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Dear Edward,

DEFRA AND DEVOLVED ADMINISTRATIONS MINISTERIAL MEETINGS

This letter updates the Committee on key points arising from the Defra and Devolved Administrations Ministerial meetings held on 26 February and 26 March 2018.

At both meetings, we expressed our on-going commitment to a four-nation approach and noted our concern at the lack of action by the UK Government, the continued lack of certainty over future funding, and our desire to work collaboratively to set a high ambition across the UK over future environmental standards. We stressed that with one year to go, the sharing of information on joint interests must be improved.

Meeting held on 26 February 2018

The meeting on 26 February was held in Cardiff and attendees included Michael Gove, Secretary of State for Environment, Food and Rural Affairs (in the chair), Shailesh Vara Parliamentary Under-Secretary (Northern Ireland Office), and Lesley Griffiths, Cabinet Secretary for Energy, Planning and Rural Affairs, Welsh Government. The Northern Ireland Executive was represented by officials.

The main items discussed were frameworks, Defra's proposals for Agriculture and Fisheries Bills, environmental ambitions, environmental governance and funding.

On frameworks, we welcomed the constructive joint work to date but stressed that this was without prejudice to Scottish Government's position on the EU (Withdrawal) Bill where the UK Government position remained unacceptable to the Scottish Government. Mr Ewing stressed the need for clarity on future funding. Frameworks could not be agreed without those two elements – powers and funding – being resolved.

As at previous meetings, we requested an update from Defra on its proposed Agriculture and Fisheries Bills, given the on-going lack of effective engagement on Defra's plans. On agriculture, there was discussion on the UK government consultation paper on future policy

which was subsequently published the following day. We noted there were unique challenges in Scotland such as land abandonment and rural depopulation which confirmed why Scotland needed full freedom of decision-making. We observed that income support would almost certainly continue to exist in the EU-27, whose farmers would be competing with UK farmers, and that removing such support would be catastrophic in Scotland.

On fisheries and marine matters, we expressed continuing concerns in key areas of devolved responsibility such as discards and the marine environment, and made clear that Defra must share more detail with the Devolved Administrations on their intentions. We also noted the scope for Scottish Government to provide a lead in these areas within the UK given the size of our fishing industry and our associated experience and expertise.

Ms Cunningham led a discussion on the potential for a joint statement to set out collective ambition on environmental policy. On environmental governance, we noted that advice for Scotland had been commissioned from our Roundtable on Environment and Climate Change. We stressed the need to clearly identify the potential governance gaps that may be caused by the UK Government's decision for the UK to exit the EU and to consider a range of options to address those gaps, taking into account specific circumstances and existing arrangements in Scotland, including Scotland's separate legal system. We again asked for details and timing of Mr Gove's intended consultation on environmental governance and any potential UK Government Environment Bill.

On funding, we noted that it was of increasing concern that UK Government and HM Treasury had not answered the Devolved Administrations' questions in relation to funding guarantees. We stated that we would write with more detailed questions. We stressed that promises made by current UK Government Ministers during the EU referendum campaign, to replace all lost EU funding over the longer term, must be honoured and that a long transition period would be desirable. We also pointed out the significance of losing EU funding also in areas where the sums were smaller than in agriculture and fisheries but the potential impact was still great, for example for environmental outcomes, the circular economy, and for our research institutes.

Meeting held on 26 March 2018

The Cabinet Secretary for the Rural Economy and Connectivity attended the meeting on 26 March in Cardiff. Attendees included George Eustice, Minister of State for Agriculture, Fisheries and Food, and Lesley Griffiths, Cabinet Secretary for Energy, Planning and Rural Affairs, Welsh Government. The Northern Ireland Executive was represented by officials.

The main items discussed were the European Council meeting on 22-23 March; the UK Government's proposed Fisheries Bill; environmental ambitions; and frameworks and funding.

On the European Council meeting on 22 and 23 March, Mr Ewing noted that generally Scottish Government supported a transition period to minimise damaging uncertainty after EU exit, and welcomed being in the Single Market and the Customs Union during that period. However, Mr Ewing stated that the implications of the 23 March draft legal text for fisheries that "existing reciprocal access to fishing waters and resources should be maintained" had understandably met with a strong negative reaction in Scotland's fishing communities. Mr Ewing said that the Scottish Government expected that the promises made by the UK Government would be delivered. He also noted that there was a good record of joint working between Defra and Scottish Government in the previous two annual rounds of

EU fisheries negotiations and Scottish Government wished to see the same level of access and collaboration continue.

On Defra's proposed Fisheries Bill, Mr Ewing pressed for early and complete sight of Defra's forthcoming White Paper on fisheries and its Fisheries Bill.

On environmental ambitions, we noted our desire to see a high level of ambition on environmental standards and that any collective statement made in the future should reflect the Scottish Government's position that any future frameworks should be agreed, and not imposed, across the UK.

On frameworks, we stated our disappointment that the UK Government had recently published a list of 24 areas within Defra's remit in which it thought that frameworks would be needed, which appeared not to take into account the work at official level between Defra and the devolved administrations.

On funding, on 25 March, Mr Ewing, Ms Cunningham and Ms Griffiths had jointly written to Mr Gove again seeking clarification on the UK Government's intentions on funding, pressing for the early establishment, as previously agreed, of an official level group on funding, and listing some of the questions they wished the group to address on CAP, EMFF, LIFE, Horizon 2020 and Interreg. Mr Ewing stressed that the Scottish Government position remained that all lost EU funding must be replaced in full after Brexit.

At both the February and March meetings Mr Ewing also asked for information on the UK government's reported proposals for a seasonal agricultural workers scheme. Mr Ewing noted that farmers are already struggling to find adequate labour, with a recent report finding a 10-15% shortage last year.

We will both attend the next Defra and DA Ministerial meeting to be held in Edinburgh on 14 May 2018.

We hope this summary is helpful. A letter to the Convener of the Environment, Climate Change and Land Reform Committee in similar terms has also been issued.

Yours,



FERGUS EWING



ROSEANNA CUNNINGHAM