

RURAL AFFAIRS COMMITTEE

Tuesday 31 August 1999
(*Afternoon*)

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RURAL AFFAIRS COMMITTEE 3rd meeting

CONVENER :

*Alex Johnstone (North-East Scotland) (Con)

COMMITTEE MEMBERS:

*Alex Fergusson (South of Scotland) (Con)
*Rhoda Grant (Highlands and Islands) (Lab)
*Richard Lochhead (North-East Scotland) (SNP)
*Lewis Macdonald (Aberdeen Central) (Lab)
*Irene McGugan (North-East Scotland) (SNP)
*Alasdair Morgan (Galloway and Upper Nithsdale) (SNP)
Mr John Munro (Ross, Skye and Inverness West) (LD)
*Dr Elaine Murray (Dumfries) (Lab)
Cathy Peattie (Falkirk East) (Lab)
*Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD)

*attended

THE FOLLOWING MEMBER ALSO ATTENDED:

Mr John Home Robertson (Deputy Minister for Rural Affairs)

COMMITTEE CLERK:

Richard Davies

SENIOR ASSISTANT CLERK:

Richard Walsh

ASSISTANT CLERK:

Tracey Hawe

Scottish Parliament

Rural Affairs Committee

Tuesday 31 August 1999

(Afternoon)

[THE CONVENER *opened the meeting at 12:04*]

The Convener (Alex Johnstone): Good afternoon, ladies and gentlemen. We have just passed the 12 o'clock deadline and we have a very good turnout for a meeting that was organised at short notice.

I welcome Mr Hugh Allan of the Mallaig and North-West Fishermen's Association and Mr John MacAllister of the Scottish Fishermen's Federation. Mr John Home Robertson, the Deputy Minister for Rural Affairs with responsibility for fisheries, is also with us.

The formal arrangements for the committee make it inappropriate for anyone who is not a member of the Parliament to contribute to the meeting. However, if there is a need to get information from people who are here merely as observers, there are procedures that might make it possible for them to speak. Mr Home Robertson is a member of the Parliament and can, if invited by the chair, take part in the meeting, and that is what I propose to do. You are welcome to contribute at any point, Mr Home Robertson.

The Deputy Minister for Rural Affairs (Mr John Home Robertson): Thank you.

Appointment of Reporters

The Convener: The first item on the agenda concerns an issue that has arisen in the past week—the Highlands and Islands consultative draft plan 2000-2006. It has been suggested that two members of this committee should be appointed as reporters, should attend the meeting of the European Committee at 2 o'clock today, and should, if invited, take part in that committee's process for dealing with the document.

I had made it known that we intended to do that and Rhoda Grant and John Farquhar Munro were suggested as suitable reporters. Unfortunately, John Farquhar Munro is not present today and I was unable to contact him. It therefore falls to us to find a second person who is appropriately qualified and has the right background knowledge to represent this committee in discussions with the European Committee.

We have to go through the process formally. I nominate Rhoda Grant and Lewis Macdonald to

act as reporters on behalf of this committee at the meeting of the European Committee. Are there any further nominations?

If there are no further nominations, do the members of the committee agree that Rhoda Grant and Lewis Macdonald should represent our interests at that meeting? It is agreed.

Amnesic Shellfish Poisoning

The Convener: The second item on the agenda concerns the statutory instruments that have been laid.

The issue of shellfish poisoning is one on which few members of the committee have specialist knowledge. We hope that we can conduct an appraisal of the situation regarding the shellfish poisoning problem and decide how to proceed.

The statutory instruments concern amnesic shellfish poisoning. We should try to widen our knowledge and decide whether we need to conduct further research. Would anyone like to initiate the discussion?

Richard Lochhead (North-East Scotland) (SNP): I should be happy to say a few words.

The Convener: Thank you, Richard.

Richard Lochhead: I have been keeping a close eye on developments during recent months. This morning, the ban on shellfish was the leading item on BBC Scotland and there has been media coverage of the effect that it is having on some coastal communities.

Nobody can fail to recognise the fact that hundreds of inshore fishermen have been affected by the ban. For health reasons, nobody in the industry opposes the ban. There are concerns, however, about the extent of the ban, the time scales involved, the research that has been undertaken and the Government's response to the question of assistance for those affected by the ban, given the fact that the income of many people in fragile coastal communities has been severely affected.

I have been inundated with paperwork on this subject, and have not had the chance to read the responses that were given to me at the beginning of the meeting. It would be a good idea, however, to discuss the concerns that have been raised by the industry. As the Deputy Minister for Rural Affairs is with us, perhaps we could ask him for his view of the situation. He will be more aware than any of us of the opinions that have been expressed by the industry.

