

Rùnaire a' Chaibineit airson Cùisean Dùthchail agus na h- Àrainneachd
Cabinet Secretary for Rural Affairs and the Environment
Ridseard Lochhead BPA
Richard Lochhead MSP

F/T: 0845 774 1741
E: scottish.ministers@scotland.gsi.gov.uk

Rob Gibson MSP
Convener
Rural Affairs, Climate Change and Environment Committee
The Scottish Parliament
Edinburgh
EH99 1SP



1 November 2013

Dear Rob

RURAL AFFAIRS, CLIMATE CHANGE AND ENVIRONMENT COMMITTEE

Thank you for the opportunity to appear before the Committee on Wednesday 9th October 2013. I am happy to follow-up on my undertaking to provide further information on a number of issues.

Weighing of fish catches at sea

In May 2013, Marine Scotland implemented the new EU requirements to weigh fisheries products on landing, across the five Scottish auctions and for all private sales within the UK (Council Regulation EC 1224/2009 and the detailed implementing rules in Commission Regulation 404/2011).

In order to avoid entire catches having to be weighed at the point of landing, we gained Commission approval for a sample plan, for fish sold at auction, whereby a small proportion (approximately 6%) of each species need to be weighed. In practice this means that, for crews able to box each species at sea to a uniform declared weight (often by using scales at sea), a maximum of two boxes per species are net weighed and the remaining sample gross weighed.

Conscious of industry concerns over possible loss of quality and associated reduction in value associated with net weighing, Fishery Officers conducted an evaluation exercise over a week, in which they net weighed approximately 100 boxes of fish and monitored the subsequent sale price on the market, compared with boxes which had not been disturbed. This provided no evidence of any degradation in quality or lower sale price.

Following an internal review of the performance of sample weighing and feedback from industry after the first three months, some of the associated conditions were adjusted from September this year, to better meet the aspirations of all parties. The overall industry feedback remains positive and includes by way of example, reports from Lerwick that the verification process had improved buyer satisfaction, helped encourage ten remote (including international) buyers to apply for access to the auction, allowing them to bid for fish over the internet and so increase competition which would hopefully lead to higher prices.

The introduction of sample weighing has significantly reduced the practice of landing heavy boxes, and many skippers landing across Scotland's ports have acknowledged the better return achieved by offering the actual weight of fish for sale. Whilst there may be an element of duplication where for those boxes sampled, have already been weighed at sea, it has been shown to provide an important verification to both buyer and seller and increases confidence. This was recently demonstrated where, as a consequence of sample weighing, it was identified that the on-board weighing equipment had lost calibration and as a result the skipper was losing 3 kgs on every box offered for sale.

Scottish Government officials would be delighted to meet with you to discuss the situation in more detail. In the meantime, Annex A provides a guide to the UK sample weighing process, which has previously been circulated to some industry players.

Use of existing infrastructure for broadband solutions

Scottish Government strongly recognises infrastructure sharing as a means to facilitate improved telecoms deployment and is currently undertaking an exercise to gather comprehensive data on digital infrastructure throughout Scotland. This includes fixed and mobile telecoms networks (active & passive layers), sources of backhaul and relevant utilities assets. It is intended that this data will be regularly updated and form the basis of a mapping tool that will help us better understand the nature and capability of key telecoms infrastructure in Scotland. This can be used in a number of ways that will support delivery of our digital ambitions; focusing future investment decisions; helping emerging community schemes assess backhaul options; and encouraging infrastructure sharing and re-use of existing passive infrastructure that sits outside the telecoms sector.

Farming For a Better Climate programme

Greenhouse gas emissions from agriculture & related land use contribute around a fifth of the Scottish total, currently this is approximately 10 MtCO₂e annually. Scottish Government is working in partnership with the agriculture industry to reduce these emissions through the Farming For a Better Climate (FFBC) initiative. FFBC is an advisory programme, delivered by Scotland's Rural College (SRUC) that promotes climate change mitigation measures to farmers and land managers. The programme comprises 4 climate change focus farms, discussion group events, plus a range of FFBC events that take place across Scotland

Since 1990, emissions from Scottish agriculture and related land use have been reducing. They have fallen by a greater proportion than the UK average (26.6% fall in Scotland vs UK average reduction of 25.3%). In addition to this decrease in absolute emissions, Scottish farms have become more efficient, reducing the amount of carbon associated with agricultural production.

