

**ABERDEEN CITY  
COUNCIL**

**ABERDEENSHIRE  
COUNCIL**

**MORAY  
COUNCIL**

**ANGUS  
COUNCIL**

**NORTH EAST SCOTLAND AGRICULTURE ADVISORY GROUP**

**WEDNESDAY, 28 APRIL 2021 at 10.00 A.M.**

Your attendance is requested at a meeting of the **NORTH EAST SCOTLAND AGRICULTURE ADVISORY GROUP** which will be held virtually via **SKYPE** on **WEDNESDAY, 28 APRIL 2021 at 10.00 A.M.**

21 APRIL, 2021

Director of Business Services  
Aberdeenshire Council  
on behalf of North East  
Scotland Agriculture Advisory Group

To: Aberdeenshire Council:  
Councillors: W Howatson (Chair), S Duncan, J Hutchison, J Ingram,  
D Robertson, I Taylor and J Whyte.

Aberdeen City Council:  
Councillors: B Crockett, N MacGregor and A MacKenzie.

Moray Council:  
Councillors: D Bremner and T Eagle.

Angus Council:  
Councillors: K Braes, C Brown, A Macmillan Douglas and B Myles.

<b>Contact Person:-</b>	<b>Joanna Harrold</b>
	<b>Tel: 01467 533472</b>
<b>E-mail:</b>	<b>joanna.harrold@aberdeenshire.gov.uk</b>

## **B U S I N E S S**

1. Welcome and introductions
2. Equalities
3. Minutes of meeting 25 November 2020 **(Pages 4-7)**
4. Matters arising
5. Presentation: Post Brexit reflections from the Meat Processing Sector by Martin Morgan, Executive Manager, Scottish Association of Meat Wholesalers & Tom Gibson Director of Market Development, Quality Meat Scotland
6. Presentation: Seed Potato Exports: Past, Present & Future by Patrick Hughes, Head of Potato Export Trade, Agriculture & Horticulture Development Board
7. Presentation: Update on SeedPod by Neil Freckingham, Director
8. Report: NESAAG Partnership Review **(Pages 8-16)**
9. Report: Rural Forum proposal **(Pages 17-18)**
10. Bulletin: UK Internal Market Act 2020 **(Pages 19-21)**
11. A.O.C.B.
12. Proposed dates of 2021 meetings:  
10.00 on Wednesday 15 Sept  
10.00 on Wednesday 24 Nov

## **PUBLIC SECTOR EQUALITY DUTY – GUIDANCE FOR MEMBERS**

### **What is the duty?**

In making decisions on the attached reports, Members are reminded of their legal duty under section 149 of the Equality Act 2010 to have due regard to the need to:-

- (i) eliminate discrimination, harassment and victimisation;
- (ii) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
- (iii) foster good relations between those who share a protected characteristic and persons who do not share it.

The “protected characteristics” under the legislation are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; and (in relation to point (i) above only) marriage and civil partnership.

### **How can Members discharge the duty?**

To ‘have due regard’ means that in making decisions, Members must consciously consider the need to do the three things set out above. This requires a conscious approach and state of mind. The duty must influence the final decision.

However, it is not a duty to achieve a particular result (e.g. to eliminate unlawful racial discrimination or to promote good relations between persons of different racial groups). It is a duty to have due regard to the need to achieve these goals.

How much regard is ‘due’ will depend upon the circumstances and in particular on the relevance of the needs to the decision in question. The greater the relevance and potential impact that a decision may have on people with protected characteristics, the higher the regard required by the duty.

### **What does this mean for Committee/Full Council decisions?**

Members are directed to the section in reports headed ‘Equalities, Staffing and Financial Implications’. This will indicate whether or not an Equality Impact Assessment (EIA) has been carried out as part of the development of the proposals and, if so, what the outcome of that assessment is.

An EIA will be appended to a report where it is likely that the action recommended in the report could have a differential impact (either positive or negative) upon people from different protected groups. The report author will have assessed whether or not an EIA is required. If one is not required, the report author will explain why that is.

Where an EIA is provided, Members should consider its contents and take those into account when reaching their decision. Members should also be satisfied that the assessment is sufficiently robust and that they have enough of an understanding of the issues to be able to discharge their legal duty satisfactorily.

