

LOCAL GOVERNMENT COMMITTEE

Tuesday 7 November 2000
(*Afternoon*)

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LOCAL GOVERNMENT COMMITTEE

29th Meeting 2000, Session 1

CONVENER

*Trish Godman (West Renfrew shire) (Lab)

DEPUTY CONVENER

Johann Lamont (Glasgow Pollok) (Lab)

COMMITTEE MEMBERS

*Colin Campbell (West of Scotland) (SNP)

*Mr Kenneth Gibson (Glasgow) (SNP)

*Donald Gorrie (Central Scotland) (LD)

*Mr Keith Harding (Mid Scotland and Fife) (Con)

*Dr Sylvia Jackson (Stirling) (Lab)

*Mr Michael McMahon (Hamilton North and Bellshill) (Lab)

*Bristow Muldoon (Livingston) (Lab)

*Mr Gil Paterson (Central Scotland) (SNP)

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

*attended

CLERK TO THE COMMITTEE

Eugene Windsor

SENIOR ASSISTANT CLERK

Irene Fleming

ASSISTANT CLERK

Craig Harper

LOCATION

Committee Room 1

Scottish Parliament

Local Government Committee

Tuesday 7 November 2000

(Afternoon)

[THE CONVENER *opened the meeting at 14:02*]

The Convener (Trish Godman): Good afternoon, comrades. The sooner we start, the sooner we will finish.

I ask the committee to agree to take items 4 and 5 in private. Item 4 is the draft report on the budget process. We usually take such an item in private. Item 5 is on the procedures for questioning witnesses. I would like to take that item in private because that would enable Morag Brown from the Scottish Parliament information centre and our clerk, Eugene Windsor, to take part in the debate. That might be very helpful. Is that agreed?

Members *indicated agreement.*

Education (Graduate Endowment and Student Support) (Scotland) Bill

The Convener: Members have been sent papers on the Education (Graduate Endowment and Student Support) (Scotland) Bill. The Local Government Committee's interest in the bill focuses on the section relating to the proposed changes to council tax legislation.

Members will be aware that the Executive proposes to withdraw the bill for redrafting. It is understood that that will not affect the section of the bill that we are considering. However, technically, we cannot complete our report until the committee has had an opportunity to consider the revised bill. I suggest that we continue to take evidence in the meantime, so that we are ready for the next stage.

As the bill is being withdrawn, the timetable of the lead committee is likely to slip. That means that we will not need to hold a private meeting on 16 November, because we should have time to consider our report for the lead committee at the scheduled meeting.

Does the committee agree to proceed as I suggest?

Members *indicated agreement.*

The Convener: Let us go through the briefing paper on stage 1 of the bill. The first page seems self-explanatory: it sets out the purpose of the report, the committee's role and the possible withdrawal and reintroduction of the bill, which I mentioned earlier.

There is a list of witnesses on the second page. Do members wish to add to or remove anybody from the list? Does it cover a wide enough range of people?

Mr Keith Harding (Mid Scotland and Fife) (Con): Why did we select Glasgow City Council and the City of Edinburgh Council?

Mr Kenneth Gibson (Glasgow) (SNP): Glasgow and Edinburgh have the largest student population in Scotland.

The Convener: There is your answer.

Mr Harding: Fair enough. Might it not have been better to hear from a council that includes a rural area, such as Aberdeen City Council, or one that has a university, such as Fife Council, rather than two major conurbations? There are different problems.

The Convener: I am told that the National Union of Students is bringing a welfare rights officer. The

NUS will cover those areas.

We will take evidence from organisations at the meeting on 14 November. Do we agree to invite those witnesses?

Members indicated agreement.

Donald Gorrie (Central Scotland) (LD): Are we sure that it is better to hear from Citizens Advice Scotland rather than a citizens advice bureau in, say, Glasgow or Aberdeen, which is on the front line?

The Convener: Citizens Advice Scotland is going to bring someone who is on the front line.

Is that agreed?

Members indicated agreement.

The Convener: We have a slight dilemma—

Mr Gibson: It is the ghost of Bristow Muldoon.

