind the amendment. I therefore ask Colin Smyth not to move amendment 129. If he does, I urge committee members not to support it.

The Convener: Cabinet secretary, I respectfully suggest that you have thrown a grenade at these amendments, which seek to give some reassurance around the single most important issue in the bill: the rural support plan. The topic of this being a framework bill has been discussed by the Conveners Group, and the rural support plan was probably the one thing that was going to give stakeholders and parliamentarians some reassurance that there was a degree of understanding of this issue.

You have, on numerous occasions, suggested that you will lodge amendments at stage 3. Given that we really are at the business end of this and that we have only a matter of weeks before the Parliament will be asked to approve the bill as amended, I suggest that you commit to coming back to the committee with your suggestions for amendments to address some stakeholders' concerns and to discussing them with the committee as a whole. That would give us an ideal opportunity to discuss the matter fully. I am concerned about your amendments being lodged at the very last minute and committee members—indeed, any parliamentarian—not having the time to re-lodge their own amendments. Would you consider coming back to the committee to discuss your views on how you will bring all these things together?

Mairi Gougeon: I completely disagree with your assertion. As I have said, I fully intend to discuss matters with individual members, just as I undertook meetings with members to discuss potential amendments at stage 2. I intend to have those discussions—and to have them in good time.

It is important that we look at this holistically. As I have set out, there are different requirements in some of these amendments, and it is important that we take these things away, look at them and ensure that we have a workable plan that takes all of that into consideration.

The Convener: I get that, but why would you be reluctant to discuss any amendments with us as a group? You mentioned taking a holistic approach. The committee's report suggested that more information was needed on the issue, but we did not get that. We did not get a significant response to our concerns during the stage 1 debate in the

chamber, and we are not really getting any further reassurances about the type of amendments that you intend to lodge at stage 3. I am wondering why, prior to lodging those amendments, you are reluctant to discuss them at a committee meeting?

Mairi Gougeon: I am more than happy to follow up with the committee afterwards. However, in relation to discussing and taking forward the amendments, the approach that the committee is outlining would be quite unorthodox. I want to work with different members and consider their amendments in order to achieve all that I have outlined.

The Convener: I am disappointed that we cannot look at those amendments as a committee, given that the rural support plan was one of the major aspects—if not the single most important aspect—highlighted in our stage 1 report.

Alasdair Allan: Obviously, it is up to the cabinet secretary how she wishes to engage with the committee, and my point, which is more of a practical one, is perhaps something that we can return to at the end of the meeting. My understanding is that we have a relatively short time available to us to complete stage 2—we need to do that either before or at the end of this month, I think. I would probably argue against innovations to procedure, but we need some idea of when our sittings will be, to ensure that we get through our existing business on the stage 2 amendments.

The Convener: That engagement would be not at stage 2 but prior to stage 3.

Alasdair Allan: I am making a point about the timings for stage 2. I accept the point that you are making, convener—I am not disputing that. I am saying that perhaps the more urgent question is how we get through stage 2. We need guidance from you on when our sittings will be. That is the more pressing question.

The Convener: The stage 3 deadlines will be decided once we have completed stage 2. At the current pace, it is difficult to say, but we will certainly need one further committee session to deal with the amendments that are before us. However, stage 2 should be completed in time for us to complete stage 3 before the end of June. *[Interruption.]* I am advised that the stage 2 deadline is 24 May.

I call Colin Smyth to wind up and to press—

Rhoda Grant: Convener, can I intervene on the cabinet secretary before Colin Smyth winds up?

The Convener: Cabinet secretary, will you take an intervention?

Mairi Gougeon: I was not going to make any more comments. I had already finished.

The Convener: Rhoda, perhaps you could intervene on Colin Smyth.

I call Colin Smyth to wind up and to press or withdraw amendment 28.

Colin Smyth: The cabinet secretary said that there was a lot to cover in her comments—she was certainly correct. She has made a number of commitments to address some of the long-standing concerns that there have been about the lack of direction in relation to the rural support plan. However, as you said, convener, much of that should have been covered by amendments from the cabinet secretary at stage 2.

Turning to the amendments that are before us, I note that the aim of setting out the rural support plan in regulations is to improve the scrutiny that it receives. High levels of scrutiny are warranted because of the amount of public money that is involved. We want to avoid a situation in which the Government is required to produce a plan but it simply gets laid before Parliament and receives little scrutiny. The Government might meet the terms of the legislation as they currently stand, but the public interest would be ill served. The question that we need to ask is: who benefits from a lack of scrutiny? It is certainly not in the interest of Parliament or of the public for a plan simply to be nodded through. The cabinet secretary said that one concern is the potential for Parliament to veto the plan, but I have to say that, if the Government cannot get its plan through Parliament, that says more about the plan itself.

On amendment 35 and the timescales for the rural support plan, the reality is that, as a number of members have said, we should have had a draft rural support plan before now. The Government has known for years that that is needed, so it cannot be delayed any further. Stability and certainty are what our agriculture sector needs most, so we need to put the plan in front of it as soon as possible, with no more delays. The cabinet secretary said that, on the one hand, having the rural support plan made by regulation would cause delays but that, on the other, she opposes an amendment that sets a clear timescale in which the plan would be brought forward.

On amendments 30 and 31, I would be happy to meet the cabinet secretary to discuss how fast she thinks she can go in the important area of multiyear funding, with a view to either lodging an alternative set of amendments to 30 and 31 or bringing back the existing amendments. I stress that there is a need to have, at the very least, robust and indicative multiyear funding commitments within the rural support plan. Local authorities often have indicative multiyear funding in their budgets, and I see no reason why the Scottish Government cannot have, at the very

least, indicative multiyear funding, to give some reassurance to the sector.

I will be happy to discuss amendment 115 and the consequential amendment 113 further with the cabinet secretary, along with amendment 37, on consultation.

Finally, all that amendment 128 does is provide greater detail. History has shown that a bill without the specifics of a plan could end up being a very lightweight document. We need robust governance in the public interest. Allowing the Government too much leeway, so that it can produce a plan that is not worth the name, is not in anyone's interest. There is precedent for the specific approach in the climate change plan, which is set out in legislation. Again, I am happy to discuss amendment 128 with the cabinet secretary.

