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Finlay Carson MSP
Convener
Rural Affairs and Islands Committee

By email: rural.committee@parliament.scot

18 October 2024

Dear Finlay

Thank you for your letter of 25 September outlining the various points that I agreed to provide additional information to the RAI Committee on following my recent Committee appearance.

I have provided responses to each of these points below, along with responses to the further questions which you have noted at the end of your letter:

Point 1 - *In response to a question by Rhoda Grant MSP, you agreed to provide further information on discussions within the Scottish Government regarding the procurement of equipment for the Scottish Fire Service for the purpose of tackling wildfires.*

Response

The Chief Fire Officer of the Scottish Fire and Rescue Service (SFRS) has provided assurances to the Scottish Government that fire fighter safety is an absolute priority and that both the specialist wildfire personal protective equipment (PPE) and existing standard PPE in place is safe. The provision of equipment is an operational matter for SFRS and substantial investment has taken place in rural areas in terms of provision of additional specialist wildfire equipment and personal protective equipment (PPE).

SFRS are rolling out new equipment to tackle wildfires across Scotland and are training their crews on its use and they expect to have implemented their wildfire strategy in full during 2024/25. SFRS's planned spend is circa £1.6 million over the course of the 3 year roll out of their wildfire strategy, which is broken down as follows:

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- Specialist wildfire PPE (400 sets): £300,000
- 10 x All-terrain Vehicles (ATV) with specialist firefighting fogging units: £334,500
- 10 x All-terrain vehicle trailers: £76,700
- 10 x 4x4 towing vehicles for ATV: £440,500
- 4 x 4x4 wildfire support vans: £318,800
- Specialist wildfire equipment: £134,190

SFRS have also been working with the North Region team of Forest and Land Scotland in relation to the training for off-road use of their all-terrain vehicles.

Point 2 - *When discussing the issue of forestry, you agreed to follow-up with details of what safeguards are in place to protect public monies in this sector being used for unethical practices such as greenwashing.*

Response

The generation of carbon credits from creating new woodlands takes place through the Woodland Carbon Code which provides assurance that such credits in the UK represent a genuine and additional contribution to reducing our net GHG emissions. The Code is internationally endorsed and requires credits to be permanent, independently monitored and verified and transparently reported in a carbon registry. It also applies an additionality test through which every project must demonstrate that the revenues from selling carbon credits are needed to make projects financially viable. The Code is managed by Scottish Forestry. Further details can be found on the Woodland Carbon Code [website](#).

The Woodland Carbon Code attracts additional private finance through sales of carbon credits to support higher levels of woodland creation that would otherwise be the case. Payments per hectare under the Forestry Grant Scheme (FGS) are considerably lower than those paid in England. Also, a new budget category under the FGS has recently been introduced whereby applicants receive lower levels of grant in order to pass the Woodland Carbon Code additionality test and receive income from carbon credits. This approach helps to protect public funds, enables the FGS budget to be deployed on further projects, and shows how public and private finance can be blended to achieve more progress towards our climate change objectives.

Point 3 - *In response to a question from Beatrice Wishart MSP, you agreed to provide an update on the programme of work being actioned around the production of fisheries management plans and the Joint Fisheries Statement.*

Response

As set out in my letter to the Committee of 7 October, a Defra-led consultation proposing amendments to Annex A in the Joint Fisheries Statement (JFS), which contains the list of FMPs and the revised timetable for their delivery, [was published on 10 October](#). The consultation will run for 6 weeks from 10 October to 21 November. The deadline for the Scottish-led FMPs will be moved to the end of 2026.

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While a significant amount of work on the 21 Scottish-led FMPs has already been completed, this work is complex and further stakeholder engagement and consultation is needed. Extending the deadline will allow us to give stakeholders in Scotland adequate time to engage and contribute their ideas.