For more detailed guidance please refer to the following link: -

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

## **NORTH EAST SCOTLAND AGRICULTURE ADVISORY GROUP**

### **VIRTUAL SKYPE MEETING**

**WEDNESDAY, 25 NOVEMBER, 2020**

- Present:**
- Aberdeen & Grampian Chamber of Commerce** – C Philips
  - Aberdeenshire Council** – Provost W Howatson (Chair),  
Councillors S Duncan, J Ingram, D Robertson, I Taylor and J Whyte
  - Aberdeen City Council** – Councillor N MacGregor
  - Angus Council** - Councillors K Braes
  - Bank of Scotland** – P Reid
  - Food Standards Scotland** – P Smyth
  - Herd Advance Ltd** – J Grant
  - JHI** – Prof K Thomson
  - LANTRA Scotland** – S Howden
  - Moray Council** – Councillor D Bremner
  - NFU Scotland** – C Adam and L Paterson
  - SAC Consulting** - D Ross
  - Scottish Agricultural Organisation Society** – T Bailey and J Booth
  - Scottish Forestry** – J Nott
  - Scottish Land and Estates** – F Van Aardt and D Fyffe
  - SRUC** – R Graham
  - SEPA** - P Wright
  - Visit Scotland** - J Robinson
- Apologies:**
- Aberdeen City Council** – A Scott
  - Aberdeenshire Council** – Cllr J Hutchison
  - Agriculture and Rural Economy Directorate** – J Stuart
  - Angus Council** - Cllr B Myles
  - JHI** – Prof D Roberts
  - Moray Council** – Councillor T Eagle
  - Scottish Enterprise** – G Ford
  - Strutt and Parker** – L Irwin
- Officers:**
- Aberdeenshire Council** - N David, Senior Committee Officer, J Harrold, Assistant Committee Officer and D McDonald, Industry Support Executive ED & PS (Aberdeenshire Council)

### **1. WELCOME, INTRODUCTIONS AND DECLARATIONS OF INTEREST**

The Chair welcomed everyone present to the meeting. Members were asked if they had interests to declare. No declarations of interest were intimated.

## 2. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Partnership **agreed**, in terms of Section 149 of the Equality Act 2010:-

- (1) to have due regard to the need to:-
  - (a) eliminate discrimination, harassment and victimisation;
  - (b) advance equality and opportunity between those who share a protected characteristic and persons who do not share it, and
  - (c) foster good relations between those who share a protected characteristic and persons who do not share it; and
- (2) to consider, where an equality impact assessment had been provided, its contents and to take those into consideration when reaching a decision.

## 3. MINUTE OF MEETING OF 23 SEPTEMBER, 2020

The Minute of Meeting of 23 September, 2020 was circulated and **approved** as a correct record.

## 4. MATTERS ARISING

Of the three matters arising, the first, a proposed visit to Glensaugh Farm, will be progressed as soon as the current Covid-19 restrictions permit. Secondly, contact has been made with the Dimpleby National (UK) Food Strategy Team. No commitment to a representative attending a future meeting of the Group has yet been obtained. Thirdly, a further update on the Internal Market Bill will be presented once the Bill has completed its passage through the parliamentary process.

**Action point 1: Glensaugh visit to be arranged when restrictions permit**

**Action point 2: Establish engagement with UK National Food Strategy Team**

**Action point 3: Internal Market Bill report to future meeting**

## 5. PRESENTATION: FARM CO-OPERATION: MORE RELEVANT THAN EVER BY TIM BAILEY, CHIEF EXECUTIVE, SAOS

Members **noted** a presentation by Tim Bailey, Chief Executive of the Scottish Agricultural Organisation Society, which addressed the benefits of farm co-operation which include increased efficiency, productivity, and mitigation of risk. He provided members with an insight to how technology can help to further agri-business objectives, increase scale and operating efficiency and help strengthen supply chain connections. Mr Bailey described some of the barriers to more widespread adoption of agricultural co-operative platforms; these include outdated perceptions, but the reality is that cooperation has proven to be especially effective during the Covid-19

pandemic, enabling knowledge to be pooled and resources to be accessed, thereby enhancing the agility and resilience of co-op members. After a question and answer session, the Chair thanked Mr Bailey for his illuminating presentation and his willingness to answer an extensive number of questions from members.

#### **6. PRESENTATION: EU EXIT – EXPORT UPDATE BY PAT SMYTH, HEAD OF IMPORTS/EXPORTS, FOOD STANDARDS SCOTLAND**

Members **noted** a presentation by Pat Smyth, Head of Imports & Exports for Food Standards Scotland in which the impending EU Exit was discussed and what this may mean for exports in the agricultural industry. Mr Smyth has been working for three years on Food Standards Scotland's preparations for the UK's departure from the EU and outlined several scenarios illustrating the potential outcomes for trade. Mr Smyth then described (1) the UK National Listing, (2) the EU Traces System, (3) certification requirements for food and food product exports to the EU, (4) Export Health Certificate charges and (5) Health and ID marks for packaging. After a question and answer session, the Chair thanked Mr Smyth for his very detailed and informative presentation to members.