Mr Home Robertson: I would be happy to comment, if that is all right with you, convener. However, I am here as an observer and without officials.

The Convener: We are aware of that.

Mr Home Robertson: I am happy to offer some comments. Although the rural affairs department has been taking an interest in the matter, I must stress that it is not primarily our responsibility. This is a public health issue and the introduction of the ban is therefore a matter for the Minister for Health and Community Care and her department.

The worst possible scenario would involve somebody being affected by any form of shellfish poisoning. Not only would that person be ill, but it would tarnish the image of a valuable and important industry. We welcome the fact that representatives of the industry have acknowledged that it is in the interests of all concerned that the problem should be kept under control to prevent any incidences of poisoning.

I visited the west coast two or three weeks ago and had an opportunity to meet some of the fishermen, including people who are here today, so I fully understand their problems.

It is worth emphasising that the problem is not new. The toxins are associated with algal blooms, which occur from time to time. I understand that the first record of shellfish poisoning—I do not know whether it was amnesic shellfish poisoning, paralytic shellfish poisoning or some other kind of shellfish poisoning—associated with an algal bloom dates back to 1790. The problem has been around, on and off, for a long time. There has been speculation about algal blooms being caused by global warming, but we do not know for sure.

The scientists at the Marine Laboratory, whom I visited last week, are working round the clock to keep a handle on the matter. Avoiding any risk to human health must be our No 1 priority, and that is how my colleagues in the health department are approaching the problem.

I stress again that the health department is the lead department on such issues. The rural affairs department keeps a watching brief as we are answerable for matters relating to the fishing industry.

I am not qualified to go into more detail on the matter, but I hope that my comments have been helpful to the committee.

The Convener: We have solicited comments from a number of industry organisations and other interested parties, and all members of the committee should have copies of those. Thanks to the work of the clerks, we also have a summary of those submissions. We can use the industry's concerns as a guide for what we need to achieve today.

Would anybody like to comment on the list of the industry's concerns?

12:15

Richard Lochhead: I appreciate the minister's position and I hope that he does not feel that I am putting him on the spot. It will be unfair on the rest of the committee if this turns into a question-and-answer session between a couple of members and the minister. It might be worth taking the papers away and reading them to familiarise ourselves with the issues.

A couple of issues are directly relevant to the rural affairs department. For example, one solution put forward by the fishing industry is the temporary issuing of licences, so that the inshore fishermen can fish for fish other than those affected by the ban. I am sure that the committee would want to examine the department's response to that. We could consider the issue in a three-hour meeting, with people from the department and the industry attending to give evidence. It would also be in our interest for someone from the Marine Laboratory, which is responsible for the research on the issue, to come to the committee.

Lewis Macdonald (Aberdeen Central) (Lab): Like the minister, I visited the Marine Laboratory a couple of weeks ago, and the scientists talked me through the work that they are doing on the west coast shellfish situation. As the minister says, they are working flat out. It is an unusual ban in the sense that it is lifted as suddenly and unexpectedly as it is imposed compared with some of the deep sea fishing prohibitions that have been introduced from time to time. Although the problem has been around for 200 years, this is fairly early-stage science in understanding the causes.

I agree with Richard that we need to examine the issue in more detail, but I want to be clear about our role. We are deciding whether to comment on the statutory instruments. When it deals with them, the Health and Community Care Committee will consider primarily the health aspects.

The Convener: It would be fair to say, as the minister has pointed out, that it would be inappropriate for us to comment on any of the health aspects of the statutory instruments. This problem affects the fishing industry, which is relevant to the Rural Affairs Committee. It is appropriate for us to consider the issue and to assess how we should progress, and whether we need to investigate the matter further and call evidence from expert witnesses. We are treating it as a fishing issue and as an issue about the rural environment, which again strays into other areas. This committee's primary concern must be the causes and effects on the fishing industry.

Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): In support of what my

colleagues have said, although this may have been happening since 1790, it is perhaps more important to the rural economy now than it was then. As well as fishermen, the issue affects the processing of shellfish. Scottish Enterprise and the food sector are trying to achieve growth in that industry. In my constituency, there are two such establishments. The minister was at one of them recently.

That is an important sector and the industry has concerns—I do not know whether they are well founded—about poor communications, the sampling regime and lack of funding. We could usefully examine those issues within our remit.

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): We are addressing a public health ban that affects the rural environment. It is right that we do so, but it is appropriate to run it in parallel with the other public health ban that affects the rural environment even more deeply—the ban on beef on the bone. I am a little alarmed to hear that it is inappropriate for us to discuss the issue because I do not believe that to be the case.

