24 September 2018

Dear Ken,

I am writing to let you know that the Scottish Government is considering whether a Legislative Consent Memorandum (LCM) is required in respect of the UK Government Agriculture Bill.

Scottish Parliament Standing Orders provide that an LCM should normally be lodged with the Scottish Parliament two working weeks after the introduction of the Bill in Westminster. In the case of this Bill, that deadline would be 26 September 2018.

The Agriculture Bill grants powers in England to create a new policy to replace the EU Common Agricultural Policy (CAP) after the UK leaves the EU, and to manage the transition between the CAP and this new policy, and grants similar powers for Wales and Northern Ireland, at their request. It also includes provisions that apply to the whole of the UK.

The Scottish Government only received the final text of the Bill the evening prior to its introduction and currently remains in dialogue with Defra regarding the position on consent and the potential impact of the provisions.

I am afraid that on this occasion we will not therefore be in a position to table a Memorandum by the 26 September 2018.
I am copying this letter to Michael Russell, Cabinet Secretary for Government Business and Constitutional Relations and Fergus Ewing, Cabinet Secretary for the Rural Economy.

Kind regards

Graeme Dey