

EUROPEAN COMMITTEE

Tuesday 20 June 2000
(*Afternoon*)

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EUROPEAN COMMITTEE **13th Meeting 2000, Session 1**

CONVENER

*Hugh Henry (Paisley South) (Lab)

DEPUTY CONVENER

*Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab)

COMMITTEE MEMBERS

*Dennis Canavan (Falkirk West)
*Bruce Crawford (Mid Scotland and Fife) (SNP)
Dr Winnie Ewing (Highlands and Islands) (SNP)
*Dr Sylvia Jackson (Stirling) (Lab)
*Ms Margo MacDonald (Lothians) (SNP)
*Maureen Macmillan (Highlands and Islands) (Lab)
*David Mundell (South of Scotland) (Con)
Irene Oldfather (Cunninghame South) (Lab)
*Tavish Scott (Shetland) (LD)
*Ben Wallace (North-East Scotland) (Con)
*Allan Wilson (Cunninghame North) (Lab)

*attended

ADVISER

Professor John Bachtler

CLERK TEAM LEADER

Stephen Imrie

ASSISTANT CLERK

David Simpson

LOCATION

Committee Room 4

Scottish Parliament

European Committee

Tuesday 20 June 2000

(Afternoon)

[THE CONVENER *opened the meeting at 14:07*]

The Convener (Hugh Henry): Good afternoon. Welcome to the 13th meeting of the European Committee this year. I have received apologies from Winnie Ewing, who is unfortunately still unwell.

Water Framework Directive

The Convener: The first item on our agenda is the draft European water framework directive. Winnie Ewing, along with Maureen Macmillan, had been doing some detailed work on it. Representations have been made to us by the Scotch Whisky Association and the Moray trades councils. I understand that, like other bodies, they are concerned about the suggestion that the right of member states to apply for exemption regarding water extraction where it can be demonstrated that that has no adverse effect on local supplies might be lost.

Do you wish to comment, Maureen, before we get any further?

Maureen Macmillan (Highlands and Islands) (Lab): I had a meeting with the Scotch Whisky Association at lunch time today. As you said, convener, its members are worried about the possibility of the exemption being lost. As members will know from the documentation that they have received, the process is at the conciliation stage.

If the exemption is lost, the whisky industry fears that it will be faced with a bureaucratic nightmare—that it will have to apply for licences for extractions. The industry is also worried that the Scottish Environment Protection Agency has expressed keenness to have a register of every extraction of water in Scotland, which I think would also be a bureaucratic nightmare for SEPA.

Ms Margo MacDonald (Lothians) (SNP): It is just nonsense.

Maureen Macmillan: I think so, too. If we do not keep the exemption, the entire matter will return to the Scottish Executive and to the Transport and the Environment Committee.

Ms MacDonald: Can I ask a question?

The Convener: Let Maureen finish.

Maureen Macmillan: The issue is not about quality of water; it is about having to get licences to extract water. Those who have made representations maintain that that would add costs to the industry because of the bureaucracy it would involve.

The Convener: So we are seeking to enshrine a right to apply for exemption in the water framework directive?

Maureen Macmillan: That is correct. The European Parliament tabled an amendment to remove the exemption because some countries felt that some countries or industries would cheat and apply for and use the exemption when they should not. It is supposed to apply only to countries where there is sufficient rainfall—the exemption should not apply in dry Mediterranean countries, for example. I hope that that explanation of why the European Parliament wants to remove the exemption was not too convoluted.

The matter is in conciliation at the moment. The next meeting on it is on 28 June, with a further meeting in July. Members probably noticed from their briefing papers that the whole thing has been on the go for about 20 years and that the amendment may fall. Those involved in the whisky industry are interested in getting notification of our support. They already have the support of the Ministry of Agriculture, Fisheries and Food and the Department of the Environment, Transport and the Regions at UK level; they would like the European Committee of the Scottish Parliament also to write to them to support them in this matter.

Ms MacDonald: Do we know why SEPA is backing the idea of removing the exemption?

Maureen Macmillan: Because it wants to keep tabs on water extraction, for regulatory purposes. The whisky industry is afraid that SEPA might start looking for money for licences.