#### **7. PRESENTATION: THE HERD ADVANCE STOCKMAN SYSTEM BY JILLY GRANT AND MURDOCH DUNCAN, HERD ADVANCE LTD**

Members **noted** a presentation by Jilly Grant and Murdoch Duncan of Herd Advance Ltd. Ms Grant started by setting out current livestock industry challenges and limitations, including staffing and labour constraints, low productivity and meeting the expectations of markets. Ms Grant went on to describe how innovative technology could help, specifically the Herd Advance Stockman System which monitors production performance accurately and continuously and also reduces the need for manual livestock handling and segregation. After a question and answer session, the Chair thanked Jilly Grant for her very informative presentation and wished her well in developing Herd Advance Ltd.

#### **8. BULLETIN: UK AGRICULTURE BILL**

Members **noted** an oral update report by the Industry Support Executive on the UK Agriculture Bill, which passed into law on 11 November 2020 and although it primarily affects England it seems likely to have implications for how agriculture in Scotland is supported. For example the Bill will influence international trade deals which will inevitably affect Scotland's agricultural sector.

#### **9. BULLETIN: POST BREXIT POTATO EXPORTS**

Members **noted** an oral update report by the Industry Support Executive on the current understanding of the implications of Brexit for seed potato exports, an important and high value sector in NE Scotland, in that some 80% of local production is exported as seed whereas elsewhere in Scotland, the figure is typically 20%.

Given the anticipated difficulties in exporting seed potatoes from 1 January 2021 onwards, producers have brought forward transshipments to Europe and beyond.

**Action point 4: Seed potato exports update at future meeting**

#### **10. A.O.C.B.**

No further business was raised.

#### **11. DATES OF 2021 MEETINGS**

The dates proposed for 2021 meetings of NESAAG were **agreed**:

- 10am on Wednesday 28 April 2021
- 10am on Wednesday 15 September 2021
- 10am on Wednesday 24 November 2021.

All meetings will take place via Skype unless otherwise stated.

**Action point 1: Glensaugh visit to be arranged when restrictions permit**

**Action point 2: Establish engagement with UK National Food Strategy Team**

**Action point 3: Internal Market Bill report to future meeting**

**Action point 4: Seed potato exports update at future meeting**

**Action point 5: Presentations to be posted on webpage**

## **NORTH EAST SCOTLAND AGRICULTURE ADVISORY GROUP REPORT – 28 APRIL 2021**

### **PARTNERSHIP REVIEW OF NESAAG**

#### **1 Reason for report**

- 1.1 To facilitate a Partnership Review of NESAAG

#### **2 Recommendation**

**It is recommended that:**

- 2.1 Members consider and endorse the partnership review documents set out in Appendices 1 and 2 to this report**

- 2.2 Members confirm their continuing support for NESAAG and consider whether its remit and membership continue to reflect fairly an industry sector which has undergone significant change in recent years.**

#### **3 Purpose and Decision-Making Route**

- 3.1 Aberdeenshire Council's Partnership Working Policy requires that a short assessment be undertaken on all partnerships every two years. The council hosts NESAAG, which is described on its own webpage as 'a major cross-sectoral forum that lobbies on behalf of the sector as well as providing support and advice both to the agricultural sector and the wider rural economy of the North East'. <https://www.aberdeenshire.gov.uk/business/support-and-advice/industry-sectors/agriculture-and-rural-development/the-north-east-scotland-agriculture-advisory-group-nesaag/>
- 3.2 NESAAG has met regularly since at least 1999. **Appendix 3** sets out the terms of reference for the group as defined in 2003 (the earliest record found): 'To act as an advisory body to the Councils in NE Scotland, encompassing all rural affairs, with particular interest in agriculture and rural employment, farm incomes, farming policy, conservation, diversification of farming including forestry, tourism and farm industries, the implications of change in farming practice and land use and the provision of infrastructure, services and facilities in rural areas'. Appendix 3 includes the names of members in 2003, several of whom (including the Chair) are still actively involved in NESAAG. Since then, the membership has broadened and continues to develop in response to the changing demands placed upon agriculture and the wider land-based sector and to new opportunities arising.

#### **4 Discussion**

- 4.1 Previous review reports have referred to a favourable cost: benefit analysis showing that the costs of the partnership, principally officers' time, are minimal in comparison to the benefits of working in partnership with neighbouring authorities and the wider land-based industry and its representatives. Members are invited to support the continuation of the NESAAG and to



consider whether its remit and membership continue to reflect fairly an industry sector which has undergone significant change in recent years. The list of current members is attached as **Appendix 4**.