The Convener: Indeed, the ghost of Bristow Muldoon is not with us. I know that Bristow is in the building because I was at a meeting with him a few minutes ago.

Mr Gibson: Colin Campbell says that, as he and Keith Harding also went to Wales, they will willingly share the task of presenting the paper.

The Convener: I appreciate that Colin Campbell and Keith Harding also went to Wales, but I think that we should have a brief adjournment—pencils down, arms folded. I am sure that Bristow Muldoon will be here soon.

14:07

Meeting adjourned.

14:09

On resuming—

Visit to Wales

The Convener: Sometimes when we have a short agenda, comrades have a tendency to get out of order. I am looking at two members in particular.

I found the report on the visit to Wales comprehensive and very easy to read—better than some of the material that the committee has had to consider. I thank Bristow Muldoon, Colin Campbell, Keith Harding and Craig Harper for the report.

The first page of the report sets out the objectives of the visit to Wales, the meetings with the different groups and who those groups were.

Bristow Muldoon (Livingston) (Lab): Perhaps you would like me to make a few introductory remarks, convener.

The Convener: Okay, given that you have finally turned up.

Bristow Muldoon: The main thanks for the report should go to Craig Harper who put it all together. He consulted me on the content of the report, but it is largely his work. Colin Campbell, Keith Harding and I are very grateful for the support that Craig gave us throughout the visit.

We welcome the support that was offered by the organisations that we spoke to: the Welsh Local Government Association, Bridgend County Borough Council and the National Assembly for Wales. The organisations were very open with us in discussing their views on the future of local government. We all recognised that there are many overlapping issues of interest and that the issues for the Welsh Assembly and the Welsh local government system are parallel to those in Scotland.

The Welsh Assembly and many members of Welsh local government view the powers of the Scottish Parliament with a degree of envy. They feel that they would be far more able to influence many issues if they had the range of powers that we have in Scotland. That issue came through very clearly.

Welsh local government is grappling with many of the same issues as us in relation to modernising and restructuring. However, I understand that Welsh local government is being offered less flexibility in terms of such structures than the Scottish Executive and the Scottish Parliament is giving to Scottish local government. In particular, the question of whether local authorities should

make use of the cabinet model is being far more driven in Wales, although not as much as it is in England. The Welsh felt that our approach in Scotland gave local government the opportunity to review and reform its own decision-making structures according to local circumstances. Given that Wales, like Scotland, has a range of authorities—from tight urban councils to large sprawling rural ones—the system appropriate to each area might be very different.

One issue on which Wales was ahead of us struck me: the relationship between the Assembly and local government has a statutory basis. That is something that we should consider. I know that we are making progress on a covenant between the Scottish Parliament and local government, but all parties in the Parliament might want to consider whether a statutory arrangement might cement the parity of esteem that we are trying to establish. It might be legitimate to establish a tripartite arrangement between the Executive, the Parliament and local government.

The Welsh Assembly's recent experience of finance is similar to that of the Scottish Parliament. In the Assembly's first year, there was a troubled relationship between it and local government on the settlement level. However, it appears that the scenario will be smoother in the next three years, as a result of the greatly increased level of resources that is being made available. We share that experience.

The Assembly was not as focused as the Parliament on consideration of alternative finance systems or structures. There did not seem to be coherent views on those issues. Perhaps coherent is the wrong word, but I do not think that that issue has been considered in the same detail as it has been considered in Scotland, given the stimulating debate that members of the Local Government Committee in particular are having.

14:15

The Assembly is having the same debate as the Parliament on whether to proceed with proportional representation for local government. A number of the same issues are involved, such as the difference in views on whether PR is the right way forward. The Assembly does not have the same powers as the Scottish Parliament has to deal with that issue directly. I leave it to members to judge for themselves whether that is an advantage or a disadvantage.

The Convener: Thank you, Bristow. Does Keith Harding or Colin Campbell wish to add anything at this stage, or will they come in on the questions?

Mr Harding: Bristow covered our visit well.

I found the partnership agreement interesting. It

would be useful for members to obtain a copy of it, particularly given the concordat that is coming up.

Two other agreements may be of interest to the Scottish Parliament: one agreement is with the voluntary sector and the other is with the business sector.

