

RURAL AFFAIRS AND ENVIRONMENT COMMITTEE

Wednesday 19 December 2007

Session 3

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RURAL AFFAIRS AND ENVIRONMENT COMMITTEE

10th Meeting 2007, Session 3

CONVENER

*Roseanna Cunningham (Perth) (SNP)

DEPUTY CONVENER

*John Scott (Ayr) (Con)

COMMITTEE MEMBERS

*Karen Gillon (Clydesdale) (Lab)

*Jamie Hepburn (Central Scotland) (SNP)

*Des McNulty (Clydebank and Milngavie) (Lab)

*Peter Peacock (Highlands and Islands) (Lab)

*Mike Rumbles (West Aberdeenshire and Kincardine) (LD)

*Bill Wilson (West of Scotland) (SNP)

COMMITTEE SUBSTITUTES

Bill Kidd (Glasgow) (SNP)

Nanette Milne (North East Scotland) (Con)

John Farquhar Munro (Ross, Skye and Inverness West) (LD)

David Stewart (Highlands and Islands) (Lab)

*attended

CLERK TO THE COMMITTEE

Andrew Mylne

SENIOR ASSISTANT CLERK

Mark Roberts

ASSISTANT CLERK

Katherine Wright

LOCATION

Committee Room 4

Scottish Parliament

Rural Affairs and Environment Committee

Wednesday 19 December 2007

[THE CONVENER *opened the meeting at 10:02*]

Rural Housing Seminar

The Convener (Roseanna Cunningham): I propose that we get started. As our draft budget report is on the agenda for consideration in private, Jan Polley is attending the meeting, although a substantial part of the agenda will not concern her.

I remind committee members to switch their mobile phones and pagers off or to flight mode, depending on which is easiest and most convenient. Whatever they do, committee members should not put such equipment anywhere near the microphones.

I welcome everybody to the meeting. Agenda item 1 is a quick discussion of the rural housing seminar on 10 December in Aviemore, which most of us attended. A paper about the day has been circulated to committee members. It does not go into an enormous amount of detail, but we will have a much more detailed paper and a proposed approach to our inquiry for our next meeting on 9 January. Today's paper is just a quick summary of what happened at the seminar.

Once First ScotRail had deigned to get half the members and half the delegates to the seminar considerably later than was originally anticipated, the day went well. There was a lot of good discussion and it was particularly helpful that each of the break-out groups discussed all the options. That gave us a better sense of where the consensus would be.

The interesting prioritisation exercise that we did at the end threw up some slightly unusual results in respect of what we might have anticipated before we set out on our work on rural housing. The fact that the role of the planning system and land supply came first and second was not a surprise.

That financial considerations came third in the list was perhaps a surprise to those of us who have over the years become accustomed to hearing stories about water and sewerage infrastructure and environmental issues. There seems to be a feeling that those issues are on their way to being resolved, so financial considerations were given greater priority.

In fourth place was the issue of mechanisms to keep housing affordable, which in a sense is similar to the financial considerations issue. A variety of other priorities were identified, but the exercise did not come out exactly as we might have anticipated. In my view, that justifies our having held the event: I suspect that, had we simply sat round the committee table and decided on the key issues, we would have rushed to include infrastructure as part of the inquiry. However, it turns out that, in reality, that did not prove to be such a big issue.

As not all members made it to the event, I ask those who were there to comment or give their impressions—that would be useful. I do not want to spend too much time on the issue, because we will come back to it in detail later.

Peter Peacock (Highlands and Islands) (Lab): I concur entirely with the convener's remarks about the value of the event. I, too, was slightly surprised by the placing in the prioritisation exercise of water and sewerage infrastructure issues, but I suspect that one reason for that is the number of people who were there from the Highlands, where a particular mechanism has been adopted. The Highland Housing Alliance is a co-operative mechanism, which may have given those people the view—which you have rightly reflected, convener—that the issue is on the way to being resolved. In our inquiry, we should find out how that has been achieved, so that the practice can be shared. Although the issue is not a high priority in the list, we should find out exactly what lies behind that.