Point 4 - *You committed to provide further information about how the Marine Directorate manages Freedom of Information requests, and what its position is regarding the publication of data collected using public monies.*

Response

Following recommendations arising from an improvement programme initiated in 2021 on its approach to Freedom of Information (FOI) handling, Marine Directorate operates a hub and spoke model to manage its FOI and Environmental Information Regulations (EIR) requests. When requests are received, each is assigned to a case handler within the Directorate. The Directorate also has a dedicated full-time FOI / EIR Advisor post which provides specialised advice and support to case handlers.

Marine Directorate takes a continuous improvement approach with respect to FOI / EIR handling. Currently, for example, that includes improving capacity and capability through a suite of training resources which supplement the central SG training offer. The Directorate also continues to consider options going forward regarding proactive publication as a means of reducing pressure on staff in responding to information requests. Marine Directorate does already have well-established processes with multiple options for proactively publishing information. For example, compliance enforcement statistics, science datasets, Fish Health Inspectorate case information and marine funding grants awarded are all proactively published. Further, the Marine Directorate has published 364 open data sets, and a large volume of information pages and documents relating to marine licensing, marine planning and the outcomes of marine assessments conducted.

It should also be noted that a considered approach is necessary with respect to proactive publication, to ensure the benefits outweigh the overheads incurred to publish information. This also needs to be factored with the likelihood of information being of interest to the wider public.

Point 5 - *In response to a question from Rachael Hamilton MSP, you agreed to follow-up with figures describing how personnel numbers have changed since the Marine Scotland was renamed the Marine Directorate in 2023.*

Response

Please see the table included at Annex A for a breakdown of the Marine Directorate headcount of directly employed and contingent staff from 2022-23 onwards. Note that the change in reporting from the 2022-23 figures and the 2023-24 figures arises from the Directorate's restructuring from the previous Divisional areas to its current Portfolio areas model.

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Point 6 - You said you would keep the Committee informed on the Scottish Government's approach to cockling in the Solway Firth following the conclusion of a two-year research programme on the topic.

Response

As the Committee will be aware, scientific survey work is ongoing to assess Solway cockle stocks. I will consider this matter further after my officials have received the outcome of this survey work and when I receive the associated scientific advice arising.

Any decisions made on the future of the fishery will consider this evidence and align with our obligations under the Fisheries Act and National Marine Plan, and of course be considered alongside other priorities.

Point 7 - When discussing the issue of veterinary arrangements following Brexit, you agreed to furnish a copy of a Scottish Government publication setting out its expectations around a revised SPS agreement between the UK Government and the European Union.

Response

Our paper was published on 29 August and is available [here](#).

Point 8 - You undertook to circulate details of NatureScot's approach to engagement with local communities relating to the designation of national parks.

Response

NatureScot has published a [plan](#) setting out the process and timescale for its work as the reporter. Through this process, NatureScot will consult local residents, communities, businesses, public bodies and other interested parties in order to determine whether Galloway should become Scotland's next National Park.

NatureScot has launched a dedicated information [website](#) and online engagement hub for local residents and communities to find out more information and begin to have their say on the proposal. NatureScot has also held meetings with relevant local authorities, community councils and organisations. A leaflet has also been issued to all households within and close to the proposed area, explaining the consultation process and how to get involved. During this pre-consultation phase, all comments from organisations and individuals are recorded and will be taken into consideration.

From early November, NatureScot's formal 12-week public consultation will open. A consultation paper, which will include more details about the proposal, will be made available online and in hard copy and a short version of the consultation paper will be distributed to households within and close to the proposed area. Additionally, NatureScot will host a series of independently facilitated public meetings and drop-in surgeries for local people and communities across the area during those 12 weeks. This will include events and surveys for businesses and bespoke activities and events for young people and equality groups. All views expressed during the consultation will be reported to the Scottish Government as part of the reporter's advice.

