



OFFICIAL REPORT
AITHISG OIFIGEIL

Rural Economy and Connectivity Committee

Wednesday 28 September 2016

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

Wednesday 28 September 2016

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RURAL ECONOMY AND CONNECTIVITY COMMITTEE

5th Meeting 2016, Session 5

CONVENER

*Edward Mountain (Highlands and Islands) (Con)

DEPUTY CONVENER

*Gail Ross (Caithness, Sutherland and Ross) (SNP)

COMMITTEE MEMBERS

*Peter Chapman (North East Scotland) (Con)
*Mairi Evans (Angus North and Mearns) (SNP)
*John Finnie (Highlands and Islands) (Green)
*Rhoda Grant (Highlands and Islands) (Lab)
*Jamie Greene (West Scotland) (Con)
*Richard Lyle (Uddingston and Bellshill) (SNP)
*John Mason (Glasgow Shettleston) (SNP)
*Mike Rumbles (North East Scotland) (LD)
*Stewart Stevenson (Banffshire and Buchan Coast) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Gillian Martin (Aberdeenshire East) (SNP)
Brendan Rooney (Transport Scotland)

CLERK TO THE COMMITTEE

Steve Farrell

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Rural Economy and Connectivity Committee

Wednesday 28 September 2016

[The Convener opened the meeting at 10:03]

Proposed Seat Belts on School Transport (Scotland) Bill

The Convener (Edward Mountain): Welcome, everyone, to the fifth meeting in 2016 of the Rural Economy and Connectivity Committee. I remind everyone who is present to switch off their mobile phones. No apologies have been received.

The first item on the agenda is consideration of a statement of reasons relating to the proposed seat belts on school transport (Scotland) bill. Before introducing a member's bill, the member must first lodge a draft proposal and then a final proposal. The draft proposal must be accompanied either by a consultation document or by a statement of reasons on why the member does not consider consultation necessary. That statement is subject to scrutiny by a committee.

Gillian Martin, the member in charge of the proposed bill, has submitted a statement of reasons for the committee's consideration. According to rule 9.14.6 of the standing orders, when a draft proposal accompanied by a statement of reasons is referred to a committee, the committee must decide whether it is satisfied with the reasons given by the member for not consulting on the draft proposal.

I welcome Gillian Martin and Brendan Rooney, who is the road safety policy officer at Transport Scotland. I invite Gillian Martin to make a brief statement on the bill and its consultation.

Gillian Martin (Aberdeenshire East) (SNP): Good morning, everyone. I thank the committee for this opportunity to set out my proposal to legislate for the inclusion of seat belts in all dedicated school transport. It is my firm belief that the safety of our children and young people is a responsibility that we all share. As a parent and a member of the Scottish Parliament who represents a rural community, I am acutely aware of the important role that the journey to and from school can play in those efforts. That is why I propose to introduce the bill, which will increase the safety of children throughout Scotland.

Local authorities have certain duties to provide dedicated home-to-school transport for entitled pupils, and that is also regularly seen in the

independent school sector. Such transport is often delivered through contracts with private bus operators, although there is currently no legal obligation for seat belts to be fitted in such transport, despite the well-established safety benefits that they can provide in a road traffic accident. The proposed legislation is intended to address that. Many councils in Scotland already provide dedicated school transport with seat belts and ensure that seat belts are stipulated as a condition in contracts. I want to build on that good work, making such practice universal so that all pupils on such journeys benefit from this important safeguard.

As I set out in my statement of reasons before the committee, the issue has some history. It emanates from considerations by the Public Petitions Committee and follows the devolution of power that was secured last year by the previous Scottish Government Administration. Additionally, an extensive consultation was carried out from March to June this year, in which views were garnered from individuals and organisations with an interest, such as parents, schools, individuals, local authorities and bus companies. A comprehensive analysis was published last month. Given how fresh and current that consultation is, it is my view that a further consultation seems unnecessary and would simply duplicate responses from the same respondents on an issue that has not moved on. However, I completely respect the fact that the decision lies with the committee.

