



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

RURAL AFFAIRS, CLIMATE CHANGE AND ENVIRONMENT COMMITTEE

Wednesday 11 November 2015

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CONTENTS

	Col.
DECISION ON TAKING BUSINESS IN PRIVATE	1
SUBORDINATE LEGISLATION.....	2
Private and Public Water Supplies (Miscellaneous Amendments) (Scotland) Regulations 2015 (SSI 2015/346).....	2
Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015 (SSI 2015/347)	2
PARIS 2015: 21ST CONFERENCE OF THE PARTIES	5
AGRICULTURAL HOLDINGS (SCOTLAND) ACT 2003 REMEDIAL ORDER 2014 (MEDIATION AND COMPENSATION PROCESS)	27

RURAL AFFAIRS, CLIMATE CHANGE AND ENVIRONMENT COMMITTEE
34th Meeting 2015, Session 4

CONVENER

*Rob Gibson (Caithness, Sutherland and Ross) (SNP)

DEPUTY CONVENER

*Graeme Dey (Angus South) (SNP)

COMMITTEE MEMBERS

*Claudia Beamish (South Scotland) (Lab)

*Sarah Boyack (Lothian) (Lab)

*Alex Fergusson (Galloway and West Dumfries) (Con)

*Jim Hume (South Scotland) (LD)

Angus MacDonald (Falkirk East) (SNP)

*Michael Russell (Argyll and Bute) (SNP)

*Dave Thompson (Skye, Lochaber and Badenoch) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Christian Allard (North East Scotland) (SNP) (Committee Substitute)

Gavin Barrie (Scottish Government)

John Ireland (Scottish Government)

Aileen McLeod (Minister for Environment, Climate Change and Land Reform)

CLERK TO THE COMMITTEE

Lynn Tullis

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Rural Affairs, Climate Change and Environment Committee

Wednesday 11 November 2015

[The Convener opened the meeting at 10:15]

Decision on Taking Business in Private

The Convener (Rob Gibson): Good morning everybody, and welcome to the 34th meeting of 2015 of the Rural Affairs, Climate Change and Environment Committee. I remind those who are present that mobile phones should be in silent mode. Committee members use tablets, as papers are provided in digital format. We have apologies from Angus MacDonald, but we are joined by Christian Allard as his substitute.

I remind members and those in the gallery that the committee will be suspended between 10:50 and 11:10 in order to allow people to attend the remembrance day ceremony that is being held in the garden lobby. The agenda has been amended for the period after the suspension. A new agenda item 4, on the Agricultural Holdings (Scotland) Act 2003 Remedial Order 2014 mediation and compensation process, will give an update on the case of Andrew Stoddart.

Agenda item 1 is to consider whether to take in private what is now item 5, which is consideration of the evidence that we will hear this morning from the minister on the Paris 2015 United Nations Framework Convention on Climate Change conference of parties 21 or COP21. Are we agreed on that?

Members indicated agreement.

Subordinate Legislation

Private and Public Water Supplies (Miscellaneous Amendments) (Scotland) Regulations 2015 (SSI 2015/346)

Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015 (SSI 2015/347)

10:16

The Convener: Agenda item 2 is to consider two negative instruments. As members will recall, the committee has agreed as part of its work programme to write to public sector bodies regarding their experiences of reporting in the trial year, with a view to considering the issue as part of its legacy work in early 2016. I refer members to paper RACCE/S4/15/34/1. Are there any comments?

Michael Russell (Argyll and Bute) (SNP): I want to comment on the Private and Public Water Supplies (Miscellaneous Amendments) (Scotland) Regulations 2015. I declare an interest in that I used to have a private water supply—I know that other committee members have private water supplies—and I represent quite a number of people who have private water supplies, which are quite common in rural Scotland.

I would like to have answers on four issues, which we could perhaps seek from the Scottish Government. First, who will be affected? Our briefing document talks about businesses being affected, but I want to know about how individuals will be affected, because I suspect that many individuals will be affected. Secondly, who was consulted? The document speaks of local authorities being consulted. I want to know whether individual users were consulted. Thirdly, what is the total number of extant private water supplies in Scotland? That is important. Finally, what resources are available to help people who have private water supplies to adapt in the light of the proposed changes?

For example, although I do not think that it is terribly onerous to filter a private water supply, I suspect that it is very difficult to remove radon from such a supply. I presume that in circumstances where radon is found, the private supply has to cease. In that case, people would then have to connect to the mains, which, in some cases, would be impossible; in other cases, that would be extremely expensive. We need more information about the regulation. I was told that the minister would not be responding on the issue, but as she has responsibility for private water

supplies, she now knows the questions that will be asked. Perhaps we could get information on them.

The Convener: We will write to the minister about that.

Christian Allard (North East Scotland) (SNP): I am delighted that the committee will write to the minister about the regulation. On radon in particular, we perhaps need her reassurance about the decision that a threshold will not be phased as Scottish Water has asked for it to be.

Claudia Beamish (South Scotland) (Lab): My question is on the Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015.

The Convener: We will come to that order in a moment. There are no more questions on SSI 2015/346 on water supplies, and we will write to the minister about the points that have been raised.

We will move on to SSI 2015/347, on climate change reporting requirements for public bodies.

Claudia Beamish: My question is in relation to the financial effects of the SSI. The business and regulatory impact assessment for SSI 2015/347 says that

“No significant additional financial impact is foreseen as most of these bodies already report broadly equivalent information on a voluntary basis.”

I was surprised by that because I know—from evidence that we have taken and from having represented the committee as an observer on the public sector climate leaders forum—that some listed public sector bodies are much further down the road on reporting than others. The costs of catching up might have significant implications.

Also, as the committee heard previously when we were taking evidence, the cost of peer assessment could well be somewhat onerous—especially for some of the smaller bodies that are listed. I would like those points to be raised.

Sarah Boyack (Lothian) (Lab): To follow on from that point, clearly a lot of lessons have been learned from the voluntary efforts of the public sector agencies that have started to address the issue. Having been to a public sector climate leaders forums on behalf of the committee as substitute for Claudia Beamish and after hearing evidence to the committee, it struck me that there is a lot of best practice—the challenge is to make it standard practice right across the public sector.

There is a particular challenge about organisations’ transport footprints. A lot of the organisations have a big opportunity to change not just how staff deliver services but how they get to work. That point came up after hearing from a couple of the witnesses. The police, for example,

did not really see how it would affect them, but other big organisations—in particular, local authorities—have thousands of staff arriving every day, so their carbon footprint would be quite substantial.

We need to learn lessons from the organisations that have put in place transformative policies that have worked. We also need to think about the organisations that are bringing up the rear and how to get the best impact from them. It is really important that we think about the lessons to be learned and the leadership issues to be communicated.

The Convener: As there are no other points from members on those items, is the committee agreed that it does not wish to make any recommendations on the instruments?

Members indicated agreement.