I call on the committee to deal with those two public issues in a particular way. I will leave the shellfish matter for one moment. These are parallel issues, almost identical. I ask the committee to call before it the chief medical officer for Scotland so that we can question the advice that he is giving to the Minister for Health and Community Care on beef on the bone; we can deal with the shellfish issue at the same time. *[Laughter.]*

Richard Lochhead: I suggest that we discuss that in a few minutes' time once we have settled the shellfish issue, otherwise we could become rather muddled.

The Convener: I should apologise to Mike for the fact that one or two of us laughed. It was not what Mike said; it was the way in which he included it. We will definitely discuss the issue that he raised in a moment.

Rhoda Grant (Highlands and Islands) (Lab): I want to question one of the aspects of the shellfish ban. I understand that the movement of young scallops from one fishing ground into another for maturing has also been banned—but they are not contagious. I wonder whether that ban could be examined and perhaps lifted so that some parts of the industry can continue working.

Dr Elaine Murray (Dumfries) (Lab): I had understood that we were not competent to comment on the health aspect of the shellfish poisoning issue and that we have to discuss the rural concerns. Presumably it is the same for beef on the bone, in that it is for another committee—not the Rural Affairs Committee—to comment on the health aspects.

As other members have indicated, there are a number of other issues of rural concern. In the light of the suggestion made by Richard and Lewis that we need more time to discuss those issues in detail, are there people here who are competent to answer some of our concerns on matters such as the testing regime at the Marine Laboratory?

The Convener: I do not think that any member of this committee is competent to comment on that.

Dr Murray: Are not expert witnesses here who could do that today?

The Convener: No.

Mr Rumbles: I will respond to the point that Elaine made, that it is not for us to comment on the health issue. I do not think that we can leave it like that. It is entirely appropriate that the health issues are examined by the Health and Community Care Committee and that decisions to impose or lift the bans are made by that committee. However, it is also our job, as the Rural Affairs Committee, to consider the impact of the bans. We should be aware of the advice that civil servants are giving to ministers, which impacts upon the rural environment. It is essential that we should be aware of the medical evidence that is being given to ministers and to others because these bans have a major impact on our rural environment.

Lewis Macdonald: It is important that we have clarity on the matter. I do not agree with Mike that beef on the bone is more important than scallop fishing. From a west coast perspective, I am sure that people representing that area would disagree.

Mr Rumbles: I did not say that.

Lewis Macdonald: We need to be clear about the parameters of our consideration of this issue and of any other parallel issue. I would like the convener to give us a clear idea, today or at an early meeting, of how we relate to other committees when there are unclear boundaries of the responsibilities of different committees.

The Convener: When there is a dispute over competence, it might be appropriate for joint meetings to take place, but I am not sure whether that would be appropriate in these circumstances. It is important that we recognise that public health is paramount at all times and that the work of this committee relates to the knock-on effects of a health issue. We need to stick closely to that brief. If members would like me to seek a specific ruling, I will do so before the next meeting of this committee. It might be difficult to define the boundaries of the responsibilities of different committees.

Mr Rumbles: If that is the case, the powers of this committee are extremely limited. If what the

convener is saying is that we may not comment on issues that impact on rural education, as that is the remit of the Education, Culture and Sport Committee, does that mean that we may not comment on social, education, transportation, environment or public health issues? This issue is no different from any of those. All those issues impact heavily on the rural community and we will go down the wrong track if we are barred from this approach.

Richard Lochhead: I will try to shed a little light on the situation. There are two related issues. First, there is research, which might be a matter for the Health and Community Care Committee, and secondly, there is assistance for industries that have been affected by the ban, which has been implemented for health reasons. The second issue is of direct concern to this committee, but there is an overlap. We could conduct a short investigation and invite people to give evidence to the committee—we should hear what the Marine Laboratory has to say. That might be more relevant to the health remit, but we have to understand the whole issue to understand part of it. The Health and Community Care Committee could come to that committee meeting.

Alex Fergusson (South of Scotland) (Con): I accept that research comes under the health department, but the science comes under the Scottish Executive rural affairs department, which lends weight to Mike Rumbles's argument that we have competence on that issue.

Alasdair Morgan: I do not think that we should be putting parameters on what we try to do. If somebody has to haul us into line at some stage, let that happen. I would rather expand as far as we feel it necessary and then let somebody haul us back rather than our placing unnecessary restrictions on our discussions. The issue would arise only if another committee were doing precisely the same thing as us at almost the same time. That would be a waste of manpower, given our large work load, but I am not aware that any other committee is pursuing this issue at the moment.

Alex Fergusson: If that is the case, we set a good precedent this morning by selecting two members to go to another committee to keep a watch on its discussion.