During the seminar, several people commented about the international experience and asked why other countries do not appear to have the same problems as we have. I suspect that, at root, it is partly to do with land ownership issues in other countries. Although information and research came bottom of the pile of priorities, it would nonetheless be worth having some international comparisons of rural housing policy.

The Convener: As confirmation of the point about infrastructure issues, on Friday, at a presentation by Perth and Kinross Council on housing—not just rural housing—it was reiterated that the Scottish Water issue is well on the way to being resolved. It looks as if that result might be more widespread.

John Scott (Ayr) (Con): I am surprised by the placing of water and sewerage issues in the list of priorities. Like Peter Peacock, I wonder whether it could be to do with the geographic location of the event, because water and sewerage infrastructure certainly appears to be an issue elsewhere. I am pleased to hear that it is about to be resolved and I will be delighted if that is the case.

I am surprised that the supply of land was so far up the agenda. From what I can gather from discussions that I have had with landowners, particularly the Scottish Estates Business Group, land is available. No one would be happier than landowners to provide land for housing—the big issue seems to be planning.

The Convener: It is fair to say that the two issues are closely interlinked. The Scottish Estates Business Group was represented at the event.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): I, too, agree with what has been said. I am surprised that the supply of land came so high up the agenda, as I have never come across that as an issue. I am also surprised that water issues came seventh on the list. Those were the two surprises for me. We must take the results with a pinch of salt, given the location of the event. I have gone through the list of delegates, which shows that 21 of the 53 attendees were from the Highlands. That may have skewed the result.

The Convener: Yes—although we were considering rural housing specifically.

Mike Rumbles: Yes, but the inquiry is not just for the Highlands—that is the point.

The Convener: We had a much wider spread of people—there were people from places such as Dumfries and Galloway.

Mike Rumbles: Absolutely, but 21 of the 53 attendees were from the Highlands.

Bill Wilson (West of Scotland) (SNP): The supply of land came up quite a bit in my workshop group and it seems to be a fairly complex issue. One problem that we talked about was that there seems to be a misunderstanding of what affordable housing means and who will be in it. Some estates have apparently withdrawn offers of land when they heard that it was to be used for affordable housing. The supply of land seems to be a fairly complex issue.

John Scott: The issue is obviously worthy of further investigation.

Bill Wilson: I was just making an observation.

The Convener: The fact that the issue has been put as high as it has suggests that we need to consider it. I do not think that it stands alone; it probably ties in with a number of other issues, such as financial considerations.

I thank everybody who was there that day for the work that they did in facilitating and keeping the discussion moving. We will get a much more detailed paper for 9 January, when we will put out the call for written evidence and launch the inquiry.

I referred earlier to First ScotRail not delivering half the delegates and a number of committee members on time. I thank Peter Peacock for kicking off the conference on time, to make up for the gap in the morning, and for ensuring that the initial part of the conference was not delayed because of the late arrival of a number of us.

Work Programme

10:11

The Convener: Agenda item 2 is our work programme. This is our first review of the programme since it was agreed at the summer away day. Paper RAE/S3/07/10/2 sets out our progress in the various programme tasks that we undertook.

We have probably got through more than I expected, because we have managed to deal with some of the smaller issues. I was not confident at the summer away day that we would get as many of them done as we appear to have done. Of course, the Crown Estate issue became bigger than we had expected.

Members will see from the table on the back page of the briefing paper that we have committed to a lot of work for a significant amount of the available time in 2008. We will take oral evidence on flooding in January, February and March. We are doing our budget report just now. We will put out a call for written evidence on rural housing and take oral evidence on the issue in May and June. We will also deal with various other issues, including fishing. We flagged up previously that we wanted to deal with aspects of fishing early, so we have pulled back the evidence taking, particularly on scientific evidence, to June instead of doing it at the last minute in December, as we typically would.

I point out to John Scott that we will have an evidence session on ticks in May. I do not know whether the group for whom John is the reporter will be in a position to make it sensible to have an evidence session then. However, we wanted something for that time, so we pencilled in a session on ticks. We thought that it would be appropriate to discuss that issue at that time of year.