I am not entirely sure, from the exchange that we have just had, which amendments the cabinet secretary is willing to discuss further and which are just not to be taken forward. I might press a number of amendments that the cabinet secretary has indicated that she wishes to discuss further, but that is simply because I am quite lost. Rachael Hamilton was right when she said that a grenade has been thrown at the amendments. A lot of this detail should have been set before the committee long before stage 2.

I press amendment 28.

The Convener: The question is, that amendment 28 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 28 disagreed to.

The Convener: Amendment 112, in the name of Colin Smyth, has already been debated with amendment 28. I call Colin Smyth to move or not move the amendment.

Colin Smyth: I will not move it, as I hope to have further discussions about it.

Amendment 112 not moved.

The Convener: Amendment 30, in the name of Colin Smyth—I beg your pardon; I have missed an amendment.

Amendment 112, in the name of Colin Smyth—

Rachael Hamilton: I think that it was a consequential amendment to amendment 28. I think that you have already called amendment 112.

The Convener: Amendment 29 was not moved, so the question is—*[Interruption.]*

Just to clarify, I called amendment 112 in the name of Colin Smyth and we disposed of that. I failed to call amendment 29 in the name of Colin Smyth.

Amendment 29 moved—[Colin Smyth].

The Convener: The question is, that amendment 29 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 29 disagreed to.

11:45

Amendments 30, 31, 113 and 114 not moved.

Amendment 32 moved—[Colin Smyth].

The Convener: The question is, that amendment 32 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Grant, Rhoda (Highlands and Islands) (Lab)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Burgess, Ariane (Highlands and Islands) (Green)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire)

(Con)

Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 2, Against 7, Abstentions 0.

Amendment 32 disagreed to.

Amendments 115 and 116 not moved.

Amendment 117 moved—[Rachael Hamilton].

The Convener: The question is, that amendment 117 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 117 disagreed to.

Amendment 33 moved—[Colin Smyth].

The Convener: The question is, that amendment 33 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 33 disagreed to.

The Convener: Amendment 118, in the name of Beatrice Wishart, has already been debated with amendment 28.

Beatrice Wishart: Given what the cabinet secretary has said, I will not move the amendment.

Rachael Hamilton: I move amendment 118.

The Convener: The question is, that amendment 118 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 118 disagreed to.

Amendment 119 not moved.

Amendment 120 moved—[Rachael Hamilton].

The Convener: The question is, that amendment 120 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 120 disagreed to.

The Convener: Amendment 34, in the name of Colin Smyth, has already been debated with amendment 28. If the amendment is agreed to, I cannot call amendment 121 due to pre-emption.

Amendment 34 moved—[Colin Smyth].

The Convener: The question is, that amendment 34 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 34 disagreed to.

Amendment 121 moved—[Rachael Hamilton].

The Convener: The question is, that amendment 121 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 121 disagreed to.

The Convener: Amendment 35, in the name of Colin Smyth, has already been debated with amendment 28. I remind members that, if amendment 35 is agreed to, I cannot call amendments 122 and 123 because of pre-emption.

Amendment 35 moved—[Colin Smyth].

The Convener: The question is, that amendment 35 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire)

(Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 35 disagreed to.

The Convener: Amendment 122, in the name of Beatrice Wishart, has already been debated with amendment 28. I remind members that amendments 122 and 123 are direct alternatives. The text of whatever is the last agreed amendment is what will appear in the bill.

Amendment 122 moved—[Beatrice Wishart].

The Convener: The question is, that amendment 122 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 122 disagreed to.

Amendment 123 moved—[Tim Eagle].

The Convener: The question is, that amendment 123 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Grant, Rhoda (Highlands and Islands) (Lab)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley)

(SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 2, Against 7, Abstentions 0.

Amendment 123 disagreed to.

The Convener: Amendment 124, in the name of Tim Eagle, has already been debated with amendment 28.

Tim Eagle: I accept what the cabinet secretary said about review and consultation, so I will not move the amendment.

Amendment 124 not moved.

Amendment 36 moved—[Colin Smyth].

The Convener: The question is, that amendment 36 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 36 disagreed to.

Amendment 37 not moved.

Amendment 38 moved—[Colin Smyth].

The Convener: The question is, that amendment 38 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 38 disagreed to.

The Convener: Amendment 39, in the name of Colin Smyth, has already been debated with amendment 28. I remind members that, if amendment 39 is agreed to, I cannot call amendments 125, 40 or 126 due to pre-emption.

Amendment 39 moved—[Colin Smyth].

The Convener: The question is, that amendment 39 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 39 disagreed to.

Amendment 125 not moved.

Amendment 40 moved—[Colin Smyth].

The Convener: The question is, that amendment 40 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 40 disagreed to.

Amendment 126 not moved.

Amendment 127 moved—[Rachael Hamilton].

The Convener: The question is, that amendment 127 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 127 disagreed to.

Amendment 128 not moved.

Section 2 agreed to.

Section 3—Rural support plan: matters to be considered

The Convener: Amendment 129, in the name of Colin Smyth, has already been debated with amendment 28. I remind members that, if amendment 129 is agreed to, I cannot call amendment 41 because of pre-emption.

Amendment 129 moved—[Colin Smyth].

The Convener: The question is, that amendment 129 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 129 disagreed to.

Amendment 41 moved—[Colin Smyth].

The Convener: The question is, that amendment 41 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire)
(Con)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley)
(SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 41 disagreed to.

The Convener: This is probably an appropriate time to take a short comfort break. Let us return at about 5 past 12.

11:58

Meeting suspended.

12:09

On resuming—

The Convener: Amendment 130, in the name of Colin Smyth, is grouped with amendments 4, 42, 131, 5 and 43 to 49.

Colin Smyth: Amendment 130 is connected to previous amendments in earlier sections. Those amendments, had they been agreed, would have meant that, instead of ministers having to have regard to the objectives that amendment 130 seeks to remove, they would have been required to act in a manner that

“they consider best contributes to achieving the”

overarching

“objectives”,

which is a stronger position, in my view. However, because those amendments were defeated, I will seek to withdraw amendment 130 later.