The Convener: Thank you. We will write to the minister about the points that have been raised.

Paris 2015: 21st Conference of the Parties

10:23

The Convener: The third item of business is oral evidence on the upcoming Paris 2015 United Nations climate change conference—COP21.

I welcome to the meeting Aileen McLeod, Minister for Environment, Climate Change and Land Reform; and Scottish Government officials John Ireland, who is deputy director of the low carbon economy division, and Gavin Barrie, who is head of the international low carbon team. The minister will make an opening statement.

The Minister for Environment, Climate Change and Land Reform (Aileen McLeod): Good morning, convener. I thank the committee for inviting me along to outline the Scottish Government position ahead of the upcoming UN Framework Convention on Climate Change meeting—COP21—in Paris, which will convene later this month.

We very much hope that the treaty that will be agreed during COP21 will be a big step forward in the fight against climate change.

Over the course of this year, I have communicated a clear message that the international community will need to match Scotland's strong ambition and action by building on the COP21 outcome in the years ahead. Unchecked, greenhouse gases could warm the planet by more than 4°C, and we want to avoid the worst impacts of climate change falling on the world's poorest and most vulnerable people.

Last week, at an event that was hosted by the United States consulate in Edinburgh and WWF Scotland, and which was attended by young leaders from the 2050 climate group, the new US principal officer in Scotland, Susan Wilson, set out President Obama's very strong commitment to the climate change agenda, and France's new consul general in Scotland, Emmanuel Cocher, spoke about how a change in approach by the US and China has now put a climate treaty within reach. Scotland is strongly supporting efforts by the United Kingdom, the European Union, the UN Framework Convention on Climate Change, the USA and France to secure an ambitious, comprehensive, robust, transparent, credible and durable international climate agreement.

More than 150 countries, covering about 90 per cent of global emissions, have made new climate pledges, which is a huge step forward from the coverage of the Kyoto protocol. The pledges, which might limit earth's warming to about or below 3°C, have been called "unprecedented",

"impressive" and "remarkable" by the International Energy Agency. With regard to the draft treaty text, French climate change ambassador Laurence Tubiana said that

"While much work remains, the text is a good basis for negotiations".

It is certainly a good start, but we need to work hard to raise ambitions even further. There are still big issues to be resolved at COP21, including five-yearly reviews of the global ambition to deliver the 2°C goal, the central issue of climate finance for developing countries, and a long-term goal to provide certainty about the global transition to low carbon.

I will attend COP21 as part of the UK delegation. The First Minister is also extremely keen to attend, so we are looking at suitable opportunities. Scottish civic society will also be represented. Eco-Congregation Scotland is taking the climate justice baton, which has been travelling around Scotland. Our 2050 group of young people is holding an event on 4 December, and the 2020 group is having an event on 10 December.

There is no doubt that, in international terms, Scotland has a very strong story to tell. We have cut our emissions by 38.4 per cent since 1990, and we have delivered our target to provide 500MW of community renewables five years early and our target of a 13 per cent reduction in energy consumption seven years early. To help to mitigate the impact of climate change on those who have done the least to contribute to it but who are, nevertheless, most affected by it, we have been supporting developing countries to meet the challenges of climate change with £3.8 million from our international development fund since 2012 for community energy projects in Malawi, and with £6 million from our innovative climate justice fund for 11 water adaptation projects in Malawi, Zambia, Tanzania and Rwanda.

When I met Christiana Figueres, the UNFCCC's executive secretary, in July at the world summit climate and territories, she strongly praised Scotland's work and has since stated that we are a "shining example" for other countries; we have been extremely keen to promote this shining example to the international community. In the past year, Scotland has become a member of the compact of states and regions, which is an international reporting platform that represents 12.5 per cent of global gross domestic product and more than 325 million people worldwide. That demonstrates the collective impact of sub-national governments. I also signed up to the under 2 MOU—"Subnational Global Climate Leadership Memorandum of Understanding"—which is an initiative that is being promoted by the state of

California aimed at catalysing action ahead of the COP.

Whatever the outcome in Paris, a clear signal from the COP21 conference will be boosted by strong action from the many non-nation-state actors—devolved, state and regional governments, cities, businesses, and the public—to bring, we hope, the 2°C goal within reach. This Government and Scotland will be doing everything possible to promote a positive outcome, and I am keen to take to Paris a strong message from this committee and the Parliament.

I am happy to answer members' questions.

10:30

The Convener: We would like to ask quite a lot of questions. We start with Mike Russell, to be followed by Sarah Boyack.

Michael Russell: Thank you very much, minister. I think that the entire committee supports you and wishes you well for Paris. It is important that Scotland's voice is heard on this matter.

Could you talk us through the range of contacts that you will seek to make in Paris; the exemplar status that I know you want Scotland to have in terms of its actions so far; lessons that you think Scotland can learn from others there; and, finally—as if all that were not enough—the outcomes that you want to see at the end of the Paris process and how they will affect Scotland?

Aileen McLeod: Although Scottish ministers will attend as part of the UK Government delegation, negotiations will be led by the Secretary of State for Energy and Climate Change. My role and the role of other devolved ministers is to assist the UK in outreach activities, to promote Scotland's key role as a devolved Administration within the UK, to promote high ambition and the role of devolved and other state and regional Governments, and—obviously—to champion climate justice.

By way of example, when I attended COP20 in Lima last December, I met the UN special envoy on climate change, Mary Robinson, and the troika+ of women leaders on gender and climate change as part of our gender day. I also met the climate group's states and regions ministers and Sir David King, the UK's special representative on climate change, as well as a variety of international non-governmental organisations, including the Pan African Climate Justice Alliance, the World Resources Institute, Friends of the Earth, WWF and Oxfam.

Earlier in July this year, at the world summit of climate and territories in Lyon, which was an important stepping-stone event that was held by the French Government and the Rhône-Alpes region, I was introduced to President François

Hollande and I met Christiana Figueres, the head of the UN Framework Convention on Climate Change, as well as other states, regions and devolved ministers, including the Welsh minister, Carl Sargeant. I also met EU Commissioner for Energy and Climate Action Cañete and Commissioner for the Environment Vella at the environment councils in June and September and at the EU green growth meeting in Brussels in September. As I said before, during 2015, Scotland has committed to the under 2 MOU and the compact of states and regions. We have long-term climate targets and we will report to the international community and the UN on progress.

All that is in addition to the fact that I and my ministerial colleagues have met the French Europe minister, the President of Mexico, the Japanese trade minister, energy and environment ministers from Ireland, the climate group states and regions ministers, and ambassadors from the US, France, Norway, Poland and Quebec.

To take on some of your other points, Mr Russell, I will bring in Gavin Barrie to give more detail about areas that we will be pushing hard on at COP21.

Gavin Barrie (Scottish Government): The minister outlined Scotland's narrative in her opening statement. By international standards, Scotland's 38 per cent cut in emissions puts us in the world-leading category. We are also generating almost half of our electricity from renewables.