We will do the flooding report in April, following oral evidence, and we will do the rural housing report in September, following evidence. We must also kick off the agricultural regulation inquiry by putting out a call for written evidence in May; we will take oral evidence on the issue in September and October. We have yet to get to grips with the detail of the agricultural regulation inquiry.

We can put a number of ticks—[*Laughter.*] Sorry, what can I say?

10:15

A number of potential areas for scrutiny have been mentioned. Sarah Boyack suggested the local food issue. We chose at the away day not to proceed with it, but we might return to it. We could

undertake post-legislative scrutiny of the Land Reform (Scotland) Act 2003, but I am not sure when the Snowie case in Stirling will be decided: it would be useful to wait for that decision before we take a further view on such scrutiny. Scrutiny of the Scottish Agricultural Wages Board could be part and parcel of the agricultural regulation inquiry.

Peter Peacock suggested that we investigate green space in urban Scotland; I do not know whether last week's debate has changed his mind about that. I suggested that we examine the application of the waste electrical and electronic equipment directive and Des McNulty raised the general issue of waste management. He also requested a sea fisheries inquiry, but I wonder whether the new way in which the committee has decided to deal with sea fisheries obviates the need for that.

Des McNulty (Clydebank and Milngavie)
(Lab): The way in which we will deal with sea fisheries is in line with what I suggested, so I am happy with that.

The Convener: As for the petition that is before the Public Petitions Committee on mechanical vibrations through wind turbine installations, our best bet is to wait for that committee to decide what it will do.

Our paper says that Mike Rumbles has proposed a review of wildlife crime legislation, but I have just been handed a note that says that he does not know where the quote that was attributed to him came from.

Mike Rumbles: It did not come from me, anyway.

The Convener: Mike Rumbles has also suggested scrutiny of the pig industry. Other topics are the less favoured area support scheme, nitrate vulnerable zones and the common agricultural policy health check.

Not too much thought is needed to realise that we will be unable to cover all those subjects, so we need to decide what we can reasonably do before the 2008 summer recess, given the time constraints to which we are subject. When we receive the evidence on ticks, that will deal with another issue that was raised at the away day.

We must decide which of the other topics are more or less important. The common agricultural policy continues to be an issue, but I am not sure how it could be incorporated into the available evidence sessions—we do not have a huge amount of time. We will take oral evidence on flooding from January to March. We do not have to confine ourselves to taking evidence purely on that, but I remind members that it is difficult to take evidence on two different matters at one

meeting—it is not easy to manage. We have done it, but I do not recommend it as a standard course. What are members' views?

The big issue that is hanging over is what we do about the Crown Estate, on which we have done quite a lot of work. We need to decide our next steps on that.

Peter Peacock: I confess that when you first suggested fortnightly meetings, I wondered whether that was appropriate. With the benefit of hindsight, I see that it is entirely appropriate, because we need a bit of space between meetings to reflect on matters, to read the *Official Report* and to follow up questions. You have hit the right pattern of meetings, although it constrains us at one level. Our work programme is heavy. The rural housing study, the flooding inquiry and the agricultural regulation inquiry will all be heavy.

I feel strongly that we established a rapport with the Crown Estate, which is listening closely to what is being said. It is proposing various changes and has offered to come back to give evidence in a year. I think that that meets our requirements and will give the Crown Estate a chance to do some of the things that it and we suggested. We will have an opportunity to evaluate those in a year's time. I would leave it at that.

It occurred to me yesterday that Professor Shucksmith's report on crofting is missing from the list of future work. He will report around Easter, I think. We might be required to consider his report during 2008—I flag that up for people to think about.

Waste management, on which Audit Scotland has published a report, is a big issue that affects all Scotland's citizens. Local authorities' practices vary, so we should think about holding a fairly big inquiry into the matter.

I still think that it would be appropriate for the committee to consider the environment in urban Scotland and not just in rural Scotland. Notwithstanding that we had a debate last week on green space, we should consider green space in urban Scotland at some point. I am not pushing that as the top priority, but we should consider it. It would also be worth our while to consider local food. The waste electrical stuff might fit in with wider scrutiny of waste management.

The Convener: Yes—some of the suggested topics can be put together.