For example, average milk yields have increased by around 15% since 2002 (from 6,200 litres in 2002 to 7,200 litres in 2012) and average cattle meat yields have increased since 2002 by around 7% (from 330 Kg per head in 2002 to 352 Kg per head in 2012). In addition, the industry in Scotland has made substantial efficiency savings in the way it uses fertiliser. The amount of fertiliser used on tilled land has reduced by 16% over the ten years to 2011. Over this same time period, total cereal yields have increased by 9% from 6.1 tonnes per hectare to 6.6 tonnes per hectare. Oilseed rape yields have increased by 30%, from 3 tonnes per hectare to 3.9 tonnes per hectare.

Steps being taken to design future CAP/SRDP programmes to impact positively on equalities groups

Throughout the last 3 years, we have met regularly with stakeholders representing a wide range of interests through our CAP Stakeholder group and all papers from these meetings are placed on our website so they are available to all. This is supported by regular coverage of negotiations through David Barnes' blog. In addition we have held two conferences to explain the new policies and to seek stakeholder views to help inform our own policy development. In December we will be launching a public consultation on future direct payments and we will be promoting this in advance to try and ensure as wide a response rate as possible.

As part of the development of the next Scotland Rural Development Programme (SRDP) we are carrying out a full Equalities Impact Assessment. We have already taken the opportunity of the first consultation to gather initial views on equalities issues - feedback raised the potential role for the SRDP in tackling inequalities and social exclusion.

While the award of contracts will be based on certain eligibility criteria being met and the strength of the proposal it should not discriminate against equality groups. The EQIA will consider how the SRDP can positively include equalities groups e.g. through the Local Action Groups. In particular LEADER has actively supported equality groups under the current SRDP which is something we want to build upon.

In addition the Scottish National Rural Network has a role in supporting equality groups through their networking activities and events. Again, we wish to build on this in the next SRDP. Finally, another key issue to be tackled is improved data capture and monitoring to allow better assessment of the impact of the SRDP on equalities groups. The EQIA will give greater detail on these issues and opportunities and this will form part of the next SRDP consultation and I will be keen to hear from interested parties and equalities groups at that time.

Levy on single use carrier bags

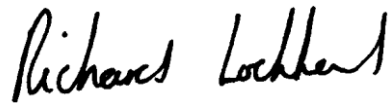
An estimate of what sums could be raised for good causes as a result of a levy on single use carrier bags will depend on the success of the measure's primary aim of reducing bag use. Assuming a reduction of around 80% we estimate the charge would generate around £5m per annum for good causes. It should be re-iterated that this money will not be collected centrally by the Scottish Government but donated directly by the retailers.

National Performance Framework

I also said I would further consider the links that could be made between budget headings and NPF indicators – I will come back to you with information on this shortly.

If you need anything further please do not hesitate to contact me.

Best wishes

A handwritten signature in black ink that reads "Richard Lochhead". The script is cursive and fluid, with the first name "Richard" and the last name "Lochhead" written in a single continuous line.

RICHARD LOCHHEAD

ANNEX A

The Existing UK Sample Plan

The European Commission has approved a “sample plan” which allows less than the whole catch to be weighed. This means that vessels selling their catches at one of Scotland’s 6 designated fish auctions (Lerwick, Fraserburgh, Peterhead, Scrabster, Kinlochbervie, Scalloway) can meet their obligation to weigh their catches either (a) by having the catch weighed on the market floor according to the sample plan when landing directly to the market in the same port where it is located; or (b) either weighing their catch according to the sample plan in the port where they return to but prior to putting the catch into transport to be taken to one of these 6 fish auction sites, or after transport on the floor of the fish auction.

In July 2013 it has been agreed that the EC approved UK Sampling Plan will be extended to fish landed at a Scottish port then being sold at registered EU auctions, rather than just UK auctions.