- 4.2 The work of NESAAG is consistent with the ambitions of the Regional Economic Development Strategy for sustainable growth in food, drink and agriculture and aligns with the Strategy's four key themes of Innovation, Internationalisation, Infrastructure and Inclusivity.  
<https://investaberdeen.co.uk/images/uploads/RES%20Action%20Plan%202018-2023%20FINAL.pdf>

## 5 Council Priorities, Implications and Risk

5.1 The following Council priorities are relevant to this report

- Support a strong, sustainable, diverse and successful economy
- Protect our special environment including tackling climate change by reducing greenhouse gas emissions

5.2 The table below indicates whether risks and implications apply if the recommendations are agreed

Subject	Yes	No	N/A
Financial			x
Staffing			x
Equalities			x
Fairer Scotland Duty			x
Town Centre First			x
Sustainability			x
Children and Young People's Rights and Wellbeing			x

**Alan Wood**  
**Director (Interim), Infrastructure Services**

Report prepared by Derek McDonald, Industry Support Executive (Rural & Maritime)  
 19 April 2021

Start-Up Assessment

**Appendix 1**

Partnership Working Policy - NESAG Partnership Assessment

This should be completed every two years as per the terms of the Partnership Working Policy.

This information will be presented to the relevant policy committee to inform its decision on membership of the partnership

Areas for consideration	Assessment	Comment/Proposed Action
Is the partnership a statutory partnership?	No ▼	
If yes, please state the legislation in the comment box. (Please continue to go through the assessment for best practice purposes, rather than to assess whether there should be participation in the partnership).		
The partnership has set outcomes or objectives to be achieved	Yes ▼	
plan and priorities ( <a href="http://www.aberdeenshire.gov.uk/council-and-democracy/council-plan">http://www.aberdeenshire.gov.uk/council-and-democracy/council-plan</a> )	Yes ▼	
If yes or partly, please specify which priorities in the comment box		Support a strong, sustainable, diverse and successful economy & Protect our special environment, including tackling climate change by reducing greenhouse gas emissions
The partnership follows the Account Commission's Code on Following the Public Pound / financial regulations and agrees appropriate arrangements for allocating start-up and running costs ( <a href="http://www.audit-scotland.gov.uk/uploads/docs/report/2004/nr_040311_following_public_pound.pdf">http://www.audit-scotland.gov.uk/uploads/docs/report/2004/nr_040311_following_public_pound.pdf</a> )	N/A ▼	
The partnership makes links to the CPP's Local Outcomes Improvement Plan priorities where relevant ( <a href="http://www.ouraberdeenshire.org.uk/our-priorities/local-outcomes-improvement-plan/">http://www.ouraberdeenshire.org.uk/our-priorities/local-outcomes-improvement-plan/</a> )	No ▼	
All other appropriate bodies have been invited to participate in this partnership	Yes ▼	
The partnership ensures equality of opportunity for all and complies with statutory duties (equalities, socio-economic, town centres first principle) as required	Yes ▼	
The partnership has a document such as an agreement, remit or memorandum of association to define its role, powers and how it carries out its business	Yes ▼	
The partnership makes a formal annual report that includes annual accounts and performance to its members and other bodies if necessary	No ▼	
Appropriate status and voting rights are accorded to the council in the partnership	N/A ▼	
Members of the partnership's top-level decision-making group can be recalled by their nominating bodies	N/A ▼	

Start-Up Assessment

The risks faced by the partnership are shared between partners	N/A	▼	
Routine sharing of personal data will take place within the partnership	No	▼	
If yes or partly, please consider if a Data Privacy Impact Assessment, an Information Sharing Agreement or a Privacy Notice is required. All guidance and templates can be found at this link <a href="https://aberdeenshire.sharepoint.com/sites/Arcadia/services/Pages/Business%20Services/ICT/Information%20Management%20and%20Record%20Management/Data%20Protection/Data%20Protection.aspx">https://aberdeenshire.sharepoint.com/sites/Arcadia/services/Pages/Business%20Services/ICT/Information%20Management%20and%20Record%20Management/Data%20Protection/Data%20Protection.aspx</a>			
The partnership has a complaints process or agrees to adopt the complaints process of a member organisation	N/A	▼	
Meetings of the partnership's top-level decision-making group are open to the public	N/A	▼	
The public is entitled to see reports considered by the partnership's top-level decision-making group	Yes	▼	
Minutes of the partnership's meetings are made publicly available	Yes	▼	
The partnership's top-level decision-making group has a quorum for meetings	No	▼	
Members of the partnership's top-level decision-making group are appointed for a limited period of time	No	▼	
There are agreed arrangements for dissolving the partnership	No	▼	
There are clear arrangements for the council to exit the partnership	N/A	▼	
There is a procedure for ensuring members who declare conflicts of interest take no part in decision	N/A	▼	
The partnership recognises the obligations placed on Elected Members due to the Code of Conduct and has a procedure for ensuring members who declare conflicts of interest take no part in decision.	N/A	▼	
<b>Cost / Benefit Analysis</b>	<b>Response</b>		
Please detail the staffing and financial implications of running the partnership, including those on other council services and partners	Officer time only		
Please state the source of any funding received by the partnership	N/A		
Please describe the benefits of council participating in the partnership	Leadership and coordination role for council in representing land-based sector interests		
The partnership is sustainable and is the best way of achieving its aims and outcomes	Yes	▼	

▼

## APPENDIX 2

### Annual Risk Assessment

Partnership Name:	Completed by:	Date:
NE Scotland Agriculture Advisory Group	Derek McDonald	19/04/2021

All partnerships must be recorded in the Register of Partnerships on Arcadia

This table assesses whether your partnership should be recorded as a **significant** partnership requiring a Risk Register (from the Risk Management Team).