Amendment 45 seeks to add an additional matter that ministers “must have regard to”—that is,

“any other financial support provided by the Scottish Government to agriculture and rural communities.”

The aim of amendment 45 is to ensure the best use of public money. Different funding streams enter rural areas, and it is important to ensure that they work together effectively to ensure maximum impact. The amendment simply seeks to facilitate

that and to ensure that the Government is not making funding decisions in a silo.

Amendment 49 seeks to strengthen the consultation that must happen in preparing the rural development plan by placing a duty on ministers to consult with certain bodies. I have included the bodies that I think are relevant to those consultations, but I appreciate that there might be others. If that is the feeling of the committee, and if the amendment is successful, I would intend to add, at stage 3, any other relevant organisations that ministers consider appropriate.

I move amendment 130.

Mairi Gougeon: I propose to speak to the amendments in my name before turning to the other amendments in the group. I have listened to the calls from the committee and stakeholders at stage 1 to provide further clarity on what ministers must have regard to in relation to land use in the preparation or amendment of the rural support plan. That is why I have lodged amendment 4.

I want to ensure that it is made clear to all that Scottish ministers have a clear and explicit duty to account for the broadest of considerations and impacts when devising a plan for the future support of agriculture. It might go without saying that such a duty exists, but it is right to put it plainly that Scottish ministers must have regard to statutory duties that relate to agriculture, biodiversity, land use and the environment.

Amendment 42, in the name of Elena Whitham, refers to biodiversity, too. It is a helpful addition that makes clear the breadth of considerations, so I very much welcome its inclusion. It is right that those duties are put at the heart of our rural support plan. I therefore ask the committee to accept amendment 4 in my name and to support Elena Whitham’s amendment 42.

Amendment 5 seeks to place fair work and conditionality, which is a Scottish Government policy across all public support, as a central objective for Scottish Government agricultural support. It puts fair work policy into legislation for all future support, which contributes to making fair work practices the norm in Scottish workplaces and, in doing so, supports the vision for Scotland to become a fair work nation.

I know that amendments in other groups and on other sections of the bill seek to add fair work considerations, but this feels like the best place to put it—at the heart of the rural support plan, from which the details of the framework, future tiers and schemes will flow.

Rachael Hamilton: At the moment, I am minded not to support amendment 5. Unless you are just about to come to it, what do you mean by “fair work principles”? What are they? Some of

those fair work principles are set by the Scottish Agricultural Wages Board—the board sets farm wages. What is the difference between what operates now and those fair work principles?

Mairi Gougeon: As I touched on, there are other amendments in relation to fair work. We always have to be careful when it comes to fair work considerations, because they cut across different competences. We need to ensure that what we are introducing is within the devolved competence of the Scottish Parliament.

I do not know whether you are referencing the real living wage. The fair work agenda is quite broad and covers a host of other matters. We have tried to show how we are having regard to the fair work principles that we have set out, and amendment 5 is the best way for us to accomplish that.

Rachael Hamilton: I would like to get some more detail on that point. Are you saying that the real living wage is part of that and that your aim is for that to be adopted by the agricultural sector and not be set by the Scottish Agricultural Wages Board?

Mairi Gougeon: We are not cutting across the competences of the Scottish Agricultural Wages Board. That is still its remit and responsibility, and we are not changing its powers with the bill. I ask the committee to accept amendment 5.

Colin Smyth's amendment 130 reflects a change that was proposed by amendment 129, which I also oppose, not least because I do not think that it has the intended effect. For the reasons that I explained in relation to amendment 129, I ask members to reject amendment 130.

12:15

I turn to amendment 131. Scotland shares the EU's founding principles and core values and, through the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, is already committed to maintaining alignment with EU laws and policy, where that is practicable. Aligning the Scottish Government's future policy with the objectives and policy developments of CAP 2023-27, where practicable, ensures that, if Scotland has the opportunity to re-enter the EU in the future, it will be in a position to do so.

I appreciate that that is in direct contrast with the aims of Rachael Hamilton, who wishes to continue to impose on the people of Scotland the outcome of a Brexit that we did not vote for and that is proving disastrous for Scotland's economy and society. However, it is important that we take what steps we can to mirror what may develop in the EU, not least to ensure that we can continue to

trade there. I therefore encourage the committee to reject amendment 131.

I understand and share the motivation behind Rhoda Grant's amendment 43, and that of Brian Whittle's amendment 44. High-quality nutritious food that is locally and sustainably produced is key to our economic, environmental and social wellbeing and our health. That is why one objective in the bill is

"the production of high-quality food".

As drafted, the bill commits ministers to have regard to

"any other statutory duty ... relating to agriculture or the environment".

As we have touched on, that will include the good food nation plans. That will ensure consideration in the rural support plan of any proposals and policies that are in the good food nation plan. The bill will ensure that farmers, crofters and land managers have the right support to contribute to our good food nation ambitions and local food strategy.

Similarly, as drafted, the bill already involves consideration of the objectives of a plan that is produced under section 1 of the Good Food Nation (Scotland) Act 2022. Although I absolutely acknowledge the positive intent of amendment 44, I do not believe that it is required. Neither is amendment 43 necessary. Having reassured both Rhoda Grant and Brian Whittle, I hope that they will not move their respective amendments. If they do, I encourage the committee to reject them.

Amendment 45 would require the Scottish ministers to have regard to

"any other financial support provided by the Scottish Government to agriculture and rural communities"

when preparing or amending a rural support plan. The effect of that amendment is unclear. If, for example, we give support to a young farmer for continuing professional development, do we have to take into account their bursary or free tuition for an initial qualification? The amendment could also mean that a community that gets a grant from the Scottish land fund to purchase land might not then be eligible for support from a future LEADER-type scheme that could help to build the capacity of that community organisation to best manage its assets.

I hope that those examples have illustrated why amendment 45 could be problematic. We need to be wary of unintended consequences. For that reason, I encourage the committee to reject amendment 45.