What is the sample plan? The sample plan is designed to ensure that a representative number of boxes are selected and weighed to take account of the overall size of the catch and the breakdown of species present.

Within the selected sample of boxes, some may be net and others gross weighed. The table below sets out the minimum numbers for each type of weighing.

Table 1:

BOX NUMBERS			
Total in catch (per species)	Minimum to be net weighed	Minimum gross weighed	Total minimum to be weighed (net + gross)
1 – 2 NB < 50kg of any <u>grade</u> Or < 100kg of any species is exempt from weighing.	0	0	0
3 – 9	1	0	1
10 – 25	2	0	2
26 – 50	2	2	4
51 – 99	2	3	5
100 or more	2	Quantity that when added to number of boxes net weighed means that the	6% of the total number of boxes of that species/grade

		overall number of boxes weighed is at least 6% of the total number of boxes of that species/grade	
--	--	---	--

Record of weighing operations

EU rules require a record of weighing operations to be kept. To facilitate this we have designed and distributed a pro-forma to industry.

If all of the boxes are of a uniform target weight i.e. they are all supposed to be 40kg then the same form can be used. However where target weights differ a fresh form needs to be filled out for each target weight. Vessels and weighing companies may use their own generic forms if they meet the sample plan requirements. Forms must be correctly labelled to include the date, vessel details, species, presentation, total number of boxes in each lot, net and gross weight averages, final box average, and declaration of weight.

Weighing and recording

When boxes are being net weighed the process which should be followed by operators is as follows:-

- **Net weighing** – record for each box (a) the gross weight, (b) the combined weight of box and ice (i.e. what's left after all the fish have been removed, and (c) the net weight of fish: The results obtained are then averaged to produce **an average net weight, and an average (box + ice) weight**;
- **Gross weighing** – the gross weight of boxes is recorded along with a calculated net weight by subtracting the average (box + ice) weight obtained in the process described above;
- **Averaging** – the two net weights (net weight from actual net weighing AND calculated net weighing from any gross weighing) are then themselves added together and averaged. This combined average is then multiplied by the number of boxes in the catch to calculate the **declared weight** which should then be used for the purposes of sale and on the landing declaration, transport documentation, sales note or take-over declaration. Records of weighing must be kept for a minimum of three years by the vessels agent.

Conditions applied to Sample weighing

In addition to the minimum number of boxes to be weighed as outlined above (Table 1) there are certain conditions which must be met to ensure that the sample of boxes weighed are representative of the entire species or lot landed. These are:-

- The average net box weight should ideally be within 5% of the boats target weight (what they think/declare their boxes weigh). Where this is not the case more boxes must be net weighed. Where, having net weighed more boxes, it becomes clear that the 'vessels' target weight is wholly unrealistic, then at least 6% of the shot/lot should

be net weighed, and the results of that exercise used as the final declared weight achieved through the sample plan.

- The net box weight obtained through 'net' and 'gross' weighing processes should be within 5% of one another. Where this is not the case, more than the minimum number of boxes may need to be weighed to achieve this. It is suggested that by increasing the number of gross boxes weighed, this will reduce the effects of any abnormal boxes.

Exceptions to the Sample Plan

- **De minimis provisions** - Species which are caught in small quantities (1-2 boxes) do not need to be weighed. This is described as less than 50kg of any grade of species or less than 100kg of any species.
- **Catches landed in bins** - It has been identified that vessels which land their catch in bins may have practical difficulties in carrying out net weighing. For this reason a nominal average bin + ice weight has been agreed for vessels to use. This is 120kg for large bins. Vessels which do not wish to accept and these nominal weights must net & gross weigh their bins in line with the sample plan requirements for boxes.
- **Soft and delicate flesh** – it has been accepted that some species which are presented without ice in the box and are delicate to handle, for example squid and hand-line mackerel, and ANY handling required by a net weighing exercise would have a marked effect on quality/price. For these, it is acceptable to gross weigh the minimum number of boxes required and use an average box weight of 4.5kg to calculate the net weight. If ice is present in the box and not easily removed then vessels must net and gross weigh in line with the sample plan.