The minister spoke about delivering early on a couple of our targets—on community renewables and energy consumption. In the context of the Paris meeting, we think that the concept of being able to deliver early or to overdeliver against targets will be important because we know that, as things stand, the Paris pledges will only take us to about 3°C, so it is important to be able to signpost examples of when countries have overcommitted.

That echoes the EU's main message that it expects to overdeliver against the 2020 target, which was a 20 per cent cut in emissions. It has delivered 23 per cent and it expects to do 24 per cent or 25 per cent for 2020. Scotland's narrative tries to echo and target some of the big messages that will come out of Paris.

As the minister said, it is also important to be able to demonstrate that we are working to support developing countries. Our two main narratives in that respect are about our climate justice fund, which is funded by the hydro nation initiative, and the international development funding for renewable energy, as part of the United Nations sustainable energy for all initiative.

The Convener: Sarah Boyack is next, perhaps in the same vein.

Sarah Boyack: Yes—my question follows on seamlessly from that.

Many of us are proud of the ambition and the targets in the Climate Change (Scotland) Act 2009, and you are right, minister, to highlight that this is the right thing to do and that it will benefit other countries, particularly vulnerable ones, in terms of climate justice and economic and social benefits. The idea of stabilising economies and enabling food production will also benefit Scotland.

The other main issue relating to leadership is the lessons for other countries from how we have got on with translating ambition into action. It is clear that there have been ambitious targets and it would be good to highlight what we think the early wins have been, but we should not ignore the harder areas. That goes back to your point about robust, transparent and durable targets.

Will you include in the narrative which things have been easier, which have been harder and how you are working round the challenges? In that context, it would be useful if you could put on the record why it has been harder to meet the early targets, mentioning the change in methodology and what you intend to do to catch up on the 17.5 million tonnes of excess emissions, but also put on the record why it will be easier to meet the 2020 target. I understand that it is because of the way the emissions targets are constructed and set. I think that that would be helpful to a lot of stakeholders.

Aileen McLeod: I will bring in John Ireland in a moment, but on the progress that we have been making towards our 42 per cent target, I should be clear that the revisions to the inventory have not made it easier to achieve that target, which remains as challenging as it was when the Parliament set it. My analysts have presented the main causes and impacts of the revisions in the publication “Scottish Greenhouse Gas Emissions 2013: Key Revisions since 2008”, which is available on the Scottish Government’s website.

As I made clear in my statement to Parliament on 27 October, we will make up for the excess cumulative emissions through our third report on proposals and policies. Producing a credible package of measures to make up the shortfall from missing previous annual targets and get back on track to meet future annual targets will take time, but we will do that as soon as is reasonably practical, as required by the 2009 act, which will be when we publish the draft third report on policies and proposals. That will be before the end of 2016.

At this stage, it is too early to say how quickly the excess emissions will be compensated for, but our aim is, where possible, to overachieve against

future annual targets to recover the difference by which the earlier targets were missed.

Sarah Boyack: I know that all this stuff is in the documents, but it is not transparent to most people. We need to explain in human terms what it means so that it is on the record and people get it. I totally agree with what you say about our ambition, but we need to communicate to others how we do this work, how you monitor progress against the targets that you set and the challenge of being transparent. We need to pull people in by talking about the benefits. The two things go together, particularly in the context of your opening remarks.

John Ireland (Scottish Government): May I pick up on the point about transparency? You are absolutely right to say that we produce a lot of quite technical narrative, which is available on the Government’s website. We do that partly in response to the 2009 act and partly because it is what Government statisticians do.

The basic story behind the revisions, which explains why it was difficult to meet our first batch of annual targets, is probably quite straightforward. The baseline has shifted upwards. Most of that revision has not affected the trends, so the—

The Convener: Mr Ireland, could you move your microphone towards you?

John Ireland: My apologies. I was just saying that the basic story here is that, as we have learned more about emissions and have better measurements, the baseline has moved upwards and the subsequent data has followed that. It is a simple story about learning more and improving the quality of the data.

The trend has not really been altered by the provisions. The lines have moved upwards, but the trend and the difficulty of hitting the percentage reduction targets have not changed. There is one exception to that, which concerns the potency of methane. The science has improved and we now understand that methane is much more important as a greenhouse gas, so that has resulted in a reweighting of methane in the measurements.

The Scottish Government has been clear about its ambition to reduce emissions of methane from waste, and has been successful in doing so. That has resulted in a slightly different set of revisions in waste. However, the basic story is that, as we have learned more, the data has moved upwards. That has made hitting the annual targets much harder. In essence, that is why Scotland has missed the annual targets.

Statistically, it is quite a complex story, but I think that there is transparency there as well.

Sarah Boyack: That is the first time that I have heard that expressed in language that is

accessible. That is important, because it lets us think about the challenges in tackling everything and how different areas such as agriculture, energy or transport are affected. That is quite useful as a way of concentrating our minds.

My sense is that we need to be able to tell our story, and that story cannot just be, "We are the best." There are challenges that come from being ambitious, and our ambitions will help other countries. I am pleased to hear what you say. That is useful.

Obviously, I would like to know a little bit more about how we are going to close the gap, and I would like to know that a little bit earlier than this time next year. However, if the minister is not able to answer that today, I will just keep asking her on future occasions.

Aileen McLeod: How we intend to close that gap will be set out in RPP3.

You are right to say that we have set ourselves extremely stretching annual targets on the pathway to the 42 per cent reduction in emissions by 2020. However, in all the international engagements that we have undertaken, we have been extremely open and honest about the challenges that we face in achieving the reductions that climate science tells us are necessary.

Graeme Dey (Angus South) (SNP): I hear what you say about incorporating the measures and scrutinising them as part of RPP3. However, late 2016/early 2017 is a long way off, and these are important matters. Why could this committee or the wider Parliament not be afforded the opportunity to consider any such measures before then, even on an interim or updating basis? For example, could the Government not provide greater detail on the policies that you set out earlier this year, such as the commitment to make energy efficiency a national infrastructure priority? It would be good to get an idea of the anticipated emissions impact of those policies and the timescales for delivery, as well as an indication of what further policies might be required and might, indeed, already be being worked up by the Government.

Aileen McLeod: The development of RPP3 is under way across the Scottish Government. It will focus on how we will deliver these world-leading climate change targets. However, we still have to get advice from the Committee on Climate Change before we can legislate or finalise the RPP. That is scheduled for March next year.

In terms of embedding our climate change priorities in the budget, at the moment we are unable to pre-empt discussion on the budget and the infrastructure investment plan, but work is under way to consider how climate change can be

prioritised in our spending review and in the infrastructure investment plan. Obviously, we will be working closely with this committee and Parliament to agree a Scottish budget process that will take it into account.