Lewis Macdonald: The parallel between the beef-on-the-bone issue and the shellfish issue might not be as close as Mike suggested because, as Alex said, shellfish research is funded by the rural affairs department. It is within our remit to supervise that research, so that is slightly different from the beef-on-the-bone issue. I might be wrong on that and it would be useful to have some clarification. I support the view that we have a clear input on the application of the science.

The Convener: The view that I expressed was meant to be an acknowledgement of the priority of public health over all other issues when it comes to matters that are primarily public health issues. On issues such as amnesic shellfish poisoning and beef on the bone, where public health is involved, we must accept that decisions are made on that basis and that we should concern ourselves with the area of responsibility that falls within our remit. I would not criticise the view expressed by Alasdair Morgan that we should ensure that we push outwards as widely as possible within the remit of this committee. We will probably have to accept that at times limits cannot be defined as clearly as we would like.

12:30

Dr Murray: In terms of research, there are two different issues. The results of the research and the way in which they are interpreted by the chief medical officer might well be within the remit of the Health and Community Care Committee. However, the methodology and the time it takes for people to get the results impact on the industry, so the way in which the research is done is within the remit of this committee. Is the research appropriate? Is the research having a bad effect because industry is not getting the results on time?

The Convener: We have all made a number of comments and we are coming to the point where we can decide on how to proceed. Is it fair to suggest that this committee believes it appropriate to add the problem of shellfish poisoning to the list of priorities that we identified before this meeting?

Members indicated agreement.

The Convener: Is it then appropriate to suggest that, at some point in the future, we should hold a meeting with the primary purpose of calling witnesses to go into the detail of this matter, allowing us to explore the concerns surrounding it?

Alex Fergusson: Is not a little more urgency required than you suggested, convener? "Some point in the future" is perhaps a bit far off.

The Convener: Yes, I am coming to dates. We all know from our diaries that finding available dates can often be difficult. First, however, I would like to ask members which organisations or individuals they want to invite to speak to the committee or to be questioned by it?

Richard Lochhead: We should invite at least one representative from each sector. We should have someone from the Marine Laboratory so that we can familiarise ourselves with its work. We should certainly have someone from the industry—perhaps a representative from the

Scottish Fishermen's Federation. John MacAllister, who is in the room as we speak, is in fact the appropriate representative of the SFF. Moreover, on whichever date we choose, we should have someone along from the department.

Lewis Macdonald: We should also consider someone from the processing side.

Richard Lochhead: Finally, I am sure that everyone would agree that we should invite the other appropriate committees to send representatives to hear the evidence.

The Convener: It is important that the committee is clear about whom it is inviting. Without any disrespect to Mr MacAllister, the suggested representative of the industry, do any members have a different view on whom we should invite to represent the industry?

Lewis Macdonald: If we are to look at the wider implications of this issue, we should consider inviting a representative from one of the local authorities in the affected area—Highland or Western Isles or Argyll and Bute.

Richard Lochhead: I agree.

Alasdair Morgan: We should certainly write to all the people who have made submissions to the committee and ask them whether they wish to amplify their points, which presumably were made at fairly short notice.

Irene McGugan (North-East Scotland) (SNP): Because the scientific evidence from the Marine Laboratory will be important, and a lot of our decisions will depend on it—and on its interpretation—would it be useful to have an independent assessment of that evidence?

Richard Lochhead: I think that that is purely a health issue.

Irene McGugan: No, the issue is the interpretation of the scientific evidence, on which everything hinges.

The Convener: I suggest that that is what we would get from the Marine Laboratory and from representatives of the rural affairs department.

Lewis Macdonald: I have had no indication of an alternative scientific view. There are questions about how the science is delivered, but I have heard no suggestion that the science is fundamentally flawed.

The Convener: Your point is valid, Irene. Do you have anybody to suggest, because it may be difficult to find an alternative? If we rely on the rural affairs department and the Marine Laboratory to analyse the science, people there will, I hope, be able to give us varying interpretations of the results.

We have had a suggestion for a representative from the industry—the gentleman who is here. Would any members like to nominate people from the other sectors that we have mentioned, or should we simply ask those sectors to send an appropriate representative?

Lewis Macdonald: The latter.

Rhoda Grant: Yes, we should ask them to send an appropriate representative, because that would allow them to get together to discuss the matter.

The Convener: We also added local authorities to our list of sectors. Is it appropriate to ask which local authority we should approach? We all have a map in front of us that shows the areas that are affected by the problem.

Alex Fergusson: Going by the map, the greatest restrictions by far are around the Western Isles. Would it be appropriate to ask somebody from that authority to come? Richard will know better than I do.

Richard Lochhead: Two or three local authorities are affected.

Lewis Macdonald: Yes, there are a number. It might be an idea to speak to Highlands and Islands Enterprise, which has a co-ordinating role.