Alongside that, the Scottish Government also established a working group of key stakeholders specifically on the issue, which has been meeting for the past two years. Extensive dialogue on considerations such as the practical, operational and financial implications has allowed interested parties to guide and influence the proposals. Indeed, such discussions led to the Scottish Government's plan for the legal duty to come into force in 2018 for vehicles transporting primary school children and in 2021 for vehicles carrying secondary school pupils. That lead-in time is to give those who are affected—primarily local authorities and bus operators—time to allow for the changes, particularly in relation to contracts, and it would be my intention also to allow for that. I resolve to continue such useful discourse and to carry forward the invaluable feedback from the recent formal consultation to shape the bill before I introduce it to Parliament.

I would welcome any questions from the committee.

The Convener: Thank you, Gillian. Members are lining up their questions already. Stewart Stevenson will ask the first one.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I hope that you will not mind, convener, if I say that it is appropriate to thank Mike Penning, the minister at Westminster who kicked off the process of ensuring that we would have the powers to do what the bill proposes if Parliament chooses to use them.

Have you been in touch with my constituent Ron Beaty, whose efforts on school bus safety are where the genesis of the proposal lies? I know that the bill does not address all Ron Beaty's interests, but I hope that you will dig into the collective experience and memory of Ron Beaty in taking the bill forward.

Gillian Martin: Absolutely. I met Mr Beaty a couple of weeks ago to discuss the issue. I pay tribute to him, because his local authority, Aberdeenshire Council, already requires seat belts on all dedicated school transport. It has also taken voluntary measures, such as school bus signage, largely because of Mr Beaty's campaigning efforts. He is a very valuable person to speak to on the issue and he welcomes the bill proposal.

John Mason (Glasgow Shettleston) (SNP): I have a couple of points to make. First, we are using the term "transport", but I assume that we mean buses rather than dedicated trains. Around Glasgow, we occasionally have a dedicated train to take kids to school, and trains do not normally have seat belts.

Gillian Martin: You are right, Mr Mason. Dedicated school bus transport is the remit of the proposed bill.

John Mason: Secondly, was the consultation purely about fitting seat belts on school buses rather than ensuring that they are worn? In a car, a child would have to wear a seat belt.

Gillian Martin: Yes. The laws around the wearing of seat belts are still reserved. You will know that it is the law that over-14s must wear a seat belt where one is provided. Beyond that, we cannot legislate. We are purely seeking that it must be stipulated that buses that are contracted to local authorities must have seat belts.

I come back to the fact that Aberdeenshire Council has managed to do that successfully for a number of years. Its ability to ensure that the children actually wear the seat belts is largely down to the schools, the parents and parent groups. Education is important—children are made aware of the presence of seat belts and of the safety implications. The Aberdeenshire exercise has been quite successful.

Members will be aware that the Welsh Government has also taken action on the issue. It is really a case of campaigning to raise awareness of the safety of wearing a seat belt.

John Mason: Thank you.

Jamie Greene (West Scotland) (Con): Mr Mason asked the question that I wanted to ask about whether the bill was about ensuring that seat belts would be fitted as opposed to ensuring that they would be worn and how that would be enforced.

I would like to ask about private bus companies and their feedback in the consultation. Were they overly positive or neutral? Who would bear the cost of retrofitting the seat belts?

Gillian Martin: As I said, we have been consulting, but we also have a working group, which bus operators have been part of. They have been very positive about the proposals. Most buses already have seat belts on them, so we are really talking about the older ones, because buses have had to be fitted with seat belts for the past 15 years.

You will also notice that there is a lead-in time for this to happen. That has come out of our consultation with local authorities and bus companies. The dates are 2018 for primary school transport and 2021 for secondary school transport. It will not have to happen immediately; there will be a lead-in time. That has come out of our consultation with bus companies and local authorities, which have been very supportive.

Jamie Greene: What about the cost side?

Gillian Martin: That is still being worked on, but the costs will be borne by the companies that bid for contracts. That was how it was done in Wales.

Jamie Greene: Given that new tenders for services will stipulate that the buses have to have seat belts, the bus companies will have to sink that cost to bid for the contracts. Within the current time period, will there be any retrofitting that private bus companies will have to bear the cost of, or will local authorities or the Scottish Government subsidise that in any way?

Gillian Martin: The contracts tend to be for a five-year period. This proposal has been in the wind for quite a while. We knew that the powers were coming to Scotland, so it is not as if the bus companies have been unaware of the proposal. We have consulted them. The onus will be on the bus companies that bid for the contracts to fulfil the obligations of those contracts.