Graeme Dey: I accept all those points, but I just wonder whether there is scope, between now and the end of 2016, for you to update the committee on the progress that is being made? Can you give us a steer about the direction of travel in all these areas? *[Interruption.]*

10:45

The Convener: We will be suspending the meeting at 10.50. We have another five minutes until then. I call Claudia Beamish.

Aileen McLeod: Sorry, convener—I was just going to ask John Ireland to respond.

The Convener: Sorry—John Ireland wishes to respond to Graeme Dey's question.

John Ireland: I will respond to that point about the interim opportunity that we have. One of the difficulties with producing an RPP is about how it all hangs together. It is not just about doing one thing in transport, in isolation, and saying something about one particular aspect of infrastructure—the whole thing hangs together. Part of the process involves taking a holistic look at Scotland as a low-carbon country. That makes it difficult to make piecemeal announcements.

There are quite a lot of steps in the process at which you will have an opportunity both to input and to consider the direction of travel. Currently, the Committee on Climate Change is taking evidence, following a call for evidence. That will be used to produce advice to the Scottish Government on future targets and the sustainability of current targets. That call for evidence is particularly important, and I encourage everyone to respond to it. The evidence will be published in March, which will provide a very good opportunity for people to see the lay of the land and the advice from our independent advisers. During the process of constructing RPP3, there will be lots of opportunities for dialogue, in which things will start to emerge.

Graeme Dey: This question is probably directed more at the minister. I accept that point. However, when the measures that were announced in June were drawn up, they presumably contained a broad understanding or anticipation of the impact that they might have towards meeting the shortfall. We must have an idea of how far those measures are liable to take us and, therefore, of what additional measures might be required. To what timescales would those measures deliver?

Aileen McLeod: The measures that we have brought forward will be in the budget. At the moment, we cannot pre-empt the budget discussions, as we are still waiting to hear from the spending review, which will be announced by the Chancellor of the Exchequer on 25 November.

What I can say is that I am extremely keen for the RPP3 process to operate as widely and in as participative a way as possible. There will be opportunities for the Parliament and committees to engage with that process. We are still at a very early stage in our engagement plans with RPP3, but we are very keen to ensure that the Parliament and its committees are fully engaged with that process.

The Convener: Claudia Beamish has a supplementary question on those points, which we can finish in the next couple of minutes.

Claudia Beamish: Good morning, minister, and good morning to your officials.

Quite a lot of what I wanted to raise has been covered, which is reassuring. I cannot speak for the committee, but my perception has been that, through the RPP2 process, with the scrutiny of the budget and encouraging other committees to consider carefully the climate change implications of their policies, this committee has taken a strong lead.

I understand that you cannot share detail on a lot of the things that you have raised, for example on how the budget is developing, and there is a whole range of issues to take into account, such as the fact that RPP3 will be in the next session of the Parliament. To go back to your opening remarks, on the leadership that we wish to focus on for Paris, there are issues that we could share, for instance in those sectors in which there have been heavy emissions, such as agriculture, housing and transport. We could offer to share with other countries, if they are interested, ideas on how to take those things forward.

I also wonder whether we might be able to have as much information as possible in this committee as soon as we can, so that we can consider that for our legacy paper.

The Convener: I am afraid that you will have to answer that in about 20 minutes' time, minister.

10:50

Meeting suspended.

11:15

On resuming—

The Convener: We will resume the meeting with Claudia Beamish's question, which she will précis very quickly.

Claudia Beamish: Minister, as you will recall, I was highlighting the concerns about the challenges of heavy emitters, such as transport, agriculture and housing, and wondering whether we can share our work in order to support other countries, if they are interested.

Also, the committee is keen to have updates as soon as possible on the budget and the on-going work on RPP3, so that we can include our response in our legacy paper.

Aileen McLeod: On the budget and RPP3, I am happy to ensure that we keep the committee up to date, particularly post the spending review, when we will have a better idea about the budget. The Deputy First Minister set out yesterday that Scotland's budget will be announced around 16 December.

What was your other point?

Claudia Beamish: It was on heavy emitters and the possibility that, if other countries are interested, we can share our work. We all acknowledge that the issue of heavy emitters has been difficult for us; from what I understand, it is difficult for other countries, too.

Aileen McLeod: I will ask Gavin Barrie to respond to that in a moment.

To pick up on your point about RPP3, as I said, we are keen to ensure that the committee is particularly well plugged into that and to work with the committee in that regard.

We have a good story to tell on some of the issues, so we have produced a pamphlet, which we have been using in a lot of our international engagement. I will hand over to Gavin Barrie to talk you through that.

Gavin Barrie: We have tried to design a version of Scotland's narrative—our story—and the lessons coming out of Scotland for the international community. It is designed to complement EU and UK messaging. The Commission has been telling us for many years that it is important to have messages for businesses. We have a strong set of evidence in Scotland about the economic value of the low-carbon economy.

When the minister met Christiana Figueres in July, Ms Figueres was very interested in the sector-by-sector approach, in which the challenge that Scotland faces has been broken down sector by sector. For other countries, it is often a question of key industries, and those industries are often energy intensive. We have designed a series of case studies drawn from Scotland. There are things that people will recognise about Scotland. We have a good set of stories around Glasgow, such as the sustainable Glasgow project, sustainability issues in relation to the Commonwealth games and the sustainability of major events in general. Glasgow is working with the Green Investment Bank, which is a key priority of the Scottish and UK Governments, on LEDs. It also has a green transport strategy.

There are many good examples of sustainability in the whisky industry. We are strongly in favour of carbon capture and storage, and that supports the UK narrative as well. On sustainable transport, the hydrogen-powered buses in Aberdeen is a good example to point to. There are also good news stories around energy efficiency in historic buildings. Finally, as has been mentioned, we are providing support for developing countries through the climate justice fund, the sustainable energy for all initiative and the Scotland lights up Malawi project, which is additional to the climate justice fund.

We are trying to break down the Scottish story into sectors to show how each of our sectors has faced challenges and overcome them. That is a development of the narrative that will help other countries.

The Convener: Could we get a copy of that document?

Gavin Barrie: We are updating it for Paris this week, so there will hopefully be a new version by the end of the week or next week.

The Convener: Good—thank you.

Claudia Beamish: As an observer on the public sector climate leaders forum, I would like to ask the minister how the contribution of the public sector will be reflected. I hope that it will be reflected, as it is a positive message in many ways. Again, challenges are being faced by a range of organisations.

Aileen McLeod: On the public bodies' duties, which we discussed earlier, good progress has been made to address climate change, but we know that there is still more to do. Obviously, people in Scotland will expect our public sector to lead by example. European Union legislation requires our listed public bodies to report annually on compliance with their climate change duties, which will encourage continuous improvement and further engage public sector leaders in the climate

change agenda more generally. We want to encourage our stakeholders to comply with the public bodies' duties and to encourage sustainability, resilience and reductions in emissions and cost.