The Assembly recently undertook a complete review of the distribution formula. I have a copy of that review, should members wish it to be circulated. It is quite bulky, but it is interesting to note how the distribution formula for grant-aided expenditure for Welsh councils has been addressed.

The Convener: Given that the document is so bulky, interested members should contact Keith Harding or the clerks.

Colin Campbell (West of Scotland) (SNP): Assembly members often talked about legislation from London and the secondary legislation that was bolted on to that legislation—that is symptomatic of the difference between the Assembly's relationship with the UK Government and that between the Scottish Parliament and the UK Government. All Assembly members, regardless of party, found that difference a little difficult to take on board. They also felt that their civil servants were still fairly London-centric—the civil service mindset had not changed enough to allow staff to feel like Welsh Assembly civil servants. People were residual UK civil servants.

Apart from that, we had a congenial visit.

The Convener: The first two pages of the paper lay out to whom members spoke, so we will move on to page 3 of the report.

Do members have questions about page 3 of the paper?

Dr Sylvia Jackson (Stirling) (Lab): I have a brief question. I was interested to read that the bedblocking crisis had made the WLGA consider how departments could work together. Are Welsh councils further forward than we are? I note that the Assembly is also trying to promote such collaborative working.

Bristow Muldoon: I did not form the view that the Welsh are ahead of us on the relationship between the national health service and local government. Care of the elderly is a UK-wide issue and the Welsh have to grapple with that same issue. My judgement is that we may be slightly ahead of them in solving that problem.

Colin Campbell: As an illustration of that point, in Dumfries and Galloway, social workers and health board staff have been brought together to try to bridge the gap between those two groups on work with old and sick people. We are ahead of the Welsh.

Mr Harding: I also got the impression that the Welsh were behind us, as far as that issue is concerned.

The Convener: Is a further example that of the lead stakeholders in community planning? The paper says that

“joined-up working” has . . . led to a reduction in the number of cardiac arrests and incidence of depressive illnesses.”

Does that mean that there is a crisis team to deal with those situations? I do not understand how there can be an automatic reduction in the

“number of cardiac arrests and incidence of depressive illnesses”

just because the WLGA is the lead stakeholder in community planning.

Bristow Muldoon: That was used as an example of an area in which different parts of the public sector were working together.

The Convener: So the point is that such joint working was making a difference.

We move on to page 4 of the paper.

Mr Gil Paterson (Central Scotland) (SNP): The third paragraph, which is halfway down the page, talks about

“central control over borrowing and allowing councils limited control over business rates.”

Bristow, could you expand on that point, to give us an idea how it could be achieved?

Moving on to page 5, the paper raises a similar issue on community councils being able to tap into local rates for revenue. What impact will that have? Are there more elections for community councils? Does that approach achieve more? Is the system more democratic?

Bristow Muldoon: Those are good questions.

On your first point, the system is not yet in place. A consultation on the way in which finance will work in the future is being carried out. Both the National Assembly for Wales and the Department of the Environment, Transport and the Regions have published consultation documents. Local authorities are being asked for their views on what should happen with business rates and controls over borrowing. Changes have yet to be made and it remains to be seen what changes, if any, will come out of that consultation process. If you want to see the proposals that are contained in those documents, Gil, I am sure that Craig Harper can obtain copies for you.

I should have referred to community councils in my introduction. The significant difference between local government in Wales and Scotland is that, in many cases, community councils in

Wales perform a limited service delivery role. For example, a Welsh community council might have responsibility for running certain facilities, such as community halls, sports facilities or parks, or it might undertake a certain amount of environmental work.

Welsh community councils also have fundraising powers. It was explained to us that some Welsh community councils have fairly significant budgets of up to about £1 million, if I remember correctly. The Welsh community council is a completely different beast to the Scottish community council. It was also explained to us that coverage was patchy—some areas have strong community councils that perform the service delivery role, while other areas have a weak or non-existent community council, although I do not know how an area could have a non-existent community council—[*Laughter.*] I meant to say that some areas did not have a community council.