Please enter the score in the last column for the statement which most closely represents your partnership.

Impact No.	Description	Minor (Score 1)	Important (Score 2)	Significant (Score 3)	Major (Score 4)	Score
1	<b>The Council contributes to the partnership by direct funding and/or indirectly through staff resources, work done etc.)</b>	< £10K per annum	£10K to < £50 k per annum	£50K to < £100k per annum	> £100k per annum	1
2	<b>The partnership's success is critical to the achievement of one or more of the Council's Strategic Priorities.</b>	Not directly linked to a strategic priority (this needs to be flagged up to the policy committee in this case)	Linked to a strategic priority	Significant contributor to success of a strategic priority	Essential to the achievement of a strategic priority	3
3	<b>Failure of the partnership would have an impact on the Council's reputation.</b>	Threat of adverse comment in local press or the equivalent that Corporate Communications consider to be of material concern to the Council.	Actual adverse comment in local press or the equivalent that Corporate Communications consider to be of material concern to the Council.	Individual press reports in national media that Corporate Communications consider being of material concern to the Council.	Concerted, widespread or recurrent critical coverage of the Council or for a specific event in the media	1
4	<b>The extent to which partnership expenditure is controlled by the Council.</b>	The Council has full control over expenditure decisions.	The Council has veto on expenditure decisions.	The Council is a party to expenditure decisions.	The Council has no control over expenditure.	1
5	<b>The partnership takes decisions on behalf of or which are binding on the Council.</b>	The Partnership does not take decisions on behalf of the Council	The Partnership does not take decisions on behalf of the Council but representatives with decision-making authority attend the partnership and consider and influence its recommendations.	The Partnership does not take decisions on behalf of the Council but representatives with decision-making authority attend the partnership and agree to be bound by its decisions.	The partnership has decision-making responsibilities directly delegated to it from the Council.	1
6	<b>The Council has set up the partnership in order to receive additional funding and/or meet Statutory or Regulatory requirement.</b>	Not required by law or to receive funding.	Indirect or limited links to successful achievement of funding.	Direct links to successful achievement of funding.	The Council is required to participate in this partnership by law or to receive specific funding.	1
Total Score						8
Maximum Possible Score						24
Impact %						33.33%
Evaluation						<b>Not Significant</b>

## Appendix 3

### Aberdeenshire Council

#### Review of Working Groups: TERMS OF REFERENCE (2003)

<b>Title of Group</b>	North East Scotland Agriculture Advisory Group (NESAAG)
<b>Lead Officer</b>	Roddy Matheson, Industry Sector Manager, Economic Development
<b>Remit - Please state here the remit of the group and its specific objectives</b>	
To act as an advisory body to the Councils in North East Scotland, encompassing all rural affairs, with particular interest in agriculture and rural employment, farm incomes, farming policy, conservation, diversification of farming including forestry, tourism and farm industries, the implications of change in farming practice and land use and the provision of infrastructure, services and facilities in rural areas.	

<b>Current Membership</b>	
7 Aberdeenshire Council members, 5 Aberdeen City Council members, 5 Moray Council members, farming community and industry.	

Name	Organisation
Councillor	Aberdeenshire Council
Councillor	Aberdeenshire Council
Councillor	Aberdeenshire Council
Councillor	Aberdeenshire Council
Councillor	Aberdeenshire Council
Councillor	Aberdeenshire Council
Councillor	Aberdeenshire Council
Councillor	Aberdeen City
Councillor	Aberdeen City
Councillor	Aberdeen City
Councillor	Aberdeen City
Councillor	Aberdeen City
Councillor	Aberdeen City
Councillor	The Moray Council
Councillor	The Moray Council
Councillor	The Moray Council
Councillor	The Moray Council
Councillor	The Moray Council
Mr B Pack	ANM Group Ltd
Professor H Miller	University of Aberdeen
Mr Neil Anderson	Baxters of Speyside Ltd
Mr A Massie	Aberdeen Chambers of Commerce