Alex Fergusson (Galloway and West Dumfries) (Con): Sarah Boyack asked how the Government will let Parliament know about the measures that it is going to take to make up for the excess emissions. The minister said that that will be left to RPP3. However, does the Climate Change (Scotland) Act 2009 not place on the Scottish Government a duty to let Parliament know what steps it is going to take when it has missed its targets? Section 36 of that act asks the Government to produce a separate report on what mitigating steps it will take, and I do not see RPP3 as fulfilling the role of that separate report.

Aileen McLeod: It will take time to produce a credible package of proposals and policies to make up the shortfall from previous annual targets, which totals 17.5 million tonnes of CO₂ equivalent, and to get back on track to meet future annual targets. That is why it is our intention that the RPP3 will set out the proposals and policies in detail to compensate in future years for the excess emissions from the previous annual targets. That work is under way, and it is planned that we will lay a draft of the RPP3 for scrutiny by the Parliament towards the end of next year.

As I said, in light of the revisions to the Scottish greenhouse gas emissions data, we are awaiting advice from the Committee on Climate Change, which is due in March next year, and we are also awaiting delivery of our new TIMES—the integrated MARKAL-EFOM system—model, which is due in December this year. That will help to inform our policy development.

Alex Fergusson: Under the 2009 act, the Scottish Government has a duty to provide a separate report laying out what mitigating steps it will take to address excess emissions. Why is it not doing that?

Aileen McLeod: We have said that we will do that as soon as is reasonably practicable.

Alex Fergusson: So RPP3 is your answer to that.

Aileen McLeod: RPP3 is where we will set out how we will compensate for the shortfall and do the abatement. John Ireland can give us more detail on that.

John Ireland: Mr Fergusson is absolutely correct that the 2009 act requires us to lay such a report as soon as is practicably possible. For the reasons that I outlined earlier, the sensible way of doing that is to do it in a holistic way, considering the whole of Scotland's contribution. That is best

done as part of the RPP3 process. The act does not require separate reports; it requires us to make those things as clear as possible as soon as is reasonably practicable. That is what RPP3 will do.

Alex Fergusson: Just to clarify, are you saying that RPP3 constitutes action under section 36 of the 2009 act?

John Ireland: Yes.

Aileen McLeod: Yes.

Alex Fergusson: I am pleased to get that on the record.

Sarah Boyack: I, too, am pleased about that, but the fact is that this year's annual targets are not the first that have not been met. I hope that the minister senses the disappointment that some of us feel about that. We know that there are challenges, but the end of 2016 seems a long time to wait, given that we have missed the first four annual targets. It would be good to have even a sense of what early action is being taken, in view of the fact that, as the minister said, the budget is coming out next month. I understand why she does not want to do piecemeal initiatives, but surely we know by now that the big-hitter issues are housing, transport, agriculture and forestry. Working out what needs to be done is not really rocket science.

John Ireland: It is important that we wait for the latest advice from the Committee on Climate Change, which takes on board developments in science, and the advice to the UK Government on its carbon budget. It is also important to have a good technical understanding of where the abatement will best come from, which requires not only the advice that I have referred to but the new model that we have talked about on previous occasions. In those terms, the timetable makes sense.

Sarah Boyack: But we do not really expect any new policies. We know what the big areas are; indeed, we have known what they are since we passed the 2009 act. I am surprised that we need to wait for the detail on methane in order to do the sensible things with regard to active travel, transport and warmer homes.

John Ireland: Methane is just one part of it. It is really important to find out where we can push to reduce abatement in future and get on to a credible path, and that will require the CCC's advice.

Aileen McLeod: As the Committee on Climate Change made clear in its Scottish progress report, which was published back in March, it is certainly keen to work with us on the issue.

The Convener: I take it that there could be further revisions to the way in which we measure

these things. Methane has already been mentioned, but can you tell us whether, when the 2009 act was passed, we were aware that there were going to be so many revisions?

Aileen McLeod: That was before my time.

John Ireland: It was before my time, too, so I do not know the exact answer to your question. We can certainly go back and have a look at it.

The Convener: We can explore the matter.

Aileen McLeod: We are happy for the committee to write to us on that but, as we know, climate science data is always improving.

Graeme Dey: That is the very point that I wanted to ask about. Do we expect any further revisions? We probably do. If so, and if we expect the situation to become increasingly challenging, do we not need to try to get ahead of the targets instead of just trying to catch up with them?

Aileen McLeod: Absolutely. I take the point, but I should say that that is what we did in RPP2.

The Convener: Okay. We will pass on to a more general question from Jim Hume.

Jim Hume (South Scotland) (LD): I first want to follow on from the comments that have been made and say that it is not reasonable to use the term "reasonably practicable" with regard to not reporting under the section 36 obligations. However, I will leave that to one side, given that the minister has addressed the point.

The passage of the 2009 act was not before my time, and I voted—in what as I remember was not a unanimous vote—for the targets to be measured annually from the bill's enactment. However, we have now missed the targets four years in a row. At the beginning, cold weather was blamed, and there have been changes to the way in which these things are measured. Obviously, we do not want to have the most ambitious targets that are never met.

Again, on annual targets, Gavin Barrie mentioned renewable energy, but of course it makes up only about 15 per cent of energy use. Just for interest's sake, I note that just over 52 per cent of energy use is for heat. I am sure that the minister is very much for climate change improvements, but can she tell me whether other departments of the Scottish Government climate change-proof all investment decisions in their portfolios? Is that done regularly?

11:30

Aileen McLeod: Other Government departments produce carbon assessments as part and parcel of the budget process.

Jim Hume: Okay—thanks

The Convener: Graeme Dey has a bit to add on that.

Graeme Dey: We are exploring things that the Scottish Government has control over, but there are issues that the Scottish Government does not control and certainly will not. If I have read the events of the past few days correctly, the UK Government's Department for Environment, Food and Rural Affairs has accepted a 30 per cent budget cut, which will undoubtedly have an impact on the UK Government's climate change performance. What impact do we anticipate that that will have on Scotland's situation as a result of Barnett consequentials et cetera?

Aileen McLeod: We will probably have to come back to the committee on that. At the moment, we have to wait and see what comes out of the UK Government's spending review, which will be published on 25 November.

Graeme Dey: I take it that, in a general sense, we anticipate bad news—or do we?

Aileen McLeod: I do not want to pre-empt what the UK Government is going to say on 25 November, but given some of the announcements that we have heard and seen on the budgetary cuts, which have talked about a 30 per cent cut for DEFRA, I assume that there will be bad news.

The Convener: Can the minister tell me what correspondence or discussions she has had with Amber Rudd, who will lead the UK delegation, on the question of her admission regarding the allegation that she misled Parliament about renewable energy being on course although there seems to be a 25 per cent shortfall? How much of that is down to decisions of the previous coalition UK Government and how much is down to the current UK Government's reduction of support for renewable energy?