I do not think that community councils in Wales have a greater democratic legitimacy as a result of their powers. Most community councils in Wales are lucky if they manage to fill all their places. Either democratic contests were not held, or people did not participate in elections in large enough numbers to give an impression of democratic legitimacy.

While I have no problem with power being devolved to the most appropriate level, such as local communities, that should happen only if it is devolved to organisations that are representative of their communities and that have a degree of democratic legitimacy. From our discussions with Assembly members, I was not convinced that community councils had that democratic legitimacy.

Mr Paterson: I have a supplementary question on rates. What mechanisms are in place to allow community councils to tap into rates?

Bristow Muldoon: The community council has a limited revenue-raising power and a decision to raise revenues is communicated to the local authority, which undertakes the collection of rates. I could be wrong about that, but that was my impression from the discussions that we held.

Mr Harding: It may be a misnomer to use the phrase “community council”, which applies mainly to urban areas. In effect, we are talking about organisations that are like parish councils. I think that they are able to raise a penny rate, although I would not swear to that.

Colin Campbell: It was as low as that.

Mr Harding: Many of the major cities have built up huge resources—for example, they own community centres—and they run them by raising such funds. According to what was said, there was

definitely a divide between urban and rural community councils. In Wales, there are the same problems as we have in persuading people to stand for councils.

Bristow Muldoon: Some of the facilities that those councils run perform similar functions to those run by the trusts to which some local authorities in Scotland transferred operation of some leisure facilities when they found it difficult to provide funding. In Wales, some of the facilities were transferred to the community councils, which are completely different beasts from the community councils in Scotland.

Mr Paterson: I take it that the penny rate—if the rate is a penny—is theoretically available throughout Wales?

Mr Harding: I think that the system applies only to the bodies that I described as parish councils.

Mr Paterson: Does a two-tier system operate?

Mr Harding: Many of the bodies have accumulated money through common-good funds.

Colin Campbell: The system was patchy. It was not used everywhere—only where there was precedent.

Mr Gibson: The system was probably more similar to that used in Scandinavia than that in Scotland. In Scandinavia, organisations called communes have control over many day-to-day services—certainly more control than parish or community councils. A different system has evolved in Wales, and a similar evolutionary process is taking place in some parts of England. It is unfortunate that the title of community council is used here, because the functions are totally different.

The Convener: Ian Miller, who is the head of finance at the association, suggested that it might be useful to review local government finance in Wales. Was there support for that?

Bristow Muldoon: We asked about that. People felt that a review would be useful, but I do not think that the demand was as developed as it is in Scotland.

The Convener: So nobody is going down that road at the moment?

Bristow Muldoon: Obviously, a consultation is being conducted through DETR's review. That is examining some aspects of local government finance, but is not examining whether to introduce different forms of local taxation, because it is focused.

Donald Gorrie: The facility of parish councils, or what are often called town councils in England, is historical. There has been no great move to push power down to people. The councils operate in

small boroughs and were established to run swimming pools or other facilities. They have simply continued to do that. That is good stuff, but I do not think that there has been a great outbreak of democracy in England or Wales that we have missed out on.

The Convener: I do not think that that has happened.

Mr Gibson: I agree with Donald Gorrie.

How are people in local government dealing with widening access? Like people in Scotland, they are clearly concerned that the regard in which people hold councils has lowered in recent years. Attracting more people to stand as councillors is as much an issue in Wales as it is here.

The Convener: What page of the report are you referring to? Are you still on page 4?

Mr Gibson: I am on page 5, at the paragraph after the one on community councils, which we have just discussed.

Bristow Muldoon: Members of the association and others recognised the problem and the need to improve the regard in which people hold councillors and their role. I do not think that they have advanced proposals on that. They were interested in hearing our reports about McIntosh, Kerley and civic education. They agree that the issue must be taken forward, but at the moment, they have not made advanced progress with it.

Mr Gibson: Is an equivalent to Kerley or McIntosh being considered?

Bristow Muldoon: I cannot say. Such exchanges are two-way, and I think that they were learning from us on the issue. Several people from the association and the Assembly were interested in our progress with Kerley and McIntosh. They might pursue that in the future. I got the impression that they thought that our plans were correct and showed advanced thinking on behalf of Scotland. I would not be surprised if they took a similar path, but they gave no indication that they had immediate plans to do so.