The Convener: Is it the case that the bill will not prevent companies whose buses do not have seat belts from bidding for contracts? Will they be able to fit seat belts if they are awarded the contract?

Gillian Martin: I will ask Brendan Rooney to answer that, because it is a niche question that probably requires his expertise.

Brendan Rooney (Transport Scotland): The way in which school transport is provided can vary considerably from local authority to local authority. The picture is not black and white. It would depend on things such as the level of competition in an area. If a local authority goes out to contract, the number of bus companies with different vehicles in their fleets will determine how easily the service can be provided in an area. There will not be one uniform situation that will be replicated across 32 local authorities; it will vary from area to area.

Obviously, 17 local authorities have already done this. In some local authority areas, the costs can be absorbed within contract costs, but in some areas the measure might lead to differences within those costs. We have had quite a lot of dialogue with bus companies and local authorities on that. We are also doing an exercise with the Convention of Scottish Local Authorities and the Scottish Local Government Partnership to better quantify the cost implications of the proposed legislation. It is not simply a case of taking the cost of fitting belts in one bus and multiplying it; other factors in different areas will impact on that.

10:15

The Convener: I do not think that it would be fair for a bus company to have to put seat belts in its buses just to be given the chance to bid for a contract. However, if there was a stipulation that seat belts would have to be fitted before a company's buses could be used on a contract, that would give tenderers some flexibility.

I will leave that hanging if I may. The point has been made.

Rhoda Grant (Highlands and Islands) (Lab): Can I ask a couple of supplementary questions and then a question about process?

The Convener: Yes.

Rhoda Grant: The legal situation for young children is that, as well as wearing seat belts, they have to sit in a booster seat that is right for their size and weight. Would that also be part of the bill? Who would hand out the booster seats to the right kids at the right time?

Gillian Martin: As Brendan Rooney has pointed out, 17 local authorities already require school buses to have seat belts, so we looked to the practice of schools and bus companies in those areas. At the moment, practice varies across local authorities. In some cases there are booster seats, and in some cases there are modified seat belts. The proposed bill is specifically about providing seat belts on school buses. Other arrangements to do with the provision of booster seats on buses are not included in the bill. How those extra safety

mechanisms are provided will be for schools to consider.

However, the practice has been working very well in a range of primary schools and nurseries up and down the country so far. The use of booster seats will not be stipulated, as such, but it is something that is already being done to make children safe. Many of the bus companies are already providing those extra safety mechanisms, but the bill is specifically about having seat belts on dedicated school transport.

Rhoda Grant: You are using the consultation that the Government carried out. Is there anything that you are proposing to be part of the bill that has not been consulted on? Has anything been consulted on that you are not including in the proposed bill?

Gillian Martin: No. The proposed legislation will be a very simple mechanism for local authorities to stipulate that buses that are used for dedicated school transport must have seat belts. That is the premise on which we put the consultation out and on which the working group is still working. Nothing has been added to or taken away from what was consulted on.

Rhoda Grant: We are all aware that the Government can take over a member's bill, but this might be the first time that a member has taken over proposed Government legislation. What is the process for that? Will it prevent another member from proposing legislation? The Government obviously has time to introduce bills, so I would not like to see a Government bill circumventing the parliamentary process and stopping a member from proposing legislation.

The Convener: I think that you have made your point, Rhoda, but I am not sure that the question is specifically about the consultation. We can take that up after the committee meeting. I am sorry to have to curtail you on that. Do you have another question?

Rhoda Grant: No. Those are all my questions.

Mike Rumbles (North East Scotland) (LD): The only question that is in front of the committee today is whether we should agree that you do not need to conduct a consultation. My question is a simple one that is based on that. Are you aware of any individual or organisation that feels that they have not had the opportunity to contribute to the formulation of the proposed bill or to the consultation process? Is there anybody out there who would feel aggrieved if the committee allowed you to proceed?

Gillian Martin: No. We are fairly confident in what we have done. We had 76 respondents from a wide range of groups, and the working group is

still active, so there is an opportunity for anything else that comes up to be taken into account.

As you will know, the consultation was published only in August this year. We have been working up to that point. We feel that the process has been very wide ranging. I can provide the committee with a list of the people who were involved in that consultation. There are also links to the consultation results in the statement of reasons.