Mr Bellfield	Clinterty Estates Ltd
Mr I Clark	Clydesdale Bank
Steff Ferguson	GFWAG
Mr Douglas Clark	Grampian Conservancy
Ms Allene Bruce	Scottish Enterprise Grampian Ltd
Mr Douglas J Yule	Moray, Badenoch and Strathspey Enterprise
Mr John Miskelly	NFU Scotland
Mr Cameron Ewen	NFU Scotland (North East Region)
Mr Allan Smith	North East Region NFU (Scotland)
Ms Lisa Roberts	NFU (Scotland)
Mr Bruce Mackie	NFU (Scotland) North East
Mr Jim Stewart	NFU Scotland
Mr W Caldwell	Robert Gordon University
Dr I Francis	Royal Society for the Protection of Birds
Mr P Leat	Scottish Agricultural College
Mr J Calder	Scottish Agricultural College (Advisory)
Mr Bob Yule	Scottish Agricultural Organisation Society Ltd
Mr P D W Timms	Scottish Natural Heritage
Mr P Grant	SERAD
Sir Archibald Grant	TGUK
Mr Ian Keith	UKASTA
Mr D Gray	SAC Veterinary Services
Lynne Smith	Scottish Young Farmers Association (Grampian Branch)
Dr W Slee	University of Aberdeen
Mr A Buchan	Westside, Newmachar
Professor M Lomax	University of Aberdeen
Dr J Paterson	Food Standard Agency Scotland
Prof. Ken Thomson	University of Aberdeen

#### Authority to Establish Group

Committee - Infrastructure Services Committee

Date - 3 June, 1999

Minute of Text in Full - "The Committee **agreed** to reappoint the sub-committees and working groups with membership as follows:- .... North East Scotland Agriculture Advisory Group - Councillors Buchan, Burnett, Cowie, Howartson, Luffman, Millar and Stroud.

#### Time Limits

It is intended that the group meet at twice yearly intervals, with no limit of time for the following reasons:-

1. The ongoing work of the Group is enshrined in the Council's Economic Development Strategy 2001-2007 (Objectives 3 and 5) and the current Service Plan.
2. The Group is a cross sector forum representing the developing interest and concern affecting both public and private sector organisations involved in the rural economy of the North East.
3. Ongoing lobbying at various governmental levels on behalf of the agriculture and related sectors.

#### Date of Last Meeting

22 April, 2003.

**NESAAG member listing****COUNCILLORS (15)****Aberdeenshire (6)**

S Duncan  
W Howatson  
J Hutchison  
J Ingram  
D Robertson  
I Taylor  
J Whyte

**Aberdeen City (3)**

B Crockett  
N MacGregor  
A MacKenzie

**Moray (2)**

D Bremner  
T Eagle

**Angus Council (4)**

K Braes  
C Brown  
A Macmillan Douglas  
B Myles

**External members**

1.	Mr Bob Yuill, Scottish Agricultural Organisation Society Ltd, Glass, Huntly, AB54 4XR
2.	Peter Chapman MSP (Observer)
3.	Professor Bill Slee, James Hutton Institute, Craigiebuckler, Aberdeen
4.	Clive Phillips, Aberdeen & Grampian Chambers of Commerce, c/o Brodies LLP, 23 Carden Place, Aberdeen, AB10 1UQ
5.	Mr Peter Cook, P&L Cook & Partners, Roquharold, Kemnay, Inverurie, AB51 5NX.
6.	Mr David Fyffe, SLE, Netherton Rural Business Centre, Kemnay, Aberdeenshire AB51 5LX
7.	Professor Deborah Roberts, James Hutton Institute & University of Aberdeen
8.	Mr E Gillanders, Agricultural Communications Ltd, 11 Sunnyside Gardens, Drumoak, Banchory, AB31 5EZ
9.	Peter Wright, SEPA, 28 Perimeter Road, Elgin, IV30 6AF
10.	Hywel Maggs, RSPB, 10 Albyn Terrace, Aberdeen, AB10 1YP
11.	Mr Jim Booth, Scottish Agricultural Organisation Society (SAOS), Udney, Ellon, AB41 6SD
12.	James Nott, Grampian Conservator, Scottish Forestry, Ordiquhill, Portsoy Road, Huntly, AB54 4SJ
13.	Professor Ken Thomson, University of Aberdeen
14.	Rob Graham, SRUC, Ferguson Building, Craibstone, Aberdeen, AB21 9YA

