



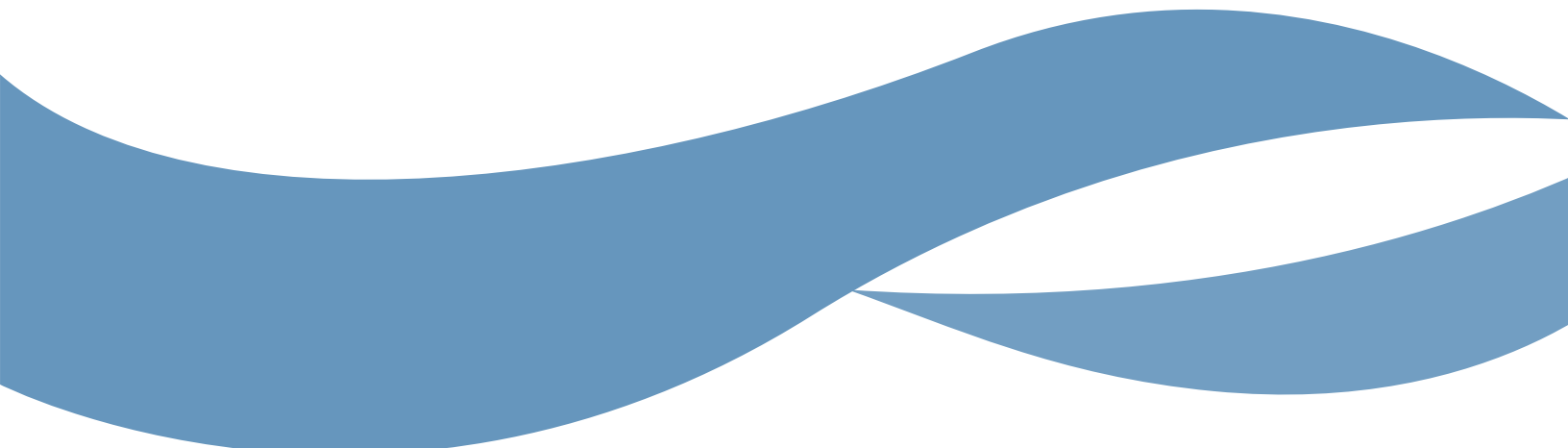
Agriculture Bill

House of Lords Committee Stage Briefing

6th July 2020

About Scottish Land & Estates

At Scottish Land & Estates (SLE) our work helps to ensure that rural Scotland thrives. We are a membership organisation for landowners, rural businesses, and rural professionals. We promote the wide range of benefits land-based businesses provide: tourist attractions, leisure facilities and landscapes enjoyed by the public, as well as housing, employment, tourism & enterprise and farming opportunities. We represent the interests of our members and wider rural Scotland to the UK and Scottish Governments to help ensure that policy and legislation reflects the unique requirements of rural Scotland and its communities.



Summary

[#Route2050](#) sets out our priorities for future rural investment and reward. SLE is in an almost unique position, with members involved in a range of sectors including agriculture, forestry, housing, & tourism. Each of these require high standards of land management and each is reliant on the other to deliver their full potential. Agriculture is of course devolved, and we are clear that Scotland must be able to meet its policy objectives on its own terms.

Which is why the development of common frameworks that respect the devolution and Scotland's autonomy is so crucial. We believe that rural businesses will underpin increased societal and environmental wellbeing throughout Scotland and the UK, along with the direct creation of jobs and the indirect increase in opportunities for product and service provisions. What seems clear is that if it is managed in an integrated way, the land can deliver more in the way of outcomes to society.

We have chosen to comment on amendments which specifically relate to Scotland.

We recommend members of the House of Lords vote on the following amendments, listed in the order they will be debated, as follows:

Support Amendment No. 66 on *Financial Assistance to support the development of frameworks*

Support Amendments 160, 163 and 164 on *Food Security*

Support Amendments 209 and 210 on *Traceability of Livestock*

Support Amendments No. 264, 267, 268 on *WTO Agreement on Agriculture*

Support Amendments No. 271, 276, 279 on *Trade and Standards*

Support Amendments No. 291, 291 on *Engagement and Frameworks*

Part 1, Chapter 1: Financial Assistance to support the development of frameworks (Amendment No. 66)

We support Amendment No. 66 by Lord Wigley

There is a clear need to support co-operation between the 4 nations. We have strongly advocated for the development of common frameworks to ensure a strong internal market.

Part 2, Chapter 1: Food Security (Amendment No's 160, 163, 164)

We support Amendment No. 160 by Baroness Jones of Whitchurch, Lord Grantchester, Baroness Bakewell of Hardington Mandeville and Lord Judd

We welcome the inclusion of food security in this bill and agree that more frequent reporting will enable the government to understand the situation more clearly.

We support Amendment No. 163 by Lord Hodgson of Astley Abbots

This amendment provides an opportunity for government to detail any necessary proposed changes to policy in light of the food security situation and government intention.

We support Amendment No. 164 by Lord Hain

We agree the sections and thinking in relation to devolved administrations should be shared with them to provide an opportunity for cooperative working.

Part 4: Clause 32 Traceability of Livestock (Amendment No's. 209, 210)

We support Amendment No. 209 by Lord Gardiner of Kimble

This amendment ensures devolved administrations are consulted on any assigned function to a body and must give their approval.

We support Amendment No. 210 by Lord Campbell-Savours

We agree that there should be consultation with necessary stakeholders before this new scheme is established.