Ben Wallace (North-East Scotland) (Con): We all received an e-mail from the Royal Society for the Protection of Birds. It is campaigning for the exemption to be removed in connection with its concerns about wetlands. I wrote to the RSPB individually, saying that I was unable to support it.

One of the reasons SEPA takes its stance from the environmental point of view about safeguarding fresh water supplies is the RSPB's concern about wetlands. I do not agree with that point of view; I agree with that of the whisky industry.

I spoke to some MEPs yesterday. The UK's position on this matter is to try to reintroduce the exemption. We are at the conciliation stage at the moment. I agree with Maureen that we should indicate our support for the UK Government's

position and let our MEPs know that we are doing that.

Dennis Canavan (Falkirk West): I note that you have a recommendation, convener, to

“appoint a Reporter(s) to investigate the matter further”.

I wonder whether the reporter could consider why the European Parliament removed the member state’s power to maintain exemptions. What were our eight Scottish MEPs—and, indeed, other UK MEPs—doing? It would be interesting to know whether they voted against removal or whether there were compelling arguments in favour of removal.

The Convener: Correct me if I am wrong, but the matter would probably have been considered at the relevant European Parliament committee.

Stephen Imrie (Clerk Team Leader): That is probably the case, unless the matter was brought up in plenary session. I do not know the status of the discussion—whether it was discussed solely in a committee or in plenary—but I could try to find that out.

Maureen Macmillan: The whisky industry has had full support from MEPs. It has no complaints about how Scottish or British MEPs acted. I do not know the breakdown of the voting, but the exemption was reinstated because some countries thought that cheating might occur—that people in dry countries might extract water when they should not and that they would use the exemption for their own purposes.

14:15

Tavish Scott (Shetland) (LD): It strikes me that there is more to this than the issues that have been discussed so far. In your recommendation paper, convener, you refer to

“a common approach, common objectives and principles, common definitions and basic measures.”

In the context of Europe, that is pretty laughable. I am sure that colleagues will remember that when we were in Brussels we pursued this issue with the president of the Commission and a number of officials and that it was very clear that there was no common approach. I note from the briefing paper that this matter has been discussed for 20 years—no wonder. Whoever thinks that it will be sorted out in a matter of days is living in cloud-cuckoo-land.

I would be interested to know from the reporter who is appointed what the Commission’s position is on the amendment that is rightly being pushed by the UK Government and which we, too, should support, as Maureen Macmillan says.

SEPA’s support for this measure would seem to be about job creation. We are constantly told at

other committees about how much SEPA has to do, the range of responsibilities it has and how much its budget needs to be augmented. Like Maureen Macmillan, I am concerned that this is a mechanism to create further work that can be licensed and charged for on the basis of whatever principle one cares to cite. When the Transport and the Environment Committee examined the charging regime that is being used by a number of bodies, including SEPA, it was quite clear that the objective was to use charging as a way of increasing the budgets of those organisations.

There is a great deal for the reporter to get their teeth into. This is not limited to the whisky industry; it has profound implications for pretty much every Scottish industry—agriculture and fisheries in particular. I would be very wary of that.

The Convener: It would be helpful if we could make our concerns known directly to the MEPs on the conciliation committee—although, as Maureen Macmillan has indicated, Scottish MEPs are well aware of this issue. We also need to enter into a dialogue with the Scottish Executive to find out how it intends to implement the directive in Scotland and to write to the relevant MEPs from Scotland and elsewhere who could help us get our views across. I have not managed to speak to Winnie Ewing, so I do not know what work she has been doing on this issue, but I know that Maureen Macmillan has been looking into it. Would you be happy to take the lead on this, Maureen?

Maureen Macmillan: Yes.

Ben Wallace: Yesterday, I spoke to one of the MEPs on the joint conciliation committee. They are obliged to take the line that they are instructed to take by the European Parliament. That is unfortunate, as the Parliament has instructed them to say that it wants this exemption removed—even though the MEP to whom I spoke is on our side. We should, therefore, focus our efforts on the Council of Ministers and the UK Government.

The Convener: We must ensure that the Executive reflects the concerns that have been expressed here—and does so quickly.

The second item on our agenda is our inquiry into European structural funds and their implementation in Scotland. At our previous meeting we agreed that it would be taken in private. I ask members of the public who were with us for the first item to leave the room. Thank you for attending.

14:19

Meeting continued in private until 16:02.

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