Aileen McLeod: Over the course of the year, I have met the UK Secretary of State for Energy and Climate Change, Amber Rudd, at environment councils in June and September, and we have also corresponded on the UK's negotiating position. We have also corresponded with her through a joint letter with the Welsh minister in which we requested UK endorsement of the under 2 MOU, which we are part of.

The UK Government's changes to energy policy have been, to say the least, extremely unhelpful and they will make it harder for us to build a low-carbon energy system, which is what both the UK and Scotland need at this time, when we should be accelerating our actions. Since June, we have seen the announcement of the early closure of the renewables obligation for onshore wind developments; the proposed privatisation of the Green Investment Bank; changes to vehicle excise duty; the removal of pre-accreditation for the feed-

in tariff; and, just a few weeks ago, the announcement on the removal of tax relief for community energy projects. Alongside that, there is continuing uncertainty on the renewable heat incentive and the contracts for difference.

Jacqueline McGlade, chief scientist of the UN Environment Programme, has highlighted how disappointing it is to see the UK withdrawing its subsidies at a time when we are seeing a worldwide move towards investing in renewable energy. Certainly, we have been extremely disappointed by some of the UK Government's announcements. The UK Government's impact assessment of its plans to close the renewables obligation early actually conceded that the decision could increase UK climate emissions by up to 63 million tonnes.

The Convener: It seems that the energy company obligation scheme has also been withdrawn. That was signalled by the coalition Government but, now that the Tory party is in government by itself, it has removed many such schemes more rapidly than was expected. How does that affect the Scottish Government's ambitions for COP21? You have given us some indication of that. Do the UK Government's position on energy efficiency and the reduction in the home warmth schemes add to the problems that we face in a country that is colder and wetter than the rest of the UK?

John Ireland: In the minister's announcement in June, she made clear the importance of energy efficiency and the work that the Scottish Government is doing on it. A lot of that cannot be pre-empted. You are making the obvious point that all the UK Government's policy reversals, including those on the green deal, make it much more difficult for the Scottish Government to act on its ambitions.

Dave Thompson (Skye, Lochaber and Badenoch) (SNP): Good morning, minister and officials.

On the question of reaching targets, I hope to be a wee bit more practical and perhaps even parochial. I first drove an electric vehicle more than 50 years ago when I was 15 years old—it was a baker's delivery van. There was not much traffic on the roads in Lossie in those days, so it was quite safe—it was early morning—even though it was illegal. Fifty years later, I have just ordered myself an electric vehicle, which I hope to get in December. The range of such vehicles is extending all the time and the batteries are improving all the time. I am told that, in practical terms, they have a range of about 110 miles, although official figures suggest that it is 150 miles. I have bought a Nissan Leaf from Dicksons in Inverness.

In the Highlands and in rural areas, there are not that many rapid charge points. There are fast charge points, but it takes hours to charge a car at a fast charge point. At rapid charge points, it can be done in half an hour to an hour. If we are to tackle climate change and reduce emissions in the Highlands, we must deal with transport, because there has been only a 2.1 per cent reduction in transport emissions. Many folk in the Highlands have two cars, not because they are particularly wealthy but because it is necessary to have more than one vehicle to get anywhere for work or leisure. Therefore, it is important that we ensure that folk in the Highlands and Islands in particular, as well as people in other remote and rural areas, have access to rapid charge points. The biggest problem for the folk who are selling electric cars is the public's lack of confidence in their ability to get to where they want to go.

For instance, on the way to Skye from Inverness, there is a rapid charge point at Drumnadrochit, which is just 15 miles from Inverness, but someone who was making that journey would not need it then. There are also rapid charge points in Broadford and Uig. I congratulate the Government and CalMac Ferries, because five of the 10 rapid charge points across the Highlands and Islands are at ferry terminals. That is certainly helping the situation.

What plans do you have to increase the provision of rapid charge points? Unless someone intends to spend five or six hours in a town, which is how long it will take them to charge their vehicle using a fast charge point, they need a rapid charge point, which will charge their car in half an hour to an hour. That is a much more realistic period of time. However, I am told that it costs £20,000 to install a rapid charge point, and businesses—particularly small businesses—cannot afford that. How can we increase the number of rapid charge points not just in the cities, where I am quite sure that they will appear naturally, but in the remote and rural areas, where it is even more important to get folk using electric vehicles rather than combustion engines?

Aileen McLeod: Dave Thompson makes a number of good and helpful points. As someone who represents a very large and remote rural area, I absolutely agree. I will be happy to take away some of those points and to write to the Minister for Transport and Islands, Derek Mackay.

We have invested £11 million in the development of the chargeplace Scotland network of electric vehicle charge points, which now comprises over 400 units. That equates to over 800 public charging bays and many more are being commissioned over the coming months. Work is also continuing to provide high-powered

rapid chargers on strategic routes that connect Scotland's towns and cities.

Dave Thompson: I understand that, when someone looks on the web for those chargers, there is a plethora of little dots showing where the points are in urban areas. However, we need to get more in the rural areas, where people travel greater distances. The range of electric vehicles is increasing and some can cover 100 miles on one charge, but the smaller vehicles will not do that and that is a real disincentive in trying to get people in the Highlands and Islands to use electric vehicles. In a sense, the cities will take care of themselves. We need to develop the rapid charge points—not the fast charge points—where somebody can stop for a coffee and have an 80 per cent charge within half an hour, not six or seven hours later, because that is not practical. I plead with you and the transport minister that the roll-out needs to be focused more on rural areas, where there is greater need.

Aileen McLeod: I accept that point. We are working with our partners to deliver actions from our electric vehicles road map, "Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in Vehicles", but I agree that we should try to roll that out more in our rural areas.

Dave Thompson: I have one final question on that point. Private organisations are involved in the supply of the charge points, and I am not sure that there is a proper, co-ordinated system for promoting where all the different points are. Some websites show only certain rapid charge points rather than all of them. Could the minister and others have a wee look at getting better co-ordination and better advertising of where the rapid charge points are?

Aileen McLeod: Yes. We are happy to do that.

The Convener: Graeme Dey has a short supplementary question.

Graeme Dey: I appreciate that we are going away from COP21 in exploring this, but the subject is important. The minister undertook to write to the transport minister on Mr Thompson's points. Dundee City Council is doing some fantastic work on electric vehicle uptake, both in the provision of charge points and in using electric vehicles in its own fleet. I would be interested in how that is reflected across the other 31 local authorities. We are talking about uptake of the support that is provided by Transport Scotland. If it were possible to get some information about that, it would be interesting to have that.

Aileen McLeod: We are more than happy to get back to the committee with further details on that. As I said in response to a question from Mr Dey on the statement of 27 October, a survey was done in 2014 of 433 councils in the UK regarding how

many electric vehicles they had in their fleets, and four of the top five councils were in Scotland. Dundee City Council came top, with South Lanarkshire Council, Glasgow City Council and Fife Council placing second, third and fifth respectively.