Peter Peacock: I will be interested to hear what Mike Rumbles says about pigs. There is an issue about the pig sector in Scotland, although we might not need to hold a huge inquiry into it. I am also interested in the proposed review of wildlife crime legislation. It might be appropriate for us to consider the matter after the chief inspector of

constabulary has reported on it. I am not sure that we should do so before then.

The Convener: I should have said that what we need to do today is to discuss the shorter term stuff, for January to April. We have already agreed inquiries that will continue after the summer recess into late 2008.

My view is that we should have an away day in an off week before the summer recess. If we make decisions at an away day, it is useful to have at least one meeting shortly afterwards so that we can action some decisions. I propose that we hold one in early June, rather in the summer recess. That will give us the long-range discussion that will take us into 2009. Peter Peacock is right that some topics are amenable to much bigger inquiries. However, I am not sure that we are best placed to decide on those in the next seven minutes. Today, we need to think about the next three or four months. If the committee agrees to hold an away day in June, we can take the long-range decisions then.

Mike Rumbles: It would be better to tackle the Crown Estate next year, after it has reported back. However, there is a danger in waiting until then: we need more information. It might not be a high priority, but in the long term we need to get some legal advice.

From what the cabinet secretary said in his letter, the Scottish Executive seems to take the view that the Crown Estate is entirely a reserved matter, but the evidence of the Highlands and Islands conveners group seemed to be that, although the organisation is a reserved matter, responsibility for the land that the commissioners administer has already been devolved. Given that there seems to be a misunderstanding, or a divergence of views, I would like the committee to receive the best available legal advice so that we can find out what the position is. The clerks could liaise with the expert Robin Callander to find out what the Crown Estate review working group thinks. We have obtained evidence from the minister, but more liaison work is probably needed before the Crown Estate reports back next year.

The Convener: We have canvassed legal advice on the Crown Estate. We got into a slightly circular argument because the first response to our request was to ask in what context we wanted such advice. It was considered that such advice could not be supplied unless we were to hold an inquiry. The situation is a little bit circular—we may have to go back and have another discussion on that.

Mike Rumbles: I feel strongly that we need to know what the position is before we move forward.

I turn to the short report on the pig industry, which is from a particular company in that industry.

I am sorry for circulating it at such short notice, but I received it only yesterday. The Scottish pig industry, which employs 5,000 people, is in crisis. I know that many things go wrong in the agricultural sector and that some sectors talk about being in crisis when it is just a matter of proportion, but I genuinely believe that the pig industry is being hit by a big crisis. I suggest that if we want to do a short inquiry involving one or perhaps two sessions when we come back from recess, either in winter or spring, the topic must be a high-priority candidate. I would like to hear other members' comments; their support would be helpful.

I agree that waste is a big issue. We should report on it once we have got through the three big inquiries that are coming up, especially in the light of Audit Scotland's report on the subject and the European directives that relate to it.

Jamie Hepburn (Central Scotland) (SNP): Let me deal first with the Crown Estate. I echo what Mike Rumbles and Peter Peacock said—they did not contradict each other. It would probably be best to wait until next year, when we have taken up the Crown Estate's offer to come back and give evidence, before we do more work on it, although it would be useful not to come to that cold. Maintaining a dialogue with Robin Callander and other stakeholders might help to better inform us for when we take evidence from the Crown Estate. I do not think that a full inquiry is the way to go; I agree with what Mike Rumbles and Peter Peacock proposed.

Our work programme for the early part of next year is clear. Given that we already have quite a heavy schedule, I do not want us to encumber ourselves with too much more work. That said, we will need to leave an opening in our programme in case something interesting emerges from the crofting inquiry that we need to examine.

As regards Mike Rumbles's paper on the pig industry—

The Convener: That is not a formal committee paper. As we are in public session, I point out that people who want to find that paper will not find it on the committee's web page because it is not a committee paper.

Jamie Hepburn: I was going to say something along those lines. It is probably right to put that on the record.