Mike Rumbles: But there is nobody banging on the door and saying that they wanted to be consulted but were not?

Gillian Martin: No. We have consulted local authorities, COSLA and the Scottish Local Government Partnership, school groups, parent groups, bus companies and road safety groups. We feel that the consultation has been quite comprehensive.

Mike Rumbles: Thank you.

The Convener: Before I formally ask whether members are satisfied with the statement of reasons, I should say that some interesting points have been brought up. I hope that, when Gillian Martin introduces the bill, she will take into account some of the points that the committee has raised, because they have been raised in the hope of making something worth while.

Are members satisfied with the statement of reasons?

Members *indicated agreement.*

The Convener: That just leaves me to thank Gillian Martin and Brendan Rooney for coming to the meeting.

10:21

Meeting suspended.

10:22

On resuming—

Subordinate Legislation

Road Traffic (Permitted Parking Area and Special Parking Area) (Highland Council) Designation Order 2016 (SSI 2016/245)

Parking Attendants (Wearing of Uniforms) (Highland Council Parking Area) Regulations 2016 (SSI 2016/246)

Road Traffic (Parking Adjudicators) (Highland Council) Regulations 2016 (SSI 2016/247)

The Convener: Item 2 is consideration of three Scottish statutory instruments that are subject to the negative procedure, as detailed on the agenda. The package of instruments will introduce a decriminalised parking regime within the Highland Council area. Does anyone have an interest to declare in relation to the instruments?

Gail Ross (Caithness, Sutherland and Ross) (SNP): I am a councillor in Highland Council and will therefore take no part in the discussion or the decision.

The Convener: Thank you. Does anyone else have an interest to declare?

Members: No.

The Convener: The committee will consider any issues that it wishes to raise in reporting to Parliament on the instruments. Members should note that no motions to annul any of the instruments have been received. I invite members to comment. Members are queuing up.

Richard Lyle (Uddingston and Bellshill) (SNP): I have a question about paragraph 5 of schedule 2 to SSI 2016/245, which states:

“Fixing of certain parking and other charges for parking area

74.—(1) It shall be the duty of the parking authority to set the levels of additional parking charges to apply in the parking area.

(2) Different levels may be set for different parts of the parking area.”

Under that provision, it could be that people pay only 50p in one part but £1 in another part. It is outrageous that different parking charges could be set in a parking area. I would like someone to explain that to me.

The Convener: I can always rely on Richard Lyle to ask a difficult question. My understanding is that the aim is to give councils the flexibility to

charge different rates in different areas. I do not think that it is about different rates in the same car park. I think that even Highland Council would find that difficult. I take your point, but I think that you are delving in too exactly.

Stewart Stevenson: It might be helpful if I speak to an example of where the approach has been implemented. Aberdeenshire Council's car park in Inverurie is adjacent to Marks and Spencer, behind the railway station. Half the parking there is free in order to provide overflow parking for the railway station, and the other half is chargeable on the basis that people are visiting Marks and Spencer. That seems to work perfectly well. It is a single car park with different charges in different bits. I do not speak to how Highland Council might use the power. I merely make members aware that the approach is working—I think—satisfactorily in at least one place.

The Convener: I think that Highland Council will be scrutinised quite heavily on this. I am trusting it absolutely.

I am sorry—I should have come to Mike Rumbles first.

Mike Rumbles: I have a question about the policy objectives and the background, as explained in the policy note that has been provided. Paragraph 4 in annex B states:

"To date, 14 Scottish local authorities have introduced Decriminalised Parking Enforcement ... Under these arrangements, local authorities administer their own parking penalty schemes and retain the penalties collected to finance parking enforcement procedures."

Paragraph 6 states:

"Any surplus is used to improve off-street parking facilities and for general traffic management purposes ... Therefore, the revenue is effectively ring-fenced for traffic management measures and cannot be used by an authority for other purposes."

However, that does not prevent local authorities from diverting funds that were to be spent in this area to something else.

I would like to know—the committee should be aware of this, rather than immediately passing the legislation—the experience of the 14 local authorities that have gone through the process. Have an increased number of parking charges been raised against motorists? It is fine to give local authorities the power, but do we know whether there have been any unintended consequences? We should ask for further information before we approve the instruments. That is all.

