RURAL ECONOMY AND CONNECTIVITY COMMITTEE

SOUTH OF SCOTLAND ENTERPRISE BILL

SUBMISSION FROM JOHN CRAWFORD

I appreciate that a decision has been taken to adopt a different approach to the setting up of South of Scotland Enterprise from the Enterprise and New Towns (Scotland) Act 1990 ("the 1990 Act").

There are several powers in the 1990 Act that, in my view, should be included in the primary legislation relating to South of Scotland Enterprise as I'm not convinced that they would be covered by Clause 7 of the Bill.

1. The Power of Entry to land and Power to obtain information under sections 9 and 10 of the 1990 Act. These are important powers and should be clearly set out in the primary legislation.

2. Should there not be a provision similar to Section 21(3) of the 1990 Act which would permit Scottish Enterprise to operate in the South of Scotland Enterprise area at the request of South of Scotland Enterprise or by direction of Scottish Ministers?

3. Should South of Scotland Enterprise not have the power to acquire land by compulsory purchase? Both Highlands and Islands Enterprise and Scottish Enterprise have compulsory purchase powers. If so, should this not be specified in the primary legislation?

4. The power under section 32 of the 1990 Act to enter agreements with landowners and have these registered in the Land Register is a very useful power. It enables the relevant enterprise body to impose user restrictions and thereby allow it to sell land at a discount to take account of the restriction and not fall foul of State Aid rules. If South of Scotland Enterprise is to have this power it should be specified in the primary legislation. Should the rights to enforce existing Section 32 agreements in the South of Scotland Enterprise area be transferred from Scottish Enterprise to South of Scotland Enterprise? If so should this not be specified?