I am not concerned about our receiving information that is useful to know, but I am slightly concerned about the fact that we have received it from an on-going commercial concern. That should be noted. However, it is clear from the paper that there are issues to do with the pig industry that we might need to examine in the new year. I note that the paper says that there could be a problem before Christmas. It is a shame that the

fact that we received the paper so late in the day means that we will not be able to do anything about the issue before Christmas.

Lastly, the suggestion about the away day is good. To be honest, I do not mind one way or the other what the next big inquiries will be—all the suggested subjects are good. We should leave a substantive discussion until the away day next year.

The Convener: Yes, there are a number of ideas. I will mention one of mine after we have heard from John Scott.

10:30

John Scott: This is rather like an echo: I agree with Peter Peacock and others about the Crown Estate—

The Convener: This is a very consensual committee.

Mike Rumbles: Just wait.

John Scott: We have to see how the Crown Estate is getting on in a year's time. If there is an issue anywhere, it is in the marine division, and perhaps that needs to be closely monitored. That is the only possible issue, and there is a willingness to work with us and implement suggestions that we have made. We should leave that for the time being.

On land reform, I agree with the convener that we should wait until the legislation beds in and issues become clearer. I am happy to agree to an away day before the recess—that is an eminently sensible idea.

I know that I said before that we did not need an inquiry into local food. However, if we are going to discuss it, we should do so in the context of ensuring that all the initiatives and the Government's cross-cutting agenda are brought together. That relates not only to this Government but to the previous Labour Administration, which made similar proposals in May 2004, but the work did not happen. It is important that we do something to ensure that all the cross-cutting work happens.

The LFASS schemes, the nitrate vulnerable zones and the common agricultural policy health check are major issues. We have reached the position with the NVZs at which everything is almost done and dusted. The work is bedding down, and there is not much more that we can do, so I am not sure how much benefit there would be in our examining it. There has not been a satisfactory outcome, particularly for the farmers who will have to lay out the capital, but the situation is as it is.

Jamie Hepburn is right that we should not take long-term decisions about our future agenda, because something else will turn up by the middle of the summer. It is suggested in the committee papers that we could look forward to the next two years. I would leave things for now, because something else will raise its head long before then. Being committed to work now would not be sensible.

On pigs and Mike Rumbles's paper from the Grampian Country Food Group, I agree totally that there is a huge industry issue with pigs. That said, for as long as I can remember there has always been an issue with pigs. I was going to say that I would be happy to root about in that, but I probably should not put it that way. However, if the committee wants to examine the pig industry, I am happy to do that.

The Convener: I will ask for contributions from Karen Gillon and Des McNulty, but then I want to wind up the discussion, because we need to get through the rest of the agenda.

Karen Gillon (Clydesdale) (Lab): I am content with the position on the Crown Estate that has been outlined by my colleague Peter Peacock, and I look forward, in the new dialogue that we have with the organisation, to discussing the management of the River Clyde and, in particular, how that will affect people in my constituency.

On agricultural regulation, I want to put down a marker on the issue of the Agricultural Wages Board. The establishment of a national minimum wage does not take away the need for such a wages board. People are paid above the national minimum wage, so there is no case for reducing their wages, which may be the consequence if we rely on the national minimum wage legislation mechanism for agricultural wages. I want to put that clear marker down, and if we want to deal with it in the agricultural regulation inquiry, we will need to be clear about the evidence that we take and the people from whom we take it.

I do not think that LFASS can be dealt with in the agricultural regulation inquiry. If we examine it, it will need to be stand alone—it will be a significant inquiry into how the current system works and whether it gets payments to those who are in less-favoured areas. That is an issue for us.

There are two issues that I think we should consider. First, I had substantial concerns about the pig industry when I read our briefings on foot-and-mouth disease. There is a case for our taking evidence—even if we can do so in only one meeting—from people in the industry and the minister, to consider what can be done to support the pig industry. That is not too much to ask. The sector has perhaps been forgotten about in Scotland, and we should try to focus on it.

Secondly, we should timetable work on waste. There are many issues to do with how we meet requirements on waste and encourage people to do their bit, as well as issues to do with the wider context. We cannot get away from the issue. We should tackle it.

Des McNulty: I will try not to repeat what other members have said, other than to note my agreement.