The Convener: That is a fair point. I think that we should write to the Government with that question and ask it to look into the matter. To undertake to do something and then not do it

would be wrong. I think that it is a sensible way forward. Do members agree to that?

Members indicated agreement.

John Mason: Just for information, I note that what happens in practice in Glasgow is that the council puts in a lot of work in the city centre, where it can make a lot of money out of fines, but scarcely bothers about parking further away from the city centre. Much of the time people can park on a double yellow line in my constituency and nothing will happen to them.

Mike Rumbles: Is that a good thing?

John Mason: It is a bad thing.

Mike Rumbles: Exactly.

John Mason: In practice, however, that is what happens. On the charges, the nearer people go to the city centre, the more they pay. As they move further away, they pay less.

The Convener: The problem is that the instruments are time limited, so we will have to move forward. The important thing is to point out the concern to the Government and ensure that the instruments achieve the intended aim, rather than money being frittered away on other schemes.

Mike Rumbles: Will we have an opportunity to discuss the issue at our next meeting?

The Convener: There is no motion to annul. We have to take the instruments forward, but we can raise issues with the Government.

Mike Rumbles: I am flagging up that the Government should, if and when the next instrument comes through, provide us with the information.

The Convener: I am absolutely convinced that another such instrument will come through in the not-too-distant future.

Mike Rumbles: In that case, I am content.

The Convener: We will ask the question immediately after today's committee meeting.

John Finnie (Highlands and Islands) (Green): On the paragraphs that Mike Rumbles rightly highlighted, we need to have faith in the local authority. The changes have long been anticipated by Highland Council and I have every confidence that it will conduct itself appropriately. We should pass the legislation.

The Convener: We cannot annul the instruments; they will go through. However, we can make the point to the Government that we are concerned.

10:30

Jamie Greene: I do not want to repeat what has already been said. We cannot stop such instruments, a fair point has been made about the transparency of revenues from parking charges and penalties. Before more authorities are given the powers, we should look back and see what has happened with the previous 14. We should ensure that there is proper transparency about where the revenue that has been generated is being spent—that it is being spent in the right way and that any surplus is being invested in the right way. There does not seem to be a proper process of holding people to account in that respect. It is also important that, before we blindly add authorities, we write to the Scottish Government and ask what measures it has to regulate and oversee that transparency.

John Finnie: We are getting a wee bit carried away with ourselves, convener. I would wish anyone the best of luck with interrogating local authority accounts to that level. I do not think that that is within the remit of this committee.

The Convener: We can rightly ask the question. I suspect that another SSI on the same topic will soon come down the track. We will push the Government for an answer, and we can but report back. I think that it is important that the committee gets an answer on that.

Stewart Stevenson: Forgive me, convener. I just want committee members to be quite clear about the process. Perhaps our clerk can advise us on that. The order was signed on 31 August and the parliamentary process is that it will come into force unless a motion to annul is lodged—it does not have to be at this committee; it can be at any point in the parliamentary process—and agreed to before the expiry date. Forgive me—I cannot remember whether the period is 40 or 42 days. The clerk might remind us of that. It is open to any member to lodge a motion to annul: that continues to be the case regardless of our deliberations today. It is important to note that for future reference. I acknowledge that many colleagues are new. Will the clerk confirm whether the period is 40 or 42 days?

The Convener: It is 40 days.

Stewart Stevenson: Right. I wanted colleagues to be aware of that.

Mike Rumbles: It would usually be a member of the committee to which an instrument comes who would lodge a motion to annul. I want to make it clear to the Government that I do not want to do that but am prepared to do so if we do not get the information. It is important that we have the information.

The Convener: I think that I have given you an undertaking that we are going to write to the Government.

Mike Rumbles: Yes, you have.

The Convener: There is not an ability to annul this, so we can take the matter forward in that way.

John Mason: Convener, what do you mean when you say that there is no ability to annul this?

The Convener: I am told that there is a process for lodging a motion but that no member has done that, so we are not in a position to annul the instruments. That is my understanding. Some comments have been made and there has been a recommendation, which we have said we will take up.

Is the committee agreed that it does not wish to make any recommendation in relation to the instruments?

Members *indicated agreement.*

The Convener: Thank you.

