



The Scottish Parliament
Pàrlamaid na h-Alba

RURAL AFFAIRS, CLIMATE CHANGE AND ENVIRONMENT COMMITTEE

Richard Lochhead MSP
Cabinet Secretary for Rural Affairs, Food
and Environment
Scottish Government

c/o Clerk to the Committee
Room T3.40
The Scottish Parliament
Edinburgh
EH99 1SP

Via email only

Tel: (0131) 348 5240
racce.committee@scottish.parliament.uk

28 October 2015

Dear Richard,

Agricultural Holdings (Scotland) Act 2003 Remedial Order 2014 – mediation and compensation processes

Thank you for your recent updates on the situation regarding progress in the mediation and compensation process emanating from the Agricultural Holdings (Scotland) Act 2003 Remedial Order 2014.

The Committee discussed this issue again at its meeting earlier today and agreed to write to you with urgency and clarity in a bid to ensure that this situation is suitably resolved at the earliest possible date and certainly well before the end of November 2015.

With regards to the tenants you accept are covered by the Remedial Order, and which you have told us are prepared to enter mediation to seek an acceptable resolution, it is essential that the Scottish Government acknowledges a degree of liability in terms of the distress caused to those tenants as a result of action having had to be taken in response to the Supreme Court ruling and ensures that they are appropriately compensated.

Ending the plight of all of the tenants, who it is acknowledged are affected by the consequences of the Remedial Order must be the Scottish Government's priority and must not become a secondary concern lost in ongoing legal disputes.

In addition to those tenants, the Committee asks that you take immediate and effective action to secure appropriate resolution in the case of Mr Andrew Stoddart, who is facing eviction from his tenancy at the end of next month. The Scottish Government must intervene in his case without any further delay to ensure he is either enabled to continue in his tenancy or is appropriately and rapidly compensated for the loss of the tenancy.

Please respond to this letter by the close of Monday 2 November.

Yours sincerely

Rob Gibson MSP
Convener