The Convener: Would that be as an alternative to approaching any individual local authorities?

Rhoda Grant: We may get into difficulties by approaching just one local authority.

The Convener: All right. We have a list of organisations that we will ask to give evidence. The next thing that we need to do is to establish a date on which we would like to proceed. I would like to ask the clerk's advice on how long it would take to set up arrangements.

Richard Davies (Committee Clerk): I am told by officials from the rural affairs department that, if the scientific evidence exists, and if this is just a question of calling people to a committee, the only problem is one of organisation. However, they say that if a meeting is called in four weeks, there should not be a problem. We have a meeting booked for 21 September—

The Convener: Which is three weeks from today. Would there be any administrative reason why we could not set things up for that date?

Mr Home Robertson: Convener, may I make an observation? This may not be entirely accurate, but last week I saw the work that the scientists that specialise in this field are doing at the Marine Laboratory—they are phenomenally busy dealing with this job. I am not sure that the committee should take someone away from that task for half a day or more to attend a meeting. However, within the time scale mentioned, I hope that the

outbreak will be over and that we can devote more time to the job. This is a material consideration—the committee is considering inviting people who are very busy dealing with the problem that we are talking about.

Richard Davies: The next opportunity after 21 September is 5 October.

The Convener: We have scheduled meetings on 21 September and 5 October. Given the urgency of the situation, would it be appropriate to set things up for the first of those dates?

Members indicated agreement.

The Convener: I believe that the investigation on which we are embarking remains relevant even if, as the minister says, the problem ceases to be a problem before our meeting. As we have learned, from reports and from members' contributions, the problem can come and go very quickly. It remains, however, on-going and we must address it.

Mr Rumbles: Now that we have agreed on what I think is a sensible approach, I return to the point that I made earlier about a subject that is not going to disappear and that is extremely important to many of my constituents in West Aberdeenshire and Kincardine. I would like the committee to support my call to invite the chief medical officer for Scotland to appear before the committee at the next meeting. His presence need not be required for long, but I want to know the latest medical advice that he is giving to the Executive on beef on the bone. It is important that we discuss that issue.

Alasdair Morgan: I would back up that call. It is important to get such a perspective, because not enough information on the issue is in the public domain.

Alex Fergusson: I support that completely. The issue is vital for all rural Scotland and we should address it.

Lewis Macdonald: Convener, the importance of the problem is not at issue; we all understand its importance. What concerns me is the way in which we are determining what to do next. We have, as is appropriate, decided that the shellfish issue must be addressed urgently. However, rather than rushing into this—

Mr Rumbles: Rushing?

Lewis Macdonald: I recognise the merit in what Mike is proposing but, when we met before the recess, we had a detailed look at a range of issues and we attempted to set our priorities.

Mr Rumbles: And this is one of them.

Lewis Macdonald: Yes, this is one of the issues that we identified—there is no doubt about that—

but I would prefer that we looked at what we should be doing in a more structured way, rather than simply jump at this one issue. We may conclude that the next thing that we ought to do is to consider beef. However, given that beef is not on the agenda, that would not be a very structured way of establishing our priorities.

Dr Murray: This comment is similar to Lewis's. We had identified as a priority the problems in the beef industry—problems that are slightly wider than the beef-on-the-bone issue and include, for example, export problems as well. If we are now putting in bids for things to be discussed, I suggest that we consider the major problems in the sheep industry.

Mr Rumbles: Convener, can we stick with the point?

The Convener: I know that a number of members of the committee have recently had pressure put on them by people from the sheep industry. I have taken the liberty of adding the issue to my agenda to be addressed before the end of the meeting.

The specific point of inviting the chief medical officer to give the latest health evidence on beef on the bone falls outwith any operating structure that we currently have. However, my opinion is that there may be a place for allotting a relatively short period within a meeting of the Rural Affairs Committee to address this specific part of the problem facing the beef industry. I have recently spoken to sheep farmers and—although they believe that the Scottish Parliament and the Rural Affairs Committee have something to offer—they are greatly concerned that the system that has been set up will make it difficult for quick action to be taken. I am concerned that we work in this committee to ensure that issues can, if necessary, be raised and dealt with in a very short time scale. I therefore propose that—in the near future, at any one of our meetings—we invite the chief medical officer to come before the committee with the specific purpose of giving us the latest evidence.

Mr Rumbles: I would like a specific date to be chosen. If an invitation for 21 September is too difficult to organise, I would be happy if the issue were addressed on 5 October.

12:45

The Convener: Would you like to comment on that, Lewis?