15.	Lorna Murray, Food Standards Scotland, St Magnus House, 6th Floor, 25 Guild Street, Aberdeen, AB11 6NG.
16.	Lorna Paterson, NE Regional Manager, NFUS
17.	Dr Lee Ann Sutherland, James Hutton Institute, Craigiebuckler, Aberdeen, AB15 8QH
18.	Mr Mac Mackie, Mackies Ltd., Westertown, Rothienorman, Inverurie, AB51 8US
19.	Dr Liz Barron-Majerik, Director, LANTRA, Inveralmond Business Centre, Perth, PH1 3FX
20.	Sheena Howden, Project Manager, LANTRA, Perth
21.	Mr Grant Rogerson, CE, ANM Group Ltd, Thainstone Centre, Inverurie, AB51 5XZ
22.	Jo Robinson, Regional Director, VisitScotland, Exchange House, Aberdeen, AB11 6PH
23.	Gina Ford, Project Manager, Scottish Enterprise, Aberdeen
24.	Larry Irwin, RICS, Strutt & Parker, 68 Station Road, Banchory, AB31 5YJ
25.	Jim Grant, Moray Council
26.	Jamie Farquhar, Confederation of Forest Industries (Confor)
27.	Andrew Connon, NFUS Vice President
28.	Allan Simpson, NFUS Regional Chair
29.	Bob Hay, NFUS Regional Vice Chair
30.	Kevin Gilbert, NFUS Regional Vice Chair
31.	Charlie Adam, NFUS Representative
32.	David Ross, Senior Consultant, SAC Consulting, Kirkton Road, Stonehaven, AB39 2NQ
33.	John Stuart, Principal Agricultural Officer, SGRPID
34.	Philip Reid, Relationship Director, Agriculture, Bank of Scotland
35.	Fiona Van Aardt, NE Regional Support Officer, Scottish Land & Estates

**Internal members**

1.	Jim Savege, Chief Executive, Aberdeenshire Council
2.	Alan Wood, Director (Interim) Infrastructure Services, Aberdeenshire Council
3.	Paul Macari, Interim Head of Economic Development & Protective Services,



## **NORTH EAST SCOTLAND AGRICULTURE ADVISORY GROUP REPORT – 28 APRIL 2021**

### **RURAL FORUM PROPOSAL FOR NEXT MEETING OF NESAAG**

#### **1 Reason for report**

- 1.1 To consult NESAAG Members

#### **2 Recommendation**

- 2.1 **It is recommended that the Group considers and decides whether the next meeting of NESAAG should take the form of a Rural Forum**

#### **3 Purpose and Decision-Making Route**

- 3.1 For the purposes of future agenda planning.

#### **4 Discussion**

- 4.1 One of the recommendations of the 2008 study 'Agriculture in Aberdeenshire' was that NESAAG hosts a biennial 'Rural Forum' in which selected members provide brief synopses of current issues affecting their sector. Previous 'Fora' have been held every 2-3 years since July 2010, typically featuring primary production (arable and livestock), processing and trade sectors, forestry and timber industries, renewable energy, the environment, education, research, banking and legal/regulation, all in relation to the land-based economy in NE Scotland.
- 4.2 In 2016, NESAAG published 'Facing the Future' a highly detailed analysis of the wider land-based sector in Angus, Moray and Aberdeenshire. The report was compiled by a team led by Peter Cook and Recommendation no 1 – Leadership and the role of NESAAG – suggested that NESAAG should maintain its commitment to Rural Forum biennial reviews of the NE land-based sectors. <http://www.aberdeenshire.gov.uk/facingthefuture/>
- 4.3 The last NESAAG Rural Forum was held on 19 September 2018. The event scheduled for autumn 2020 was deferred due to the CV-19 pandemic. With a Rural Forum event now overdue, members are invited to consider whether they wish one to be arranged for the next meeting (15 Sept) or the final meeting of 2021 (24 Nov), the preferred format (virtual or face-to-face, which may have a bearing on timing) and whether members would be willing to present an update for their own sector. Suggestions would be welcome on elements of the land-based economy which have not featured in previous events.
- 4.4 The format for the NESAAG Rural Forum typically comprises ten presentations, each lasting around ten minutes with a further five minutes for discussion, concluding with a summary by Peter Cook. An earlier than usual

start time of 09.30 would be required in order to allow for a short break at 11.00 and to close the meeting at 12.45.

## 5 Council Priorities, Implications and Risk

5.1 The following Council priorities are relevant to this report

- Support a strong, sustainable, diverse and successful economy
- Protect our special environment including tackling climate change by reducing greenhouse gas emissions

5.2 The table below indicates whether risks and implications apply if the recommendations are agreed

<b>Subject</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
Financial			x
Staffing			x
Equalities			x
Fairer Scotland Duty			x
Town Centre First			x
Sustainability			x
Children and Young People's Rights and Wellbeing			x

**Alan Wood**  
**Director (Interim), Infrastructure Services**

Report prepared by Derek McDonald, Industry Support Executive (Rural & Maritime)  
19 April 2021