Ofcom (Memorandum of Understanding)

10:33

The Convener: Under item 3, the committee is invited to consider the draft memorandum of understanding between Ofcom and the UK Government, the Scottish Government and the Scottish Parliament, as outlined in paper 3. I invite members to comment.

John Mason: I think that the memorandum of understanding is in a standard format and I guess that the wording is standard. It states that—

The Convener: Will you refer us to the part that you are looking at?

John Mason: Yes. It is paragraph 4 on the second page of the covering paper, but I am not sure whether it quotes from the memorandum.

The Convener: The memorandum is the critical bit.

John Mason: I realise that. I refer to the three bullet points that begin “Ofcom will consult”, “Ofcom will consider” and “Ofcom will send”.

I feel that that does not give a lot of power—

The Convener: That is the briefing paper, John.

John Mason: I accept that.

The Convener: I am looking for the specific part of the memorandum that is causing concern. I am told that it is paragraph 8.

John Mason: Yes, that is correct. I am sorry about that. It is the same wording. If all that Ofcom has to do is “consult” and “consider”, and then send the plan, that does not give the Scottish Parliament or the Scottish Government a lot of powers. I accept that that is the case, but I want to highlight that we are not in a terribly strong position.

I am looking at bullet point 2 of paragraph 6 on page 4. I would like to know exactly what is meant. It states:

“Prior to any appointment, the Scottish Government will be required to consult with the Secretary of State. This will enable the Secretary of State to ensure that the Board will function effectively”.

If the secretary of state is only being consulted, I would have thought that they could not ensure anything.

The Convener: The Government signed off on that part of the memorandum, so it seems to be happy with it and to have fewer concerns than you do.

John Mason: Fair enough. Those were just points that jumped out at me.

John Finnie: On a positive note, and also referring to paragraph 6 and looking at the first bullet point, I certainly welcome Scottish ministers having sole

“responsibility for approving members of the board of MG Alba.”

That is a very positive step.

Stewart Stevenson: I gather that the committee’s being invited to approve the memorandum is simply a courtesy rather than a legal necessity. It is a memorandum of understanding between four parties, of which the Scottish Parliament is one, so our deliberations will merely form part of the consideration rather than being binding on anybody. I just want to be clear about that.

The Convener: My understanding is that we will produce a short report on the memorandum, and it will then go to Parliament for approval.

Stewart Stevenson: So, there is an approval process to which we are contributing.

The Convener: Yes.

Stewart Stevenson: That is fine.

The Convener: I am sorry. I did not formally welcome John Finnie’s welcoming comment, but I thank him for that.

John Finnie: You are welcome, convener.

Jamie Greene: I see the memorandum as quite a positive move, and the Smith commission has rightfully recommended it. I note that the parties involved are the Department for Culture, Media and Sport, Ofcom, the Scottish Government and the Scottish Parliament, but I am unsure about how the Scottish Parliament as a body is party to the MOU. Is it through the committee or the full Parliament, or through members individually? How do we participate in the MOU process, as distinct from participation by Scottish Government ministers and Ofcom?

The Convener: This agenda item is part of the process of the MOU coming before Parliament. It will go before Parliament to be agreed once the process is complete.

Jamie Greene: So, with regard to our on-going relationship with Ofcom, we as a committee will have the ability to invite Ofcom to present evidence. There is no mandate for it to attend, but—

The Convener: No, but my understanding is that it is absolutely right for the committee—it will be this committee—to ask Ofcom to come before it to explain how things are going. We can call

Ofcom in here and question it on the memorandum of understanding. I think that the committee should welcome that.

Stewart Stevenson: I echo that welcome, but I point to bullet point 4 in paragraph 6. We have the power to require Ofcom to appear. We can invite anybody to the committee, but now we will be able to require Ofcom to appear. That is a very welcome change—albeit that, in practice, I am sure that Ofcom would have been willing to come and see us.

The Convener: I take your play on words—

Stewart Stevenson: Oh, no, It was not that.

The Convener: I always think that it is nice to invite people even if they are required to attend.

Stewart Stevenson: Yes—of course.

The Convener: Are members content to recommend that Parliament approve the memorandum of understanding?

Members *indicated agreement.*

The Convener: That concludes our consideration of the MOU. We will report on the outcome of that consideration to the Parliament.