The Convener: We will return to page 4.

Dr Sylvia Jackson: I will return to waste management and recycling, and Bristow Muldoon's statement that that issue

"needed to be moved up the political agenda".

Many people might not know it, but through this Parliament's European Committee and its response to the sixth environmental action plan, the Scottish Executive is making moves to work across departments on sustainable development. We hope that all such matters will eventually be dealt with more coherently. Did Bristow pick up on any similar action at the Welsh Assembly?

14:30

Bristow Muldoon: That paragraph is included in the report because the association expressed concern that issues such as the environment had been squeezed because emphasis had been placed on priority services such as education and social work. Councillor Graham Court, who is the vice-president of the association, expressed concern that although most people believed that we should improve our recycling and management of waste, local authorities were sometimes unable to meet their objectives as fully as they wished to, because of the way in which expenditure was directed. That paragraph gives a general idea of problems in the Welsh system.

Dr Jackson: Are you saying that councils were concerned, but that the Welsh Assembly members did not say too much about what they were doing, and that there were no useful lessons that we could learn from them?

Colin Campbell: I think that Graham Court was just articulating a concern about his own area and the fact that the issue had been squeezed by budgetary constraint, because when push came to shove, people preferred schools to waste management.

Bristow Muldoon: The Welsh Assembly gave the issue some importance, but the concern was that insufficient resources were being made available to produce an effective waste management strategy. Some of the representatives felt that the issue was not being given as high a priority in Wales as in England. They felt that significantly more resources were provided in England to deal with the problem, and they asked us how the Scottish Parliament and the Scottish Executive were dealing with the issue.

The Convener: We have finished page 5 and will now discuss page 6, which says that

"many members of the Welsh Assembly are also councillors."

Does that cause problems with division of time? How often must members be present at the Assembly?

Mr Gibson: Just ask Keith Harding.

The Convener: I am not asking Keith.

Bristow Muldoon: Where are we?

The Convener: I am referring to paragraph 6 on page 6.

Bristow Muldoon: That paragraph talks about members of the Partnership Council between the Welsh Assembly and—

The Convener: Yes, but it also says that

"many members of the Welsh Assembly are also councillors."

Bristow Muldoon: To be honest, we did not pursue that issue much. It seemed that the Assembly placed similar or slightly lesser demands on a member's time than our Parliament does on us.

My view is that it is better for people to be representatives at only one level of government. I do not direct that remark at Keith Harding. It is simply my view that people should choose to become involved at either national or local level only. I do not think that we can straddle two horses for too long.

Mr Gibson: So do you think that Henry McLeish should resign his Westminster seat?

Bristow Muldoon: Obviously, when the Scottish Parliament was established, most parties made a pragmatic decision—

The Convener: We are moving away from the report.

Bristow Muldoon: Obviously, that was a pragmatic decision that the Scottish Conservatives did not have to face after their abject failure in the previous Westminster election.

Mr Harding: I made a pragmatic decision when I decided to stand as a councillor.

The Convener: Enough. We are discussing the report.

Dr Jackson: What sort of relationship does the Welsh Executive have with the Partnership Council that is mentioned on page 6 of the report? Secondly, I get the impression that the Welsh Assembly has been quicker at getting the Partnership Council up and running; perhaps we have taken a more evolutionary approach to the covenant. Can we learn any lessons from the Welsh structure?

Bristow Muldoon: There is direct contact between the Welsh Executive and the Partnership Council in that some Welsh Assembly members are also members of the council. I was quite interested in the fact that some ministers are members of the Local Government and Housing Committee and take part in all the committee's proceedings.