I accept the premise of amendment 46, as I understand that land and agriculture are inherently linked—not least because I have portfolio responsibility for both areas. However, land is

already covered in the reference to “environment”, and we are seeking to be more explicit in our references to “land” through other amendments. For that reason, I encourage the committee to reject Rhoda Grant’s amendment 46.

I fully agree with the intent behind Emma Harper’s amendment 47 and I am happy to support it. The Scottish Government understands the importance of food security and the interest in the issue from members of the committee as well as our wider stakeholders. Amendment 47 would ensure that ministers have regard to

“the need for sustainable food systems and supply chains in delivering food security”

when we prepare or update a rural support plan.

I am happy to support Ariane Burgess’s amendment 48, and I hope that the committee will support it, too. Small producers, tenant farmers, crofters and agricultural co-operative societies make a vital contribution to our diverse agricultural industry, and diversity is important to ensuring innovation, sustainability, resilience and, ultimately, food security for Scotland and its rural communities. Amendment 48 supports that and seeks to require the Scottish ministers to have regard to

“the benefits of a diverse and resilient agricultural sector including small producers, tenant farmers, crofters and agricultural co-operative societies”

when preparing or amending their rural support plan.

Colin Smyth’s amendment 49 would add a requirement to consult a range of “relevant persons”, and provides a wide list of those persons and organisations. I absolutely understand the intention behind and desire for that amendment, which is to ensure that we consult widely on issues. We already do that and will absolutely continue to do that. The Scottish Government also has a statutory requirement to carry out a range of consultations with public bodies in different circumstances as well as impact assessments in a wide range of circumstances.

As I have already talked about at length today, the co-developed nature of our future agricultural support framework ensures that we are constantly engaging with rural partners. We also have the agriculture reform implementation oversight board, which is supported by an academic advisory panel, to ensure that we take an evidence-based approach to our future proposals.

The route map that I have talked about is designed to provide our farmers, crofters, land managers and the general public with information on what we are planning when and how we will do that. The process of secondary legislation that will be required to make those future proposals a

reality has requirements built in through impact assessments, including the strategic environmental assessment.

I have already set out my intention to introduce a more robust package on the rural support plan that will include detail of our continued agricultural reform programme engagement. That will include details of who and how we must consult. I will carefully consider Colin Smyth’s amendment and the bodies that he listed as part of that. I ask Colin Smyth not to press his amendment 130 and to allow me to work with him to bring forward something ahead of stage 3. If amendment 130 is agreed to today, I might wish to come back with some revised wording at stage 3, but I would be happy to engage with members on that.

Elena Whitham: Amendment 42, in my name, seeks to add “biodiversity” to the policies and proposals that must be considered when preparing the rural support plan. The inclusion of biodiversity alongside the environment in that section is vitally important. We know that many farmers, crofters and growers already strive to deliver positive impacts to mitigate climate change and enhance biodiversity. Scotland’s targets to reach net zero by 2045 are enshrined in legislation, and we need to ensure that there is read-across over all policy areas to that end.

The Scottish Government has proposed to introduce a natural environment bill, which will provide a framework for statutory nature targets and must link to the biodiversity duty strategy and delivery plan, the climate change plan and the bill that we are discussing. The inclusion of both environment and biodiversity in the legislation would underline the importance of both and strongly place them in a strengthened legal context.

The Scottish Government’s vision for agriculture sets out the importance of achieving climate mitigation, nature restoration and food production. We cannot have one without the others; therefore, it is only right that a holistic approach to the legislation is taken by including environment and biodiversity specifically. That will allow the benefits that are being delivered by our producers to be fully realised. I urge members to support amendment 42.

Rachael Hamilton: Amendment 131 would remove development in EU law and policy from matters that a rural support plan must have regard to. Scottish farmers deserve a plan that works for them rather than one that suits the Scottish National Party’s plan for independence as set out by the cabinet secretary.

The bill is a chance to break free from the one-size-fits-all approach of the EU’s common agricultural policy. Therefore, Scottish ministers

should use their powers to create a bespoke approach to agriculture funding for Scottish farmers. Farmers and producers are already held back by the Scottish Government's decision not to embrace gene-editing technology, which would bring widespread benefits across the industry and strengthen our food security.

Those constitutional games not only create barriers within the UK internal market; crucially, they hinder farmers' ability to provide food for Scotland. Instead of using the agricultural industry as a constitutional pawn, Scottish ministers should embrace this opportunity to create agricultural policy that puts the needs of Scottish farmers and producers at the top.

NFU Scotland supports amendment 131 and says that there are valid concerns in relation to the reliance on developments in the law and policy of the EU while preparing and amending the rural support plan. Major divergence from current practice could cause issues in relation to the United Kingdom Internal Market Act 2020; therefore, NFU Scotland wishes the requirement to consider EU law and policy removed. Furthermore, Scottish Land & Estates agrees with the amendment.

With regard to the other amendments in the group, I will support a number of them, but I want to highlight Ariane Burgess's amendment 48 on behalf of the Green Party. I will be very happy to support that.

Rhoda Grant: My amendments 43 and 46 require there to be joined-up thinking between policy areas. Agricultural policy should not be developed in a silo; it must contribute to other policy areas such as healthy diet, climate and biodiversity outcomes, and resilient and thriving rural communities.

Amendment 43 seeks to incorporate the good food nation plan into the list of matters that would be considered by the rural support plan. It seems obvious to me that that should be in the bill. Given the assurances that have been given by the cabinet secretary and the comments that she has made, I will not move amendment 43.

Amendment 46 relates to land reform. I have heard what the cabinet secretary has said, but I think that she has misunderstood the aim of my amendment. Our land ownership model is regressive—that is widely understood and accepted—which is why the Parliament is considering another bill on land reform. However, it is difficult to see how land reform legislation will move the dial when other policies pop up and encourage large-scale private land ownership.

Rachael Hamilton: At this stage, I am not minded to support amendment 46, because I am concerned that the Land Reform (Scotland) Bill

has been introduced only recently and we do not know how that will play out. I am slightly worried about adding land reform to any objectives.

Rhoda Grant: I believe that the Agriculture and Rural Communities (Scotland) Bill needs to have regard to legislation in the same subject area that will impact it—and it will have a big impact on land reform.