European Union Reporter

10:39

The Convener: At item 4, the committee is invited to appoint a member to serve as a European Union reporter. Paragraph 4 of the clerk's paper outlines the role of the EU reporter. In addition, paragraph 5 outlines the specific role for the reporter in reporting to the committee on issues that arise from the United Kingdom's exit from the EU that may be relevant to the committee's remit.

It is an important role, and I ask for nominations from members of anyone they think would be appropriate to take on the role.

John Mason: How much support is there for the reporter? They cannot possibly do it themselves.

The Convener: Absolutely—it is important that the clerks provide support, because it is not something that a member can undertake by themselves. The reporter will have clerical support and will have access to me at any time for help and to work together.

Richard Lyle: Some committees have appointed two reporters, so we may be minded to do that, although I am quite happy with one. I do not intend to seek the nomination—I am an EU reporter for the Health and Sport Committee.

The Convener: Okay—I understand your point. Would anyone like to nominate somebody?

Jamie Greene: With regard to the way in which the reporter liaises with the European and External Relations Committee, is their primary function to attend meetings of that committee and to feed back issues that are relevant to this committee, and vice versa? Is there a wider role that involves working with the Brexit minister? What is required is unclear.

The Convener: The remit is to work on issues that relate to activities that this committee undertakes. The reporter will be asked to look at specific areas of work that we are carrying out and will not simply go off and do whatever they want. Their role is to look at things that the committee wants looked at in relation to the work that it has to undertake. It is a very specific role.

Are there any other comments before I invite nominations? Let us see if we can get it right the third time. Would Peter Chapman like to nominate someone?

Peter Chapman (North East Scotland) (Con): Yes, I would. I think that Mike Rumbles would be excellent for the role, so I propose that he take it on.

The Convener: Are there any other nominations?

Stewart Stevenson: I would like to nominate Mairi Evans—I have not spoken to her, so I do not know what her response will be. She has been a member of the Council of European Municipalities and Regions and has been involved in European affairs for some time. She needs to indicate whether she is willing to accept the nomination—I simply do not know. [*Laughter.*]

Mike Rumbles: I have to say that, unless there is unanimous demand, I do not wish to pursue the role.

Richard Lyle: We can have two reporters, you know.

Mike Rumbles: No, I do not think so.

The Convener: Does Mairi Evans have any comment to make?

Mairi Evans (Angus North and Mearns) (SNP): I do not mind—I had been thinking about taking on the role for another committee, but another member ended up getting it. I have an interest in Europe and, as Stewart Stevenson said, I sat on the Council of European Municipalities and Regions and I have been appointed to the Committee of the Regions. I would consider taking the role if there is support for my doing so, but I am not one to pit myself against Mike Rumbles.

Mike Rumbles: I would want to move forward only if the decision was unanimous. If there are people who do not have confidence in my nomination—

The Convener: Hold on. We are not talking about a lack of confidence—we are just looking at the role. There is quite a lot of work involved, and the member who is appointed needs to be wholeheartedly committed to the role.

My question for Mairi Evans is this: would you be wholeheartedly committed to the role?

Mairi Evans: If I was appointed, of course I would.

Richard Lyle: I made the point earlier—I mean no disrespect to anyone—that two people can work together in order to go forward. I am a joint EU reporter, with a Tory member, for the Health and Sport Committee. With the greatest of respect, Mr Rumbles, do not take it personally, and do not think that we are trying to vote you down or anything. You see a conspiracy round every corner.

Mike Rumbles: Excuse me, Richard—

Richard Lyle: With the greatest respect—

The Convener: I will come straight in there—I am sorry, but I do not want these sorts of conversations across the table.

Mike Rumbles: No.

Richard Lyle: This is all recorded.

The Convener: I am going to bring the matter back to the next meeting when we discuss our programme. I will talk to each member of the committee prior to that meeting to identify a way forward. I do not think that it is helpful to continue the conversation at the moment, so I suspend consideration of the item.

Decision on Taking Business in Private

10:44

The Convener: The next item is a decision on taking in private consideration of our draft work programme and our approach to scrutiny of the draft budget 2017-18, and on whether to review in private the legislative process on crofting at the committee's next meeting. Do we agree to take those items in private?

Members *indicated agreement.*

The Convener: That concludes the committee's business today. We will meet in private to discuss the draft programme and our approach to scrutiny of the draft budget.

Meeting closed at 10:45.

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