The reason why the Welsh are so far ahead of us in setting up the Partnership Council is that the council was included in the Government of Wales Act 1998, which set up Welsh devolution, and is therefore a statutory requirement. It would probably be desirable for us to develop a similar council given the fact that local government delivers such a large percentage of public services that are under this Parliament's jurisdiction and is also extremely influential in many areas where it does not directly deliver those services. The Partnership Council was probably included in the

Government of Wales Act 1998 because there was not the same general commitment to devolution in Wales as there was in Scotland; it was also partly meant to allay local government's fears that the Assembly might suck up some of its powers. I know that some people in Scotland shared similar concerns; however, as the Welsh Assembly is not a legislature like the Scottish Parliament, some in Wales felt that there was a bigger temptation for the Assembly to centralise powers.

Mr Harding: Under the standing orders of the Partnership Council, the Assembly membership of the council comprises

"the First Secretary, such other members of the Assembly (not exceeding 6) as she/he nominates, together with at least one representative from each political group in the Assembly which is not represented in the Assembly Cabinet".

The Convener: It might be interesting to have a look at that partnership agreement.

We move on to page 7 of the report.

Mr Michael McMahon (Hamilton North and Bellshill) (Lab): Page 7 mentions a "leadership challenge" and, in a note at the bottom of the page, a "leadership academy". Can you elaborate on the idea of a training programme for councillors? How well has that been received and who co-ordinates it?

The Convener: Are you asking about how someone gets on to the course? In other words, how does someone know that they are a leadership person?

Colin Campbell: They know if they get on the course.

Bristow Muldoon: The Welsh programme focuses on issues that are similar to those that we are trying to address through the Kerley report; it is a sensible development that is long overdue in Scottish local government. However, I am not clear whether local authorities nominate people to go on it or whether there is self-nomination.

Mr McMahon: Is it obligatory?

Bristow Muldoon: No.

Mr McMahon: Who co-ordinates the training or determines the level that someone should be trained to? It might be interesting to find out whether there is a model that we could examine.

Bristow Muldoon: I am not able to answer that question in full. Perhaps Craig Harper could follow it up and provide some clarification.

The Convener: I was interested to find out that the Partnership Council has undertaken a best value review of the location of polling stations in the electoral process. Perhaps we could consider

that issue at some point, as it is a matter that comes up every now and again.

Bristow Muldoon: What if the electoral process fails the best value review?

The Convener: Good question.

Do members have any questions or comments on page 8 of the report? The boundary commission has also commented on the issue raised in the third paragraph, about the respective populations of Cardiff and Merthyr being 400,000 and 59,000 and the consequently low tax base.

Bristow Muldoon: Councillor Jones reflected that there might be similar concerns in Scotland that the local government reorganisation in 1996 had perhaps not been done in the best way. Perhaps there was the slightest suggestion that there might have been an attempt at gerrymandering.

Colin Campbell: Surely not.

The Convener: Can we keep to the report, please?

Colin Campbell: The councillors were expressing exactly the same reservations that we have expressed. They were just a bit hacked off with the fact that natural communities have been divided arbitrarily.

The Convener: Do members have any comments on page 9 of the report? Interestingly, at the top of the page, it says:

"The Minister of Finance was also responsible for local government and Councillor Jones was not sure that this combined portfolio was appropriate."

Colin Campbell: The people from Plaid Cymru to whom I spoke felt much the same. It was a bit odd that so much power should be centralised in one person, but there you go.

Mr Gibson: Regional autonomists often agree with nationalists.

Bristow Muldoon: Although this Parliament's local government portfolio was not strictly within the remit of the Minister for Finance, local government finance was. Even before the recent Cabinet reshuffle, the minister already had a very significant role in the development of local government.

The Convener: Do members have any comments on page 10 of the report?

I was interested in the fact that the Welsh Assembly has the power to sponsor bills in the House of Commons. How does that happen?

Mr Harding: With great difficulty. It needs the permission of the Secretary of State for Wales, and if he does not agree, it does not happen.

Bristow Muldoon: If the Welsh Assembly feels the necessity to sponsor a bill, it must persuade the secretary of state to support the bill and to argue for its inclusion in the Government programme at Westminster. The process is obviously quite difficult and would still be subject to the same crowding-out problems that Scottish bills had before devolution.

The Convener: The report also says:

"There are also five different levels of government that, it was felt, can at times confuse both the public and those involved in the process of governance."

I imagine that that confuses people quite a lot.