Lewis Macdonald: Like Dr Murray, I remain concerned at the developments in the sheep industry over the past few weeks. I am not clear about what has changed about the beef-on-the-bone ban that makes its priority different, but I would be glad to hear if I have missed something.

Mr Rumbles: There have been major changes during the Parliament's recess. The partnership agreement between the Labour party and the Scottish Liberal Democrats contained an agreement to postpone any decision on lifting the beef-on-the-bone ban until the latest medical advice became available. I have been told that that advice will be available in the next week or two—I think that the committee is duty-bound to be made aware of it, which is why I want the issue to be addressed at the next meeting.

We were told to wait until the export ban was lifted before we moved on the matter. Even though only tiny amounts of beef are being exported, I am delighted that progress on that has been made—we should now make progress on the beef-on-the-bone ban. As the issue is extremely important for farmers, especially those in north-east Scotland, I feel duty-bound to raise it at a specific meeting. I would prefer it if that were done on 21 September, but I understand if it cannot happen until the meeting on 5 October.

The Convener: I imagine that the presentation of such evidence to the committee would be a relatively short agenda item.

Mr Rumbles: Indeed.

The Convener: Given that this is not the primary committee for considering public health issues, I do not think that we would want to go into detailed questioning on that evidence. Are we simply proposing a presentation of the latest available evidence so that we can include it in subsequent considerations?

Mr Rumbles: I do not want just a presentation from the chief medical officer; I want him to come before this committee. Our job is to examine his evidence and to ask him appropriate questions. I do not believe that it will be a long agenda item.

Richard Lochhead: I want to say a few words about our approach to investigations. Other committees in the Parliament have spent whole days over the recess taking evidence from outside organisations. Although the Parliament has been sitting for a few months, we will be taking our first evidence from such organisations on 21 September. I do not see why we cannot fit in both issues over the coming weeks. We should meet for a whole day if we have to because, in many respects, this committee has got a lot of catching up to do—we should not be afraid of having two or three short investigations over the next couple of weeks.

Alasdair Morgan: I want to back up your point, convener. Although we have set ourselves a programme of work, we need to be seen to respond quickly to urgent matters. I do not think it beyond the bounds of our resources to do that.

Lewis Macdonald: I agree with that but, instead of setting the date today, I would prefer to return to your initial suggestion, convener. The two things that we do not know about the latest medical evidence are the date of its publication and what its substance will be. We might find that any date that we set just now will be inappropriate—it could be either too early or too late. I would be more inclined to allow the convener to use his discretion. If the medical evidence suggests that the ban should continue, we should consider that information at an available date. However, if the medical evidence suggests an end to the ban, a discussion of the matter with the chief medical officer may not have so high a priority. We certainly do not want to have such a meeting before the chief medical officer publishes his recommendations.

Mr Rumbles: I want to know what the latest medical advice is; I have been told that the latest research on the issue is due now. I am quite willing to address the issue not on 21 September, but at the meeting at the beginning of October. I think that it would be most appropriate to have a specific slot with a specific time when we can ask the chief medical officer to give us a presentation on his advice to ministers and when we can question him on that advice.

The Convener: Should we set a specific date for this item now? Two opinions have been expressed and I would be interested to hear everyone else's views.

Alasdair Morgan: I would be happy to leave the matter in your hands, convener, but perhaps we could compromise by setting a date no later than 5 October.

Richard Lochhead: That was exactly what I was going to say—we should have a no-later-than date.

The Convener: Should we set a date that is no later than 5 October and, indeed, that is as early as possible?

Lewis Macdonald: I think that the coalition parties will agree to support that.

The Convener: We are agreed. Does any member wish to make any other comment about shellfish?

Alasdair Morgan: Are we still talking about shellfish?

The Convener: Mike was champing at the bit to raise the beef-on-the-bone ban.

Future Business

The Convener: The next item concerns issues to be raised at the next meeting of the committee. I have quite a list of such issues, so let us move

through it quickly.

Mr Home Robertson: Convener, may I leave now? Do you need me for anything else?

The Convener: We will always turn up something that you could be useful for.

Mr Home Robertson: In that case, I will get out.

The Convener: Thank you for coming along, minister; your presence was much appreciated. I hope that you understand what we are trying to do as well as we understand what you are trying to do.

At the next meeting, the members who were delegated to attend the European Committee this afternoon will be invited to give us a report on that committee's proceedings. We need to be kept up to date on that matter and, given that we have two members who understand the issues and who have genuine local connections and relevant experience, it is important that we hear that report.

Another item is the document "Agenda 2000: consultation paper on community structural assistance in the fisheries sector", which will be circulated with the agenda.

The next in the list of issues for the meeting is the situation in the sheep industry. Tavish Scott and Jamie Stone indicated in a letter this morning that they have come under pressure in their constituencies on this issue. Does any member wish to comment on their own experience?