## **NORTH EAST SCOTLAND AGRICULTURE ADVISORY GROUP BULLETIN – 28 APRIL 2021**

### **THE UNITED KINGDOM INTERNAL MARKET ACT 2020**

#### **1 Reason for report**

- 1.1 To inform NESAAAG Members

#### **2 Recommendation**

- 2.1 It is recommended that the Group notes this report**

#### **3 Purpose and Decision-Making Route**

- 3.1 Action point from prior meeting

#### **4 Discussion**

- 4.1 At the prior meeting of NESAAAG on 25 November, a commitment was made to providing an update on the UK Internal Market Act once it had completed its passage through the UK parliamentary process. The UK Internal Market Bill was published on 9 September 2020 to prepare for the end of the transition period, following which the UK Government and Devolved Administrations would no longer be collectively bound by EU law. The UK Government argued that the Bill would be necessary to underpin the proper functioning of the UK internal market after the end of the transition period. Although the Scottish and Welsh parliaments declined to offer their consent, the Act became law on 17 December 2020.  
<https://www.legislation.gov.uk/en/ukpga/2020/27/contents/enacted>
- 4.2 The UK Internal Market Act 2020 embeds in law the two key Market Access Principles (MAPs) of mutual recognition and non-discrimination. Under the former, goods compliant with statutory rules relating to the part (country) of the UK in which they were manufactured or imported automatically meet the requirements applying elsewhere in the UK. A similar regime applies to services. For the latter principle (non-discrimination), rules on the sale of goods or delivery of services cannot discriminate against providers from another part of the UK, either directly or indirectly, though there are some exceptions for Northern Ireland under the Northern Ireland Protocol. The Act also establishes an Office for the Internal Market (OIM) which oversees the market.
- 4.3 While Devolved Administrations will still be able to regulate goods and services in their own areas under the Act, their standards may not be enforceable to manufacturers and providers elsewhere in the UK. This could potentially weaken the powers of devolved governments and stifle the opportunity to pilot higher standards and new policy developments in Devolved Administrations. The Institute for Government cites\* the example of a ban on single use plastics in one part of the UK being unenforceable on

manufacturers/providers elsewhere in the UK. Common Framework agreements are proposed through which the four administrations could collaborate to agree future policy development and minimise disruption arising from regulatory divergence, and in so doing help to allay concerns over the diminution of devolved powers.

<https://www.instituteforgovernment.org.uk/sites/default/files/publications/internal-market-act.pdf>

*\*The Welsh government intends to ban nine types of reusable plastics: straws, stirrers, cotton buds, balloon sticks, plates and cutlery, polystyrene food and drinks containers, and certain types of carrier bags. England has already introduced a similar ban, but this applies only to the first three items, which would leave the latter six items legal in England and not Wales. The ban on these six items would apply only to plastics produced in Wales and would not be enforceable against plastic products sold in Wales if they were produced in England. So the Welsh government would not be able to prevent, for example, plastic cutlery from being sold, consumed and disposed of in Wales. This could undermine its ability to achieve the objective of reducing plastic waste. The Welsh government said: 'A ban that could only apply to Welsh produced plastics would undermine the policy and render it ineffective'.*

- 4.4 Previously, EU Structural Funds were administered by Devolved Administrations. The Act empowers UK Ministers to intervene directly in any part of the UK to resource investment in infrastructure, economic development and skills, as seems likely via the UK Shared Prosperity Fund. Powers to create a new UK-wide State Aid regime are also part of the Act and have been the subject of a recent consultation.
- 4.5 That the Act – which has significant implications for devolved government – passed into law without the approval of Devolved Administrations, as is customary under the 'Sewel Convention', set the pattern for the continuing dissent expressed by Scottish and Welsh Governments that devolved powers have been undermined by the Act. The House of Lords expressed concerns during the passage of the Bill and secured several amendments, including strengthening the reach of the common framework approach when managing policy divergence (ie through consensus).  
<https://commonslibrary.parliament.uk/research-briefings/cbp-9051/>  
<https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2021/03/brexit-uk-internal-market-bill-scotlands-future/documents/brexit-uk-internal-market-act-devolution/brexit-uk-internal-market-act-devolution/govscot%3Adocument/brexit-uk-internal-market-act-devolution.pdf?forceDownload=true>
- 4.6 While the scope of the Act appears narrower than the EU Single Market legislation it replaces, the implications are potentially very wide ranging (though 'public functions' are excluded from MAPs). For the food and agriculture sectors, it is possible that areas of contention will arise in relation to animal welfare arrangements and food standards (eg gene-edited produce and food imported under a future trade deal).
- 4.7 The Institute for Government analysis concludes by suggesting that, despite the sustained resistance from devolved administrations and the House of Lords, passing the Act was the easy part, and that the real work ('next steps') will involve creating the durable and robust structures required to manage the UK internal market in partnership with devolved administrations, including:
- to establish trust in the Office for the Internal Market

- to clarify how market access principles will be enforced
- to agree protocols around the use of powers to amend the framework
- to create a joined-up approach to the UK internal market
- to facilitate parliamentary scrutiny of the UK internal market
- to consider how the long-term implications for devolution will be assessed
- to consult on the shared prosperity fund and future subsidy regime

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Children and Young People's Rights and Wellbeing			x

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