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Point 9 - *Regarding proposals for streamlined investigation and enforcement of statutory conditions set out in the new crofting bill, the Committee is keen to know how the Scottish Government will ensure any revised complaints process will protect the anonymity of individuals reporting breaches of duty.*

Response

There are separate processes in the Crofters (Scotland) Act 1993 for handling complaints about breaches of statutory conditions and about breaches of statutory duties. Regarding the latter, the Crofting Commission generally adopt a policy that the names of those reporting suspected breaches of duty can be made available, in line with the Freedom of Information (Scotland) Act 2002, except where there is an exceptional reason to withhold the information, such as a potential threat to an individual. This approach protects others in the township who might otherwise be wrongly suspected of having made such a report. There were no questions in the recent Crofting Consultation that proposed to change that position.

Point 10 - *Following your attendance at the IMG meeting, the Committee would welcome an update on progress towards resolving outstanding issues relating to the implementation the border target operating model on the west coast of Scotland.*

Response

At the IMG-EFRA the UK Government agreed to meet with us in the near future to discuss the BTOM. I made it clear that the Scottish Government expects the UK Government to address the outstanding issues that remain unresolved. It was frustrating therefore to be notified that there is to be yet another delay to the implementation of the BTOM itself – the sixth since Brexit – which was due to come into force on 31 October this year.

The previous UK Government did not deliver proportionate and workable solutions for trade moving from Ireland and Northern Ireland to Great Britain. As a result, some of the current model is not operational across GB's 'west coast'. Practical operational solutions are still required, and we want to work collaboratively with the new UK and Devolved Governments to deliver this.

Until the UK Government negotiates a comprehensive Veterinary and SPS Agreement with the EU, all governments across the UK will have to deliver appropriate biosecurity protections – in line with the outstanding elements of the BTOM – in order to protect our people, businesses and environment.

I hope this information is helpful.



MAIRI GOUGEON

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Marine Directorate Headcount information

Directly Employed Staff - Headcount

	Mar- 22	Mar- 23	Apr- 24
DIRECTORS OFFICE (CORPORATE, ANALYTIC SERVICES)	49	.	.
AQUACULTURE, CROWN ESTATE AND RECREATIONAL FISHERIES	25	.	.
FUNDING AND STRATEGY	32	.	.
MARINE PLANNING AND POLICY	72	.	.
MARINE SCOTLAND COMPLIANCE	287	(291).	(278).
MARINE SCOTLAND SCIENCE	271	.	.
PERFORMANCE, AQUACULTURE AND RECREATIONAL FISHERIES	.	.	.
SEA FISHERIES DIVISION	27	.	.
EU EXIT AND EMFF	.	.	.
SEAFOOD TRADE	13	.	.
DIRECTOR OF MARINE SCOTLAND AND PS	2	4	3
Operational Delivery	.	332	319
Science Evidence, Data and Digital	.	274	279
Marine Economy and Communities	.	44	38
Marine Environment	.	42	46
Corporate, Strategy and Marine Planning	.	87	71
All	778	783	756

Contingent Staff - Headcount

	Mar- 22	Mar- 23	Mar- 24
DIRECTORS OFFICE (CORPORATE, ANALYTIC SERVICES)	1	.	.
FUNDING AND STRATEGY	6	.	.
MARINE PLANNING AND POLICY	9	.	.
MARINE SCOTLAND COMPLIANCE	24	.	.
MARINE SCOTLAND SCIENCE	22	.	.
PERFORMANCE, AQUACULTURE AND RECREATIONAL FISHERIES	.	.	.
SEA FISHERIES DIVISION	1	.	.
SEAFOOD TRADE	1	.	.
DIRECTOR OF MARINE SCOTLAND AND PS	.	1	1
Operational Delivery	.	8	7
Science Evidence, Data and Digital	.	21	9
Marine Economy and Communities	.	.	.
Marine Environment	.	1	1
Corporate, Strategy and Marine Planning	.	3	2
All	64	34	20
TOTAL	842	817	776