Colin Campbell: Certainly if we went by what the taxi drivers in Wales say about the Welsh Assembly, it would close next week.

Mr Gibson: It cannot possibly be the same as what the taxi drivers of Shetland were saying about their council.

The Convener: Be careful.

Bristow Muldoon: On a couple of occasions, people said that there were five different levels of government in many areas because of the community councils—or whatever we wish to call them. Even supporters of Welsh devolution were saying that the Welsh Assembly did not have enough power to be a legitimate body and a number of them wanted the Assembly's powers to be extended to give it a more substantial role.

Mr Paterson: It is coming over loud and clear that the Welsh Assembly wants more powers. Has it given the Scottish Parliament any advice on our seeking more powers? Does it think that we should push the boat out a bit more?

Bristow Muldoon: That was not suggested to us. The people we met simply felt that they would like the Welsh Assembly to have the powers that we have. They recognised that it was considerably more difficult to achieve that in Wales because of the greater extent to which the Welsh legal and other systems of government are entwined with those of England.

Mr Gibson: Wales was colonised.

Bristow Muldoon: However, the people we met felt that they could achieve a great deal more if they had powers similar to those of the Scottish Parliament.

14:45

Donald Gorrie: The powers of the Welsh Assembly are totally inadequate. At Westminster, I asked a Welsh colleague why on earth we were voting for all this rubbish, and his answer was that it was the most that could be got through the system. Most Welsh Labour MPs were against

devolution as a whole, so the legislation for the Welsh Assembly had to be carefully balanced. It appears that, from experience, members of the Welsh Assembly have seen the total inadequacy of their powers. They will put considerable pressure on Westminster, which could help our case.

Bristow Muldoon: We did not have any meetings with Welsh MPs, so I do not know what they think of the current set-up.

Mr Gibson: It is interesting that Welsh Assembly members are considering a way of relaxing the public sector borrowing requirement rules, just as we are in Scotland. It is fascinating how many parallels there are between our situation and theirs. They are examining things independently of us, but we are both focusing on similar issues.

The Convener: We turn now to page 11 of the paper.

Mr McMahon: There is a reference to the panel of subject committee chairs meeting the House of Commons Welsh Affairs Select Committee. Was that demanded, is it useful, and could something similar be developed in Scotland?

Bristow Muldoon: The reason why there is so much liaison between the Welsh Assembly and Westminster is that the Assembly requires Westminster to take forward issues for it in a number of areas. I am not sure that it would be an advantage for us to have a similar arrangement. If the Scottish Parliament wants to address an issue that is part of the devolved settlement, it can simply act. If the Welsh Assembly identifies a course of action that it believes to be to the benefit of Wales, it often needs to persuade the House of Commons to support that.

Donald Gorrie: Michael McMahon raises an interesting issue. Although Bristow Muldoon is correct in saying that the position is different here, there might be some merit in considering whether the Scottish Grand Committee should not sometimes meet the conveners group. John Reid is desperately looking for something for the Scottish Grand Committee to do. This is something that it could do.

Mr Gibson: He is looking for something for himself to do.

The Convener: Now, now.

Bristow Muldoon: I support as much joint action as possible between MSPs and MPs. It is important that we work together in a number of areas, particularly when dealing with poverty and social inclusion issues. That is an area where some of the actions that can be taken to tackle problems lie within our powers and some lie within Westminster's powers. I am all in favour of co-

ordained action to deal with the problems with which we have to grapple.

Mr Gibson: I am surprised that one of the Plaid Cymru representatives indicated that she had difficulty contacting MPs, apart from at official functions, given that Plaid Cymru has four MPs at Westminster. Is she suggesting that that is not a party issue, but that MPs, regardless of their party affiliation, do not have contact with Assembly members?

Bristow Muldoon: If I remember correctly, the Plaid Cymru member to whom Kenny Gibson is referring represented an area in Wales for which Plaid Cymru did not have any MPs.

Mr Harding: She was a list member.

Bristow Muldoon: I think that all the MPs for the area that she represented were Labour, although they may have been a mixture of Labour and Liberal Democrat. There were certainly no Conservatives.

Mr Harding: There is one.