The Convener: Sarah Boyack is next. Is your question on that point?

Sarah Boyack: It is on your previous question, convener. It follows on from the points about the threat to renewables, small-scale renewables and heat projects. Minister, you just mentioned your response to Graeme Dey on the climate change statement. Have you taken up the points that I made about reductions in council tax for energy efficiency that are allowed for in the Climate Change (Scotland) Act 2009? Do you plan to promote that proposal? What is the position on business rates? I understand that the subordinate legislation on business rates has not yet been passed, but the Deputy First Minister recently announced that it would be possible for councils to reduce business rates as part of that programme. Would that enable councils to reduce business rates on the grounds of energy efficiency measures? That would be really helpful.

Have you spoken to the Minister for Business, Energy and Tourism about how we might head off at the pass some of the potential cancellations of community energy projects? There is an underspend in budgets running to millions of pounds. Could that be used as a short-term bridging measure, with the environment and energy departments working together?

11:45

Aileen McLeod: I am more than happy to raise that with the energy minister. He has been in contact with the UK secretary of state Amber Rudd about the various announcements that have been made since June. John Ireland will give some more detail.

John Ireland: On the council tax point, the low take-up of that provision is very much a historical fact and it probably reflects its lack of attractiveness relative to other incentives. A lot of work is under way on domestic energy efficiency and the Government's offer on that. That will be announced in due course.

We can get the committee some more information on the implications of Mr Swinney's announcements on non-domestic rates and the potential link to energy efficiency.

Sarah Boyack: I would be interested in that, because we have not even reached 1,000 houses. I thought that the uptake in the first year was reasonable, although the environment minister

described it as disappointing, but the figure was down to two last year. There is an issue about how the offer is punted out to people, because the scheme has been successful in other parts of the United Kingdom.

Christian Allard: The draft of the COP21 agreement shows different options for member countries to consider on how ambitious the agreement should be. The options include emissions reduction of 70 to 95 per cent by 2050, net zero emissions by 2050, net zero emissions in the period 2060 to 2080 and net zero emissions by 2100. What is the Scottish Government's preferred option to be adopted in the agreement?

Aileen McLeod: We would certainly like an agreement to be reached that ensures that the less than 2°C goal is achieved. We are realistic about the prospects of that happening. I think that the latest UN emissions gap report has identified that the pledges that have been made to date are roughly in line with a 3°C rise. It is important that any deal involves a review mechanism that allows us to ratchet up the ambition in the years ahead. Earlier this year, the G7 committed to decarbonisation by the end of the century. That is important in allowing us to plan for our long term and for a just transition to a low-carbon economy.

Christian Allard: So you would be happy to go for zero emissions by 2100. That is your preferred option.

John Ireland: I do not think that we have a preferred option as such. We see a number of options as attractive. The issue at this stage is not about the Scottish Government making binding commitments about which option it prefers.

Aileen McLeod: Obviously, we have set an 80 per cent greenhouse gas emissions reduction target by 2050, which matches the UK commitment in that period.

Claudia Beamish: My question fits in with the previous question about what the Scottish Government, as part of the UK Government delegation, would like to come out of the summit. I understand that, although 128 of the intended nationally determined contributions so far show an increasing determination among the 156 parties to the convention to take actions to reduce emissions, the global aggregate emissions that those represent do not fall within the least-cost 2°C scenarios by 2025 and 2030. That is a real cause for concern. I realise that it is difficult to comment at this stage, as you are part of a broader delegation, but can you make any further comment on those concerns, which come from the synthesis report?

Aileen McLeod: We strongly support the efforts of the UK and the EU to secure an ambitious, legally binding Paris agreement that provides a

platform to limit the global temperature increase to less than 2°C. As you have said, more than 150 countries, which account for almost 90 per cent of global emissions, have made new pledges for 2030, which may limit earth's warming to around 2.7°C.

As I mentioned in my opening statement, the pledges that have been made thus far are already a big step forward in curbing the business-as-usual growth in global emissions. I think that still more pledges are coming in; I understand that the number was up at 159 this morning. Obviously, we have the EU pledge, which commits member states to reducing greenhouse gas emissions by 40 per cent by 2030.

We know that we will need to build on the Paris outcome in the years ahead, as a further one third cut in global emissions by 2025 to 2030 could be required for the 2°C goal. That is why we have supported the EU's objective for any new treaty to be legally binding. That includes the review mechanism that will allow global ambition to be ratcheted up over time and ensure that we can deliver against the 2°C goal. We have tried to push for that over the course of this year. We have regularly called for countries to match our strong ambition if we are to limit the global temperature increase to less than 2°C in line with what climate science tells us is necessary and what our international partners have already agreed to do.

Claudia Beamish: I want to broaden out the discussion. One issue that is of grave concern to me is that, as I understand it, the world's oceans will not be taken into account in the summit that you will attend. Obviously, that is very significant in relation to global temperature reductions. A lot of work has been done on that. As Scotland is taking quite a considerable lead on marine issues and climate change, will you explore where that experience and knowledge might be taken, if not to the forum, and how the issue will be taken forward globally?

Aileen McLeod: To clarify, is your question about blue carbon?

Claudia Beamish: It is about blue carbon and what different countries will have to do to protect their populations from the effects of climate change on coastal erosion and population shifts, which could be grave.

Aileen McLeod: From the Scottish perspective, it is possible to conceive of future economic activities that are designed primarily to trap carbon in the sea and remove it. Many of our marine habitats are natural carbon sinks. Ensuring that they are adequately protected will help us to ensure that we can continue to actively sequester and store carbon.

You are absolutely right about Scotland's blue carbon potential. That requires further exploration, and that will be progressed and considered for inclusion in future rounds of the RPP.

Claudia Beamish: Can you get back to us on where those issues will be dealt with globally in parallel with the terrestrial issues that will be dealt with in the summit? That would be very helpful.

Aileen McLeod: We will be very happy to come back to the committee with more detail on that.

Claudia Beamish: Thank you.

Aileen McLeod: Claudia Beamish makes a very good point.

The Convener: I think that those are all the questions that members have to ask. I have a final question. Is there any agreement between the Scottish Government and the UK Government on what areas you as the minister will expect to lead on as part of the UK delegation?

Aileen McLeod: As I said at the beginning of our session, although we are attending as part of the UK Government delegation, the negotiations will be led by the UK Secretary of State for Energy and Climate Change. My role and the role of other devolved ministers is primarily to assist the UK Government in outreach activities, promoting the key role that Scotland has to play, and our high ambition, as a devolved Administration within the UK and also in the championing of climate justice. On that point, I will bring in Gavin Barrie.

Gavin Barrie: We expect that ministers from the devolved Administrations will be part of the UK delegation, but there will also be ministers from other UK Government departments. We will have a discussion with the UK team next week about the respective ministers' programmes, because it is likely that there will be a large ministerial attendance from across the UK Government.