Alex Fergusson: At the moment, any MSP representing a sheep farming community will have been made aware of the severity of the situation in the industry. I should declare an interest: as a sheep farmer, I am dreading the next six weeks to two months. There is a health problem to be addressed. There have already been newspaper pictures of calves being buried in pits and the same thing may happen with sheep—many thousands of sheep will not find a bidder. God knows how many times cast ewes brought off the hills will simply not find a buyer.

Over the weekend, I noticed that the minister had been making noises about possible Scottish answers to this problem. That is commendable, but we urgently need to know what those answers will be. As we are talking about bringing people before the committee, I think that it would be highly appropriate to ask the minister to come to our next meeting, if he is available. I believe that he will be meeting the UK minister, Nick Brown, the day after our meeting on 7 September, so it would be appropriate for him to tell us what he has in mind.

Alasdair Morgan: Quite a few statements have been made recently and we need to clarify the Executive's position on the issue. As Alex says,

the industry is facing a serious short-term problem and we need to investigate what the Government intends to do to alleviate that. We also need to examine the long term and how we can avoid recurrences of the situation.

Dr Murray: Obviously I do not have Alex's personal knowledge of the problems faced by sheep farmers. However, I met members of the local National Farmers Union at the end of last week and, last Sunday, I met sheep farmers to talk about sheep farming and fox hunting, which is another important issue for them. It is clear that some of the immediate problems that need to be addressed—such as the impact of vets' fees and abattoir fees on sheep farmers—would be the responsibility of the ministry and perhaps of the UK Government. The fact is that there does not seem to be a level playing field with the rest of Europe on some of those issues.

However, as Alasdair says, there is also a more general problem to address. Things could be done quickly to alleviate the short-term crisis but there is an issue about how to prevent the situation from happening again and about the long-term future of the industry. This committee could have an important role in discussing the longer-term implications of supporting the industry.

The Convener: As Alex pointed out, this committee meets next on Tuesday 7 September. The day after, the Minister for Rural Affairs will attend a meeting with his English and Welsh counterparts to discuss the issue. Do members think that we should take the opportunity on 7 September to examine the issue, perhaps to help Ross Finnie to identify the questions that need to be discussed at his meeting on 8 September?

Alasdair Morgan: I am sure that he would be delighted to have our assistance.

Alex Fergusson: Absolutely.

The Convener: Do members think that it would be appropriate to invite people to our meeting on 7 September to give evidence on the state of the sheep industry in Scotland?

Alasdair Morgan: We need the minister here to express the Government's thinking.

Dr Murray: We also need a representative from the National Farmers Union to represent the views of the sheep farmers. Obviously Alex can do that.

Alex Fergusson: Jim Walker will do that much better than I can.

The Convener: As we have agreed to invite the NFU to send a representative to our meeting, should any other bodies or organisations also be represented?

Alex Fergusson: If we go down that route, we will find that there is no end to the bodies that want

to be represented. We are trying to discover the Executive's plans; the NFU's submission and the minister's submission should allow us to form a balanced view of the present position. I agree with Elaine that we need to address certain long-term issues at some stage, but the immediate priority is to find a solution—if one exists—to the short-term problem; we could achieve that with the input from the minister and the NFU.

The Convener: I am inclined to agree with that, but I am also keen to hear suggestions from other members.

Mr Rumbles: I think that what Mr Fergusson has said is very appropriate.

The Convener: We will need to consider the issues that we want to address on 7 September, but I think that we do not need to set out a list of priorities. Given the two representatives that we will be inviting, the issues to be dealt with at the meeting will, I hope, raise themselves.

Richard Lochhead: Will we hear the NFU's evidence first?

The Convener: I am prepared to accept that proposal.

Are we agreed that, on the day before the minister goes to the meeting with his English and Welsh counterparts, we should invite both an NFU representative to give his appraisal and Ross Finnie to discuss the sheep industry?

Alex Fergusson: I do not want to prolong the discussion, but I have a small proviso. The main physical problem will be the disposal of unwanted stock. Since the end of the calf-processing date scheme, the problem has also encroached into the dairy industry; it might be unfair to restrict the discussion to the sheep industry. I suspect that the discussion will overflow into that issue anyway.

13:00

The Convener: The on-going issues about calves and ewes are definitely related. It would be appropriate for us to comment on that at the time. At this point, the problems faced by the sheep industry are our priority and we should deal specifically with them on 7 September.

Richard Lochhead: We are calling the NFU and the minister to give evidence at the meeting. On a point of clarification, would the NFU be representing hill farmers as well as bigger farmers?