As I said, we tend to encourage large-scale ownership in the way that we distribute agricultural funding. For example, 50 per cent of the agricultural budget goes to the top 7 per cent of recipients. To me, that seems to fly in the face of the land reform agenda. Therefore, I believe that that agenda needs to be taken into account when we are looking at how we distribute agricultural subsidies and that the subsidy system should not set up any false incentives that perpetuate our uneven distribution of land.

The other amendments in the group seem to be fair. I cannot support Rachael Hamilton's amendment 131, because I think that it is important that we follow EU policy where it is possible and where it is in our interests to do so. The EU is a competitor and it is one of our biggest markets. It is important that we continue to be able to sell into that market.

Brian Whittle (South Scotland) (Con): I have lodged amendment 44 because I believe that it would be a missed opportunity if we did not consider how the provisions of the bill would support the objectives of the forthcoming good food nation plan. I listened to the cabinet secretary and, to me, there is an assumption that the objectives of the good food nation plan will be met by the provisions of this bill. However, my amendment would create a statutory duty for ministers to ensure that the provisions of the bill support the good food nation plan and a further statutory duty to work cross-portfolio to make sure that that is delivered.

The Good Food Nation (Scotland) Act 2022 created a statutory duty on ministers to produce a national good food nation plan and lay it before the Parliament. There are similar relevant issues in this bill. Each part of the food system's supply chain plays an important role in the provision of food. A sustainable food system and supply chain can contribute to the mitigation of climate change, halt and reverse the loss of biodiversity and improve animal welfare, and high-quality, nutritious and culturally appropriate food can improve people's physical health and mental wellbeing. It is important that the food business sector continues to be a thriving part of the Scottish economy, that its supply chains are resilient and that it contributes to resilient local economies across Scotland.

My colleague Edward Mountain has proposed to shorten the period of time for the rural support plan period from five years to two years. The good food nation plan is to be reviewed every two years and revised every five years. Aligning the bill with the good food nation plan would create confidence for agricultural businesses, because it would help them to understand the Government's long-term objectives. I find it completely illogical that there would be any chance that the Agriculture and Rural Communities (Scotland) Bill and the good food nation plan would be at odds with each other. We need to link the Good Food Nation Act (Scotland) 2022 with the bill to support food producers by aligning the bill's provisions with the good food nation plan.

12:30

I do not wish to ruin the cabinet secretary's political career by saying this, but we agree on much of what is in the Good Food Nation (Scotland) Act 2022 and the Agriculture and Rural Communities (Scotland) Bill. However, we cannot assume that future Parliaments will look at the issue in as much depth as we have, so it is really important that the plan in the 2022 act is put in the bill to ensure that the bill and the 2022 act are aligned. There is no logic to not doing that.

Emma Harper: Amendment 47 would ensure that the need for sustainable food systems and supply chains to deliver food security was explicitly considered right at the heart of the rural support plan. I am pleased to hear of the cabinet secretary's support for that.

The issue of food security has gained prominence recently, given the impacts on it from conflict and climate and the interest in it among members of Parliament, stakeholders and the public. After the conflict in Ukraine started, we began to hear the term "food security" much more often, and that conflict continues to highlight the fragility of the global supply chain and of global food systems. The conflict in Ukraine has hit the agriculture sector hard, leading to some significant changes to gross margins. Input costs have risen sharply during the past 12 months, with the hike in fertiliser and fuel prices impacting agricultural businesses and increased feed costs affecting livestock margins.

I recognise that the objectives of the bill lend themselves to ensuring that consideration, but I am sure that all members must agree—

Rachael Hamilton: I am just wondering where in the objectives it is said that they relate to food security.

Emma Harper: In the overall consideration of the bill, I am suggesting that we amend the rural

support plan to explicitly put the food security issue at the heart of the plan.

Members around this table agree that it is important that food security is considered. We have heard about amendments relating to the issue earlier. Having it explicitly put at the heart of the rural support plan is something that I am sure members would agree to support, and we have heard representations for doing so. I would like to see it made explicit that food security is of paramount importance. For those reasons, I ask members to support amendment 47.

Ariane Burgess: My amendment 48 would add a matter for ministers to consider when they are preparing a rural support plan. That matter is

"the benefits of a diverse and resilient agricultural sector including small producers, tenant farmers, crofters and agricultural co-operative societies".

A diverse sector with many small farms, crofts and market gardens growing different crops, producing different food and managing land differently is far better for nature and biodiversity than fewer larger farms with less diversity. Evidence shows that, on average, smaller farms are better for climate and nature on the whole. A diverse sector with different types and sizes of farms and crofts is also better for the resilience of our food sector in a climate-changing future.

A diverse sector with support for small producers and tenant farmers would also support land reform objectives of tackling the scale and concentration of land ownership and land management. Unfortunately, it appears that the sector is currently heading in the opposite direction, as I have heard about several consolidations of farms recently. Therefore, I believe that it is worth explicitly referring in the bill to

"the benefits of a diverse and resilient ... sector".

I particularly want to highlight the benefits of a rural support plan that supports small producers to thrive. The committee's stage 1 report on the bill quotes stakeholders as saying that small producers

"are among the most productive and generate the most jobs per hectare",

that they are

"more likely to be implementing nature-based solutions"

and

"diversification",

and that small-scale horticulture and market gardens

"sequester lots of carbon, are great for biodiversity and can feed 100 families on one hectare".

Rachael Hamilton: As I have stated, I am happy to support the amendment. However, why do you think that the NFUS did not consider the proposal to be required? It said that it would not be helpful to include a list of such producers in the bill, as it could result in a negative consequence for those not listed. I do not know which types of producers the NFUS thinks would not be on the list, but did you consider that issue? I am concerned that the Government is going to agree with the NFUS, but I want to state that I think that your amendment is important.

Ariane Burgess: Supporting small producers will support the bill's four objectives. However, many small producers who are doing great work do not receive any support. That is particularly true of small-scale horticulturalists—market gardeners. The amendment should open the door to the development of a dedicated support scheme for them. That would help to ensure that Scottish farming involves more greenhouses and less greenhouse gas. I would appreciate reassurance from the cabinet secretary that the Government will explore the creation of a support scheme for small-scale growers.