The Convener: It would be useful for the committee to be kept up to date about any role that the UK Government might find for the devolved Administration ministers, given our leading role in climate change.

Thank you very much, minister, for your answers. We look forward to your replies to those questions on which you will write to the committee.

11:56

Meeting suspended.

11:56

On resuming—

Agricultural Holdings (Scotland) Act 2003 Remedial Order 2014 (Mediation and Compensation Process)

The Convener: Item 4 is on the mediation and compensation process under the Agricultural Holdings (Scotland) Act 2003 Remedial Order 2014.

As members are aware, we have revised the agenda for today's meeting to include an opportunity for the committee to consider the latest information on mediation in the case of tenant farmer Andrew Stoddart.

We received a letter on 7 November from Richard Lochhead, the Cabinet Secretary for Rural Affairs, Food and Environment. In the letter, which is on the committee's website, he points out that, as part of the consideration of the matter and

"in response to the recent representations from stakeholders, we have hosted a number of discussions with a range of interested parties"—

which include Scottish Tenant Farmers Association—

"to discuss ways to assist Mr Stoddart and we are exploring these with urgency.

Options under consideration include extending the current lease at Colstoun Mains Farm, the possibility of finding alternative farm land for Mr Stoddart and facilitating renewed negotiations around his waygo compensation. The Committee will be aware that this is a complicated situation, and that discussions between Mr Stoddart and his landlords have been on hold for some time."

That extract from the letter gives a fair idea of the cabinet secretary's involvement. Do members wish to make any comments, which we can convey to him?

Claudia Beamish: This is a very complex case, which affects not only Mr Stoddart, his family and two staff members, but seven other tenant farmers who fall within the group in the remedial order.

I am relieved that the cabinet secretary has had a great deal of communication with the committee. The committee expected regular updates on Mr Stoddart's extremely complex case, and it is important that we have received them.

I happen to be a list MSP for the region and have spent a great deal of time looking at the case. I do not propose to go into any detail about it today, except to say that I understand that there was an error on the part of the Scottish Parliament and that, whatever the legal niceties and complexities, responsibility for that is being

recognised by the Scottish Government, although it is for the Scottish Government to say that.

It is very urgent now to ensure that, if Mr Stoddart cannot stay on his farm—I very much hope that he will be able to—the Scottish Government's mediation process goes forward. However, this is not just about Mr Stoddart; it is also about the other seven tenant farmers concerned.

It would not be helpful for me to say any more, because the situation is very complex. The negotiations are now at a very forward-moving stage, if I can put it like that.

12:00

The Convener: For clarity's sake, I note that the cabinet secretary says in the last paragraph of his letter:

"supporting the mediation between landlords and tenants is my main priority and I am pleased to report that the mediators Core Solutions, representatives of tenants and landlords, along with Government officials, are due to meet early next week"—

which is now this week—

"to agree the remit and timetable for mediation."

There is no time bar on that. As far as I know, that involves the seven farmers to whom you referred, but not Mr Stoddart, and it is Mr Stoddart whom we are talking about now.

Claudia Beamish: That approach is very helpful in relation to any situation where there are two parties who wish to get involved in the mediation process, but where one party or the other is unable or unwilling to do that, the situation becomes more complex. I think that the Scottish Government's role is very significant here. I am very pleased that the cabinet secretary is taking the matter forward.

Michael Russell: The matter is clearly at a crucial and difficult stage, and it is important that the committee does not do or say anything to affect it. It is also important for the committee not only to ensure that justice is done and seen to be done but to ask whether this case, and the wider cases involving the difficulties faced by the other seven tenant farmers, tell us anything about changes that are needed in tenancy.

At some stage, the committee needs to consider two things. The first relates to the system that allows such things to happen. Do we wish that system to continue, or do we want to alter it? Secondly, I am conscious of the ping-pong that has been going on, which we have all been witnesses to, between Mr Stoddart and land agents and spokespeople for a trust—but not between Mr Stoddart and whoever the beneficial owner of that trust is. That says something about

the nature of the process that we are engaged in. Perhaps we should reflect on those issues and on the fact that there has been great debate in the committee about beneficial ownership and knowing who is involved. The case is between Mr Stoddart and a trust and agents speaking on behalf of a trust. I do not think that, in the modern Scotland, we should be comfortable about that.

The Convener: Indeed.

Sarah Boyack: I will follow on in precisely that vein. The committee has been raising the issues for a matter of months now. The timescale is very tight for the tenant farmer involved and his family. The case concentrates our minds on the Land Reform (Scotland) Bill, which we have been debating, and on getting the balance right on rights.

When we look at the detail of the Land Reform (Scotland) Bill, the crucial question is whether it does what it says on the tin—and whether we know that it does, particularly in light of previous legislation, which has been problematic. It is quite a big test for us, as a committee, to do everything that we can to get the new legislation right.

The Convener: Indeed.

Alex Fergusson: If I may say so, Claudia Beamish précised the situation extremely well and accurately. I am pleased that the work that has been done in the committee, since we first raised the matter during the summer recess, has led to the actions that have now been taken—better late than never, as we have discussed previously.

I do not think that it is helpful to go into the details of the individual case at this point, but it is worth putting it on record that, as we all know, people are moving heaven and earth to try and bring that individual case and others to a conclusion.

I understand the point about transparency of ownership, but it is worth also putting it on record that the beneficial owners of the trust are well known. It is not as if they are hidden in any way, although I accept the other points that Mike Russell made. The case does not concern somebody hiding in an offshore situation for example.

The situation is incredibly difficult and people are working as hard as they can to bring about a settlement, although, frankly, there is not a hope that it will please everybody at the end of the day. However, a settlement needs to be achieved for everybody's sake. I hope that the efforts that are being made lead to a settlement in the very near future.

The Convener: A large number of people showed their concern by gathering outside Parliament yesterday and presenting a petition

with more than 19,000 signatures on it, emphasising that the case is of wide public concern. However, the public do not know enough about the details, and the details that we have been able to elicit should inform some of the public comment. I hope that people can understand that the committee has been trying to speed up the solutions that are being found, while informing people about the processes. The public should understand that the Parliament is totally engaged in the process.

Are we all agreed on that?

Members indicated agreement.

Michael Russell: Will we continue to keep an eye on and support the actions that are being taken by the cabinet secretary and the Scottish Government to resolve Mr Stoddart's issue in a suitable, humane and sensible way?

The Convener: We most certainly should. We hope for another update from the cabinet secretary in a few days' time—I think that the updates are coming quicker than we expected—after which only a few more days are left to deal with the matter.

I thank members for that discussion. I am glad that we have been able to bring people up to date on the matter.

The committee's next meeting will be on Wednesday 18 November, when we will consider the first draft of our stage 1 report on the Land Reform (Scotland) Bill. That meeting will take place in private, starting at 9.30.

As agreed earlier, we will take our final item of business in private.

12:07

Meeting continued in private until 12:20.

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