The Convener: The NFU may choose to be represented by its president, and I suspect that his knowledge of hill farming runs deeper than that of anyone else in Scotland.

Richard Lochhead: I raise the matter in case

we thought that the Scottish Crofters Union was worth inviting to represent smaller farmers.

Alex Fergusson: I would not object to that at all.

Lewis Macdonald: I would support that. It would be useful to hear from the Scottish Crofters Union too. As Alex says, once we go beyond that—

Alex Fergusson: Then we would end up getting into all the group associations.

The Convener: I am prepared to accept that the Scottish Crofters Union may have a slightly different perspective from that of the NFU and that it would be appropriate for its view to be expressed.

I move on to other business likely to arise at the next meeting. There are likely to be three statutory instruments for our consideration. They are the Food (Animal and Animal Products From Belgium) (Emergency Control) (Scotland) Order 1999, the Food (Animal Feedingstuffs from Belgium) (Control) (Scotland) Regulations 1999 and the Plant Health (Amendment) (Scotland) Order 1999. I imagine that those orders will be circulated.

Richard Davies: Yes, they will be circulated as soon as the Parliament has sent them formally to the committee.

Alasdair Morgan: What is our function in regard to those statutory instruments?

Richard Davies: The recommendation, through the Parliamentary Bureau, is that this committee will remain the lead committee on those regulations. This committee will also consider the opinions of many other committees and then pass back its view back to Parliament through the bureau.

Alasdair Morgan: So our role is to express a view on the contents of the instruments. Have those statutory instruments already come into effect or are they drafts?

The Convener: In effect, statutory instruments become law when they are laid.

Richard Davies: That will depend on which procedure is used. I have not yet received the instruments, but I hear that they are in the offing and are likely to be with us by next week.

The Convener: From the outset, the function of this committee is to be aware of the instruments and their contents. We need to be prepared to deal with them and other committees' comments about them.

Lewis Macdonald: As the lead committee, are not we to judge whether to accept or to reject a proposed order?

The Convener: I believe so.

Mr Rumbles: After that, does the statutory instrument go to the Parliament? I think that it is important to get this clear. Statutory instruments come to us; if we consider them and agree with them that is fine, but do they then go to Parliament?

The Convener: On a subsequent date the instruments need to be approved by the Parliament or they lapse and have to be laid again. I was concerned a moment ago when the clerk said that there was more than one procedure.

Richard Davies: There are a number of different types of statutory instruments and different procedures for each one. When we receive the statutory instruments, we receive a note that tells us which procedure to follow.

Mr Rumbles: Will we be briefed on the procedure?

Richard Davies: I will brief members on the procedure.

Richard Lochhead: That was the point that I was about to make. Maybe we should have a background note.

The Convener: I was unpleasantly surprised to discover that there was more than one procedure for statutory instruments, as I was aware of only one. The documents will be circulated when they become available. Members will be briefed on what they are meant to do if we need to follow more than one procedure.

Other priorities for the next meeting are to discuss the future business programme and priorities. We have decided that shellfish will be added. We will need to take a moment to address the priorities of the committee and to decide how to proceed and what priority we should give to the individual issues that we intend to pursue.

There are also a number of administrative matters. Was it the clerk's intention to deal with them today or was he simply flagging them up to be dealt with at the next meeting?

Richard Davies: At the meeting next week, I will give the committee some indications of the business likely to come before members.

The Convener: A number of items were raised at the meeting of conveners. None of them were burning priorities, but I intended to go over the matters relating to meetings of the committee outside Edinburgh or outside the Parliament. The other priority for us to discuss is the proposed visit to Ingliston to meet the NFU. As we are inviting the leader of the NFU to visit us at our next meeting, we may be able to sort that out on or around that date.

All the business that we had lined up for today is now completed. Would anyone like to raise anything else before I close the meeting?

Alex Fergusson: Yes. Above all, this committee should, in its work, set its sights on visiting different parts of the country. I think that we all agreed to that at one of our first meetings, but we have not mentioned it since then. The other day, when we visited the Scottish Executive rural affairs department, there was a suggestion that we go to a Scottish Fisheries Protection Agency vessel in the harbour; someone remarked that they were not sure whether there was enough money for us to do that. If we cannot get down to the harbour in Edinburgh, we will have problems visiting Stranraer or Orkney. I wonder whether we could put that on the agenda for the next meeting; we should establish what the budget is and how we can visit different parts of the country.

The Convener: I intended to deal with that as part of our discussion of what came up at the conveners group meeting. We can make that a specific issue and discuss it then.

Thank you very much for your attendance. We have managed to get through the agenda in reasonable time, so the two members who are going to attend the European Committee can get some lunch before they attend that meeting. Thank you for your support.

Meeting closed at 13:07.

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