Finally, in order to support a diverse sector, the Scottish Government should remove the requirement that recipients of support in payment regions 2 and 3 must maintain a certain density of livestock. That excludes many farmers, crofters and growers who do not stock livestock, and it locks others into maintaining their herd at a certain level when they might prefer to diversify into other forms of farming. That condition runs counter to Scotland's climate objectives, and to its nature objectives in many cases, so it should not be part of future support.

I will turn to other amendments in this group. The cabinet secretary's amendment 5 adds another matter to be considered by the rural support plan:

"the desirability of the agricultural sector operating with fair work principles."

As I noted previously, fair work is critically important and is a key concern for the Scottish Greens, so I am grateful to the cabinet secretary for taking on board my concerns and lodging the amendment. I will also continue discussions with the cabinet secretary about how to effectively safeguard seasonal farm workers from unfair dismissals, unfair pay and unsafe accommodation.

On Rhoda Grant's amendment 43 and Brian Whittle's amendment 44, I fully support the principle of joining up agricultural policy with food systems policy in the Good Food Nation (Scotland) Act 2022 and associated plans. I heard the cabinet secretary's assurance that that is unnecessary because the 2022 act already

requires that, but, in that case, I do not see the harm in explicitly stating that in the legislation that we are considering today, as a reminder to policy makers and officials in the agriculture directorate.

I support Emma Harper's amendment 47, which highlights the need for sustainable food systems and supply chains in delivering food security. Those factors are essential ingredients of true food security.

I also support Colin Smyth's amendment 49, which would require ministers to consult with relevant bodies, including the Climate Change Committee and NatureScot, when developing the rural support plan. I heard the cabinet secretary's comments on that and on the request to work together.

Colin Smyth: As I indicated, amendment 130 is linked to the success of previous amendments that are not supported by the committee, so I will withdraw it.

On the other amendments, I note that my name is next to amendment 42 as a supporter, and I note that I lodged a similar amendment. I hope that the committee will agree to add biodiversity to the list of objectives, as that is incredibly important.

On my amendment 45, the cabinet secretary has assumed that certain decisions would be made, but the reality is that those decisions would still be entirely in the hands of ministers, and ministers would simply have to have regard to other sources of funding when making particular decisions. The aim of the amendment is to avoid duplication of funding in order to get best value for the public pound, but it could also give scope for adding value by, for example, enabling match funding from other sources to increase the scope and scale of projects. I believe that that is something that should be considered.

On amendment 49, I take on board the commitment from the cabinet secretary to bring forward proposals on improving consultation, so I will not move the amendment when the time comes for me to do so, but I reserve the right to bring the matter back at stage 3 if those proposals do not go far enough. I hope that, in developing the proposals, the cabinet secretary considers carefully the expert bodies that I have listed in my amendment.

Amendment 130, by agreement, withdrawn.

Amendment 4 moved—[Mairi Gougeon]—and agreed to.

Amendment 42 moved—[Elena Whitham]—and agreed to.

Amendment 131 moved—[Rachael Hamilton].

The Convener: The question is, that amendment 131 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Grant, Rhoda (Highlands and Islands) (Lab)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 2, Against 7, Abstentions 0.

Amendment 131 disagreed to.

Amendment 5 moved—[Mairi Gougeon].

The Convener: The question is, that amendment 5 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Grant, Rhoda (Highlands and Islands) (Lab)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Carson, Finlay (Galloway and West Dumfries) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

The Convener: The result of the division is: For 7, Against 2, Abstentions 0.

Amendment 5 agreed to.

Amendment 43 not moved.

Amendment 44 moved—[Brian Whittle].

The Convener: The question is, that amendment 44 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Burgess, Ariane (Highlands and Islands) (Green)
Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 5, Against 4, Abstentions 0.

Amendment 44 agreed to.

Amendment 45 moved—[Colin Smyth].

The Convener: The question is, that amendment 45 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Grant, Rhoda (Highlands and Islands) (Lab)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)
Carson, Finlay (Galloway and West Dumfries) (Con)

The Convener: The result of the division is: For 1, Against 8, Abstentions 0.

Amendment 45 disagreed to.

Amendment 46 moved—[Rhoda Grant].

The Convener: The question is, that amendment 46 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Burgess, Ariane (Highlands and Islands) (Green)
Grant, Rhoda (Highlands and Islands) (Lab)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 2, Against 7, Abstentions 0.

Amendment 46 disagreed to.

Amendment 47 moved—[Emma Harper]—and agreed to.

Amendment 48 moved—[Ariane Burgess]—and agreed to.

Amendment 49 not moved.

Section 3, as amended, agreed to.

12:45

After section 3

The Convener: I am minded to move on to complete the next group, unless there are any objections.

Amendment 132, in the name of Rachael Hamilton, is grouped with amendments 139, 156, 168, 77, 172, 184, 87 and 90. If amendment 77 is agreed to, I cannot call amendment 174 due to pre-emption.

Rachael Hamilton: Amendment 132 would require ministers to publish a timetable for regulations—including information on what regulations are planned for the following two years, when any draft regulations will be published, whether any regulations are to be introduced as a package, and any other relevant information. This important amendment is designed to improve parliamentary scrutiny by ensuring that the Parliament is aware of, and given the opportunity to scrutinise effectively, upcoming suites of secondary legislation. In its stage 1 report, the committee called on the Scottish Government

“to keep it updated on the number of instruments, policy detail and timetable for the secondary legislation over the course of 2024 and 2025.”

Amendments 139, 168, 172 and 184, which were lodged by Tim Eagle, amendment 156, which was lodged by Beatrice Wishart, and amendments 77, 87 and 90, which were lodged by Rhoda Grant, seek to strengthen the Parliament’s ability to scrutinise the bill by confirming that regulations in the bill will fall under the affirmative procedure.

I move amendment 132.

The Convener: I point out that, if amendment 77 is agreed to, I cannot call amendment 172—rather than amendment 174—due to pre-emption. That is a correction.