On fishing, I am keen to draw comparisons between what we are trying to do and what people have done internationally. I am not sure that we can do that in a single evidence session in June. We might have to have two sessions: one on the scientific evidence and one on comparative approaches, perhaps in New Zealand, the United States or somewhere else that has been outwith our consideration.

The Convener: It might be possible for the Scottish Parliament information centre to provide some of that information.

Des McNulty: That might well be the case. I just flag up the issue.

I agree with what members have said about waste management. This point might emerge from our discussions on the budget: there is a fundamental issue about the approach to waste management, which creates an urgent need for an inquiry. I appreciate that other issues are on our agenda, but in March and April, as we come to the end of our inquiry into flooding and flood management, there might be an opportunity to start taking evidence on waste management. We should consider doing that before the summer.

I agree that we should consider local food—John Scott made that point. I am interested in how procurement processes in health boards and local authorities operate and might change. We might not take evidence, but we could ask questions and ask SPICe to do work on the procurement of local food. I am interested in that dimension.

The Convener: Can we focus on what we will do in the early part of 2008? Some of the issues that you have raised must be considered over a much longer term.

Des McNulty: Okay. My top priority is waste management, followed by greening the urban environment—I support what Peter Peacock said about that.

The Convener: Okay, but I find it difficult to see how we can do a waste management inquiry in the first half of 2008. We need to think about the slightly longer term, because members are forgetting that as well as conducting an inquiry into flooding and flood management, we will have to deal with a bill on flooding. Our first year is relatively legislation-free, but that will not continue.

I want us to think about an idea that I mentioned at our away day. We are holding an inquiry into rural housing, and it would be useful to plan an arc of rural development inquiries that we will undertake during the four-year parliamentary session, so that we consider which inquiries slot together and produce a substantial body of work on rural development over the four years. However, we cannot do anything about that between now and the summer recess.

I refer members to the first bullet point of paragraph 38 of the work programme paper, which invites us to review progress on our current programme. We have done that quite well so far. We have not yet discussed the second bullet point, which concerns how we might deal with evidence, not just on the flooding inquiry but in any oral evidence sessions that we hold. At the end of each such session, we could discuss our views and impressions in private immediately following the oral evidence. That would allow the clerks to begin to draft, as they go, some of the framework for any reports that might eventuate. I have had experience of that in other committees—it works extremely well, and it cuts down on some of the time that is needed for reports at the end of the process. With members' agreement, we will do that when we take the oral evidence on flooding.

I detected no interest in pursuing the Scottish index on multiple deprivation at the moment. We have had a good discussion about the Crown Estate programme, and I propose that, at the end of next year, we take evidence from the Crown Estate. In the meantime, we will explore further the issue of the legal position of the Crown Estate and how the devolved-reserved split actually works, on which we will try to get some clearer views.

We have discussed the CAP health check—at this stage, I have not detected any overwhelming desire to do anything between now and June, but we can try to keep it in mind. We have noted the various options for inquiry topics and flagged up some new issues, and we have agreed to have an away day in June, which we will organise. In respect of the potential for one-off meetings, they might be possible—at this stage, it can only be a “might be”. If we can identify some available time, we will perhaps consider one or two issues.

Does John Scott want to come in very briefly?

John Scott: Sorry, I should have raised this earlier. We could consider food security in the future—at an away day or whenever. It really is an emerging issue, and as a committee that is concerned with rural development, we should have a handle on it, with regard to Scottish agriculture and the country's food production capability. If food security becomes an issue in the next three to five years, as I believe it will—it is already starting to happen—we want to have at

least anticipated it, if others believe it to be important.

The Convener: We can discuss that at greater length in June, when we have some background information. Mike Rumbles has made a case for having at least one session on the pig industry. The slight difficulty that I have with that is that the paper presents the issue as if it is an immediate crisis, and I do not know whether it is possible for us to fit in an evidence session before the summer recess. I do not know how members feel about that. Would it be useful?

The clerk is advising me that we could have SPICe examine the situation and see whether we can find a basis on which to proceed.

Mike, I do not want to extend this any further, as we are already running 15 minutes behind.