The Convener: Behave.

Bristow Muldoon: There is no Conservative MP for that area.

The Convener: Will members speak through the chair? We do not want a political discussion. Please stick to the agenda.

Bristow Muldoon: The Plaid Cymru member in question was having difficulty relating to MPs from a different party.

Mr Gibson: So she meant local MPs. This is about the relationship between list members and their local MPs, rather than the relationship between Assembly members and MPs per se.

How much dialogue is there between the Assembly and Westminster Government departments? Clearly, there is a certain amount of friction and frustration. What mechanism is there for the Assembly to deal with issues when Westminster does not take any notice?

Bristow Muldoon: A system of concordats has been built up, which sets out the relationships. I did not get the impression that Westminster was not prepared to listen or speak to the Welsh Assembly, or that the Assembly felt ignored. However, it might not always succeed in persuading Westminster Government departments of its point of view, which is a source of frustration. The people we met indicated that a great deal of hard work was required to get amendments made to Westminster bills or to ensure that a particular course of action was taken on issues where the Welsh perspective was slightly different from that of England or the Westminster Government. Other than the concordats, there is no system for

resolving such conflicts.

Mr Gibson: At the end of the paper, you state:

"Discussion took place about the possibility of increasing the powers of the Assembly."

Are all political parties committed to increasing the powers of the Assembly, or is that true of only one or two?

Bristow Muldoon: I had the impression that Labour, Plaid Cymru and Liberal Democrat members were strongly of that view. I do not mention the Conservatives not because I know what view they take, but because the only Conservative member whom I met during the visit was present at our meeting only briefly and I cannot recall whether the issue of increasing the powers of the Assembly was debated while he was in the room. Keith Harding may be able to answer on that, as he had separate meetings with the Conservative members.

Mr Harding: The issue of increased powers for the Assembly was not discussed.

Colin Campbell: The people we met were terribly conscious that, compared with us, they were not very well off in terms of what they could do or initiate.

Mr Gibson: We are not very well off compared with Liechtenstein, Luxembourg or Andorra.

The Convener: Could we stick to the report on the visit to Wales?

Colin Campbell: We arrived in Wales at a strange time, with the Lib Dems and the Labour party having just established a new Cabinet. It was the first time that they had had the same set-up as us. The fact that initially the Executive did not have an overall majority has inhibited progress until now. Whatever reservations we have about the Scottish Executive, it gets things done. The Welsh suffered considerably in the first 12 months of the Assembly's existence from not being able to get things done. That did not help members' confidence or the confidence of the people of Wales in the Welsh Assembly.

Mr Gibson: Colin Campbell is not extending an official olive branch.

Colin Campbell: It is not an olive branch in the slightest. I was simply recording a historical fact.

The Convener: Will you behave yourselves?

Bristow Muldoon: A broad group of Assembly members thought that they should have taken the same approach as members from the Labour and Liberal Democrat parties took in Scotland shortly after the election, and formed a partnership Government. That came across clearly. Donald Gorrie would probably relish the role of Assembly member in Wales even more than he does the role

of MSP in Scotland, as in Wales members are in the habit of inflicting significant defeats on even the partnership Executive. The first vote that was held after the partnership Executive was formed related to subordinate legislation on genetically modified foods, and the Welsh Executive lost it by 10 votes to 42.

The Convener: How could you say that about Donald?

Mr Harding: It is interesting that, under the partnership agreement, Liberal Democrat deputy ministers are not subject to collective responsibility. They do not have to vote with the Executive. That is because they do not receive extra remuneration for being deputy ministers.

The Convener: Now we are beginning to move away from the report.

I thank Bristow Muldoon, Colin Campbell and Keith Harding for their report. I also thank Craig Harper for his contribution. It seems that there are many similarities between our situation and that of the Welsh Assembly, although it would be interesting to obtain a copy of the Welsh partnership agreement. The fundamental difference is that we have the power to legislate, which the Welsh Assembly is fighting for at the moment. It was obviously an interesting visit, and I thank the members involved for answering questions on it.

We now move into private session. I ask the public and the official report staff to leave.

14:55

Meeting continued in private until 15:32.

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