Tim Eagle: Amendment 139 picks up on the concerns that were highlighted by the Delegated Powers and Law Reform Committee at stage 1. That committee said:

“The Committee notes that it is being asked to consider this power in absence of the rural support plan which is to contain information about the expected use of the powers conferred by this provision. In light of the absence of detail, and the fact that this power is a Henry VIII power, the Committee recommends that this power should be subject to the affirmative procedure.”

Amendment 139 therefore seeks to ensure that any regulations that are made under section 4 are subject to the affirmative procedure, to reflect that such regulations would modify primary legislation.

Similarly, amendment 168 seeks to strengthen the parliamentary process for section 10, moving it from the negative to the affirmative procedure, as does amendment 172 for section 13, which is on regulations about support and gives the Scottish Government the power to make regulations on administrative matters, eligibility and the enforcement of support for a particular purpose. At stage 1, concerns were raised by the Delegated Powers and Law Reform Committee and stakeholders that section 13 would vary between the negative and the affirmative procedure. Amendment 172 proposes to move all regulations to the affirmative procedure.

On all of that, given that the overall package of support could be several billions of pounds and we do not have the detail, there needs to be enhanced parliamentary scrutiny.

Beatrice Wishart: Amendment 156, which is in my name, would require regulations on section 7 guidance to be subject to the affirmative procedure. The importance of that guidance merits that higher level of scrutiny. I ask members to support my amendment.

Rhoda Grant: My amendment 77 would ensure that regulations regarding the provision of support are made under the affirmative procedure. I believe that, when we pass enabling legislation, the subsequent secondary legislation must be scrutinised.

Amendment 87 would ensure that the code of practice on sustainable and regenerative agriculture is subject to affirmative procedures for that same reason; as is the case for amendment 90, on regulations for continuing professional development.

All those amendments would ensure parliamentary scrutiny on regulations and ensure that ministers consulted before regulating in those areas.

Other amendments in the group seek to increase the scrutiny of the legislation that will flow from the bill, and I am supportive of that. Tim Eagle’s amendment 172 is like my amendment 77, but I believe that mine is the better amendment.

Mairi Gougeon: I appreciate the concerns that members have set out regarding the level of scrutiny of some of the enabling powers in the bill and the desire to see more details about our intentions to bring forward the secondary legislation. I am also grateful for the report of the Delegated Powers and Law Reform Committee, which broadly supported the proposed procedural

treatment for legislation to be brought forward under the bill.

Amendment 132 would require the Scottish ministers to publish a timetable and further details of regulations made under the act as “soon as practicable” after royal assent. I have spoken at length, today and in the stage 1 debate, about my commitment to co-developing future schemes, and I would not want to pre-empt or rush that co-development in order to publish such a timetable.

The agricultural route map, which was updated earlier this year, outlines the support that remains available to continue to provide stability for farmers and crofters as that future support is co-designed. It also provides information and guidance on the phased approach to introducing the new support framework and on when the industry can expect new support to be made available. I will, of course, continue to update the route map as we move through that process.

It would also be my intention to provide Parliament with as much information and notice as possible on many of the proposed statutory instruments at various points once the bill is passed. I understand completely the need to enable Parliament and its committees to prepare their work programmes, and I do not think that surprises in relation to that work would be in anybody’s interest. I hope that that reassures members and encourages them not to support the amendment.

In relation to amendment 139, the bill is a framework bill and we expect to make a significant number of regulations during the delivery phase. An affirmative instrument would require significantly more resource and support than a negative one, and scrutiny for the enabling powers in the bill has been set at a level that will help us to deliver the substantial change that is needed.

Any change to the list of purposes of the bill is expected to be modest in scope and to come about following engagement with the sector and stakeholders as part of the co-design process of future schemes, which, as I continue to reiterate, we are fully committed to. Therefore, I still consider that it would be proportionate for that power to be subject to the negative procedure, so I do not support Tim Eagle’s amendment 139.

Section 7 provides for ministers to be able to make negative regulations about guidance—for example, requiring that specified guidance is laid before Parliament, or that decision makers must have regard to particular guidance. Amendment 156 would require any regulations that are made under section 7 to be subject to the affirmative procedure. I do not think that that would be proportionate, particularly in the case of minor

changes to guidance. I therefore ask the committee to reject amendment 156.

Tim Eagle’s amendment 168 would change the parliamentary procedure for regulations that are made under section 10 from negative to affirmative. The circumstances in which it might be appropriate to refuse or recover support vary widely. For example, it might be appropriate to refuse support to a person with a relevant conviction, such as in relation to support of livestock activities where the person has been convicted of an animal cruelty offences. When ministers make regulations for such purposes, it is important that we do so timeously and without delay, as facts and events emerge. It is vital that we ensure that public funds are being appropriately allocated, but we also recognise that refusal or recovery of funds can have a significant impact on a business. It is important that the regulations on refusal and recovery of funds receive appropriate scrutiny, but I am confident that our commitment to transparent decision making ensures that the negative procedure is still suitable here. Given that, I urge the committee to reject the amendment.

Section 13 of the bill is the main power under which regulations about support will be made. I expect there to be a considerable number of regulations that are made under that power and regulations that are made and thereafter adjusted in light of experience and changing circumstances. Therefore, the procedure in the bill is what is sometimes described as an “either-way power”, which allows for the procedure for scrutiny to be chosen according to the significance, or otherwise, of what is to be done. That is designed to ensure that the valuable time of Parliament is utilised in an appropriate and proportionate way.

Rhoda Grant’s amendment 77 would require any change by regulation, no matter how minor, to be subject to the affirmative procedure. The amendment does not provide for any proportionality in relation to the scale of a change that might be made, and the Delegated Powers and Law Reform Committee in particular agreed that that power should be an either-way power. For that reason, I ask the committee not to support that amendment.

Amendment 172 would make all regulations under section 13, which relate to administrative matters, eligibility and enforcement, subject to the affirmative procedure. I think that it would also remove proportionality and bring minor administrative changes into scope. Section 13(5) of the bill as drafted sets out what significant provisions would require the affirmative procedure. As I believe that approach to be proportionate and sensible, I encourage the committee not to support Tim Eagle’s amendment 172.