Mike Rumbles: I just want to make a plea. If we decide that time is available to do a one-slot inquiry, the pig industry deserves examination. We could have an industry view in the first part of the session, and invite the minister in to see what action he can take—if anything—to help the situation.

The Convener: What do committee members feel?

Peter Peacock: I am happy with that, as a lot of issues concerning the pig industry have been raised in my own area—there are very serious problems. In fairness, the minister has indicated in response to questions and in parliamentary debates that his officials are considering a package of support. If that is announced, it might alleviate the situation, but we can make that judgement only early in the new year. I would prepare for holding a session, but we can change that if necessary.

The Convener: Okay.

Jamie Hepburn: I am happy for us to consider it as well. Mike Rumbles's suggestion is good. However, we must be clear that, if we invite a representative of the industry, we are not inviting an individual company but wider industry representatives.

Bill Wilson: I am not questioning the evidence, but we are talking about only one industry. Perhaps we should have SPICe provide us with a slightly broader briefing, rather than go into an inquiry based on a report from a single organisation.

10:45

The Convener: That is the point that I was making about SPICe. We will also find out what the Government is doing and what its timescale is for producing a package of recommendations.

That is one potential inquiry, if we can fit it in. Is there anything else that committee members feel we should consider, if it can be fitted in, before we have an away day? I cannot see anything else that is amenable to a straightforward single meeting. I take on board John Scott's comments that events often overtake us and it is never advisable to pack the committee's workload to such a degree that we do not have the capacity to address issues as and when they arise, for example the crofting report. It is advisable for us to keep some flexibility.

Petition

Sewage Sludge (PE749)

10:46

The Convener: The next item is petition PE749, which came before the Public Petitions Committee and was referred to us. It has been hanging around for quite a while. We finally got a progress update from Scottish Water on its sewage sludge strategy, and we have now had a response from the petitioner, who is no longer the original petitioner. He was invited to comment and he did so. I think that his comments have been handed round.

Scottish Water has still not published its final sewage sludge strategy, and I am not sure that we can progress the matter until it does. I must put it on the record that I am not at all happy with the extremely dilatory way in which Scottish Water has dealt with the issue, which has extended over a vast period of time with nothing other than what I would call holding letters in between. That is not an appropriate way for an organisation such as Scottish Water to respond to parliamentary requests. Unhappily, I am in the position of having to say that we must continue consideration of the petition until we get further detail from Scottish Water. Is the committee agreed?

Karen Gillon: I am perfectly happy with that, convener, but we should put a marker down for Scottish Water that the situation cannot be allowed to continue and that we will come back to the matter and, if necessary, bring representatives of Scottish Water before the committee to discuss how it will be resolved.

The Convener: Once the committee has dealt with the petition, we will need to discuss the handling of the matter and consider whether we want to take further action.

Subordinate Legislation

10:48

The Convener: Item 4 on the agenda is four items of subordinate legislation: one document that is not actually a statutory instrument, which was deferred from the previous meeting, and three new instruments, all of which are subject to the negative procedure.

**Environmental Protection Act 1990:
Part IIA Contaminated Land:
The Radioactive Contaminated Land
(Scotland) Regulations 2007
Draft Statutory Guidance (SE 2007/168)**

The Convener: A response from the radioactive waste team to queries that Bill Wilson raised has been circulated. An extract from the Subordinate Legislation Committee's report on the draft statutory guidance has also been circulated.

Bill, are you content with the response?

Bill Wilson: Yes, I am.

The Convener: Do we agree to make no recommendation on the guidance?

Members *indicated agreement.*

**Water Environment (Drinking Water
Protected Areas) (Scotland) Order 2007
(SSI 2007/529)**

**Seeds (Fees) (Scotland) Regulations 2007
(SSI 2007/536)**

**Foot-and-Mouth Disease (Export and
Movement Restrictions) (Scotland) (No 2)
Regulations 2007 (SSI 2007/552)**

The Convener: Nobody has raised any concerns with any of the three instruments and no motions to annul have been lodged. Therefore, do we agree to make no recommendations on the instruments?

Members *indicated agreement.*

The Convener: We will now move from public into private.

10:49

Meeting continued in private until 13:29.

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