Part 6: WTO Agreement on Agriculture (Amendment No. 264, 267, 268)

We support Amendment No. 264 by Lord Foulkes of Cumnock and Baroness McIntosh of Pickering

This amendment would impose a duty on the Secretary of State to consult with relevant stakeholders, and we agree with this improvement to the bill.

We support Amendment No. 267 by Lord Hope of Craighead, Lord Bruce of Bennachie, Lord Wigley and Lord Wallace of Tankerness

SLE would like to see clarity on the agreement and consultation process between the Secretary of State and devolved authorities to ensure that decisions are not forced upon them without due consideration of their impact. This amendment ensures there is consultation.

We support Amendment No. 268 by Lord Gardiner of Kimble

We agree with the reasoning in the amendment paper.

Food Standards and Trade (Amendment No. 271, 276, 279)

We support Amendment No. 271 by Lord Grantchester, Lord Cameron of Dillington, Baroness Hodgson of Abinger and Baroness Bakewell of Hardington Mandeville and we support Amendment No. 276 by Lord Hain

We would like to see the UK Government ensure that trade in agri-food products is as free as possible with our principal markets. **In the event of disrupted trade supply routes, public procurement should stipulate the use of domestic produce to enhance the potential for supply in our domestic markets.** This can be done without contravening the WTO Agreement on Agriculture.

Scotland's producers need guarantees from the UK Government that domestic production and environmental standards are upheld as part of future international trade deals. Our extremely high environmental and food safety standards are amongst our key selling points, and this must be protected after we leave the EU to ensure we do not find ourselves in a 'race to the bottom'. As a responsible nation, Scotland must ensure it does not export its farming function to other countries, particularly where environmental, animal health and food safety is not guaranteed.

We support Amendment No. 279 by Lord Curry of Kirkhale and Lord Wallace of Tankerness

The establishment of a Trade, Food and Farming Standards Commission creates an opportunity to ensure our domestic production standards and those of the food we import are not at odds. As we embark on negotiating trade deals, it is hugely disappointing that the UK Government have not fully embraced the opportunity to enshrine a commitment to preventing substandard imports undercutting domestic food produced to high British farming standards. This issue has united farming, consumer, environmental and animal welfare organisations and codifying the commitment in law would strengthen the government's hand in trade talks and create a line that could not be deviated from.

If this is not addressed, we face a very real prospect of British farming being undermined by imported food which can be produced to a standard which would be unacceptable, disproportionately cheaper and illegal in the UK. All we ask for is a level playing field.

Engagement with Devolved Administrations and Frameworks (Amendment No. 290, 291)

We support Amendment No. 290 by Baroness Jones of Whitchurch

SLE would like to see clarity on the agreement and consultation process between the Secretary of State and devolved authorities to ensure that decisions are not forced upon them without due consideration of their impact. This amendment would go a considerable way to ensuring a consultation process that is fair and equitable. Considering the differences in land use, productivity potential and policy across the United Kingdom, it is right that there be a mechanism to ensure any impact of policy changes can be evaluated. Allocation of funding could be part of this process. We continue to be of the opinion that this bill presents an opportunity to embed the principles of fair funding for inter-UK allocation, as detailed in [Lord Bew's Review](#). The current method by which funding is allocated throughout the UK is somewhat of a mystery surrounded by historical precedence. Now is the time to add some transparency to the methodology of how any budget would be allocated, this can be done without binding future governments.

Within the review recommendations there was reference to the allocation of funding, whilst funding beyond 2022 was outside the scope of this review, the recommendations certainly align with the appetite of stakeholders:

“We suggest UK government Ministers consider engaging collectively with their devolved administration counterparts to agree some principles for the initial 2022 intra-UK allocation of agriculture funding, whatever the mechanism for managing the consequences of subsequent changes to that funding. Ministers should try to avoid giving farmers in any one part of the UK an unfair competitive advantage when deciding future allocations.”

“We advocate including in those principles a recognition both of the social value of upland farming in particular and the challenges facing those practising it, and of the potential for delivering environmental public goods alongside sustainable food production, wherever in the UK that potential exists.”

We support Amendment No. 291 by Lord Wigley

This amendment would establish a UK framework for agriculture. The Scottish agricultural sector has similarities and differences with every country in the United Kingdom. However, even if the detail of delivering policies is different, it will be important that there is a common policy framework across the UK. One which ensures there are no barriers to trade or broad difference in welfare standards. Any UK

policy or framework has to be created with equal collaboration across all of the devolved administrations.

SLE welcomed the agreement between the UK government and devolved administrations on the principles that will underpin the creation of common frameworks. The UK Government's updated [Frameworks Analysis Document](#) clearly shows the areas and level of action required in the development of common frameworks. Frameworks will be needed across a broad range of policy activity. Whilst agriculture and rural development are devolved, at present Scotland does not have absolute control because the framework within which Scottish decisions are made is set by the Common Agricultural Policy at the EU level. Scotland is able to tailor implementation of the policy, not decide on its own policy. We accept this situation because the CAP provides the policy consistency across the EU that allows trade, from which we benefit. An over-arching policy framework provides a degree of consistency, for example on the level to which farmers are subsidised, so that there is a level playing field that enables open markets. We agree to cede some sovereignty in decision-making because we gain something in return: we gain the ability to trade without infringement or additional cost.

For more detailed information

Eleanor Kay

Policy Adviser (Agriculture)

✉: Eleanor.kay@scottishlandandestates.co.uk

☎: 07483054293