Amendment 184 would change the procedure to affirmative for any regulations made under section 18 for the processing of information. It is worth noting that, in its report, which was published in January, the Delegated Powers and Law Reform Committee accepted the choice of negative procedure for section 18 regulations, agreeing with our choice of procedure and our reasons for that choice as stated in our delegated powers memorandum. The negative procedure is the appropriate procedure, as the power in this section will be exercised only for the purpose of ensuring that information used for administrative purposes and information that is shared when there is a public interest in doing so is processed lawfully. The appropriate privacy impact assessments will be carried out and there will, in particular, be consultation with the Information Commissioner's Office. We consider the negative procedure to be appropriate in this case, as it will provide a suitable level of scrutiny in respect of regulations made under the power. For that reason, I ask the committee not to support amendment 184.

On amendment 87, the bill places a duty on Scottish ministers to prepare and publish a code of practice on sustainable and regenerative agriculture. The code meets stakeholder expectation to provide a clearer understanding of the breadth of regenerative practice, and it will be a guidance document to assist in the delivery of sustainable and regenerative agriculture. It is separate from any conditionality that is linked to support, and it is not intended to be a form of regulation or enforcement. Instead, it will provide helpful guidance that can be readily updated to help farmers, crofters and land managers to adopt a range of sustainable and regenerative practices.

There is a duty on Scottish ministers, prior to publication, to lay any code or revised code before Parliament and to ensure that Parliament is able to see and comment on the code. Amendment 87, when read with amendment 84, which is in a later group, would make the code a regulation subject to the affirmative procedure, which would significantly change the nature of the guidance. It is inappropriate for material of such nature to be in a statutory instrument let alone to have such regulation subject to the affirmative procedure. I therefore ask the committee not to support amendment 87.

On amendment 90, earlier in the year, the Delegated Powers and Law Reform Committee considered the parliamentary procedure to be used in the bill, including in section 27(1), and its subsequent report indicated that it was content for section 27 to be subject to the negative procedure. The Scottish Government's response highlighted, among other things, our intention to co-design a CPD regime with stakeholders. We have already commenced that process with an informal

consultation on an agricultural knowledge and innovation system, which includes CPD, and we plan to consult formally on the CPD regime next year. That will ensure that the CPD regime works for industry and that it is appropriate, proportionate and adds value. Regulations brought under section 27(1) will accordingly be informed by a significant amount of stakeholder input and are often likely to involve technical and detailed matters. In the light of those points, and our agreement with the Delegated Powers and Law Reform Committee's assessment of the procedure, I ask committee members not to support Rhoda Grant's amendment 90.

The Convener: I call Rachael Hamilton to wind up and indicate whether she wishes to press or withdraw amendment 132.

Rachael Hamilton: Just to summarise, I am again disappointed that the Government is not willing to give Parliament the opportunity to scrutinise effectively the upcoming suites of secondary legislation, particularly in relation to my amendment. I appreciate the cabinet secretary's comment that she wants to co-develop any future schemes, but we have waited more than six years for this bill to come to fruition. Farmers have been waiting, but movement has been snail paced and glacial. If we do not struggle, we will not make any progress.

We have come forward with these amendments after listening to evidence from people wanting us to consider the affirmative rather than the negative procedure. We have listened to people. I am just very disappointed, and I will continue to support all the amendments in the group.

I press amendment 132.

The Convener: The question is, that amendment 132 be agreed to. Are we all agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

The Convener: The result of the division is: For 4, Against 5, Abstentions 0.

Amendment 132 disagreed to.

13:00

The Convener: Amendment 133, in the name of Rachael Hamilton, is in a group on its own.

Rachael Hamilton: Amendment 133 would create a rural community wealth fund to provide funding for projects in rural Scotland on an application-by-application basis.

Rural communities have been tagged on to this bill as an afterthought by the Scottish Government. It was noted in the committee's stage 1 report that

"the Scottish Government should be more explicit about the ways in which financial support would be used to develop rural communities".

If the SNP is serious about supporting rural communities in the bill, it must ensure that the resources are there to provide the housing, transport, local day-to-day services and connectivity that will encourage people to move and work in local areas.

I move amendment 133.

Mairi Gougeon: I fundamentally disagree with what Rachael Hamilton has just said with regard to our support for rural communities. We are absolutely committed to that.

The amendment seeks to create a statutory requirement to establish and run a rural community wealth fund that would fund rural projects, and it leaves it to ministers to decide what the fund would be for and who would receive support. However, part 4 of schedule 1 to the bill already provides for powers to support rural communities and the rural economy, while section 4 already enables ministers to add, remove or modify any of the purposes for support set out in schedule 1. As a result, the amendment adds nothing new to those powers and provisions, and it is not needed.

I am proud that the Scottish Government already provides important support for rural communities through a range of programmes, such as community-led local development, the Scottish Rural Network and Scottish Rural Action, which do vital and important work in our communities across Scotland. It is fully my intention that support for rural communities will continue into the future through the powers that the bill provides, and in order to determine what that support might look like and to learn from current schemes, we will undertake a review and set out details of future proposals after the bill is enacted. I therefore urge the committee not to support amendment 133.

Rachael Hamilton: The Scottish Government believes that we should put our trust in it to address all the issues that everybody is concerned about. We have heard from farmers, stakeholders, those in the supply chain, those who are

concerned about climate change and those who have pointed out that local people do not have enough affordable local housing to allow them to stay in the areas where they work and live, do not have access to connectivity and do not have access to, say, bus transport to let them get to work and other places. We have heard that this Government has been letting them down. This amendment explicitly sets out that, as part of this agriculture and rural communities bill, a fund should be set up to deal with those issues where rural and island communities have been let down.

I press amendment 133.

The Convener: The question is, that amendment 133 be agreed to. Are we all agreed?

Members: No.

The Convener: There will be a division.

For

Carson, Finlay (Galloway and West Dumfries) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Harper, Emma (South Scotland) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 133 disagreed to.

The Convener: I will bring proceedings to a close for the moment. I thank the cabinet secretary and her officials for attending today. That concludes our business, and I close the meeting.

Meeting closed at 13:03.

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