

# **RURAL AFFAIRS COMMITTEE**

Tuesday 1 February 2000  
(*Afternoon*)

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## RURAL AFFAIRS COMMITTEE

### 2<sup>nd</sup> Meeting 2000, Session 1

#### CONVENER

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

#### DEPUTY CONVENER

\*Alasdair Morgan (Galloway and Upper Nithsdale) (SNP)

#### 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)

\*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 MEMBERS ALSO ATTENDED:

Mr Jamie McGrigor (Highlands and Islands) (Con)

Tavish Scott (Shetland) (LD)

#### WITNESSES

David Cassidy (Scottish Executive Rural Affairs Department)

Brian Cockwell (Scottish Executive Rural Affairs Department)

Simon Cooper (Scottish Agricultural Science Agency)

David Dickson (Scottish Executive Rural Affairs Department)

Mr Neil Fleming (Scottish Executive Rural Affairs Department)

Heike Gading (Scottish Executive Rural Affairs Department)

Ian Stewart (Scottish Executive Rural Affairs Department)

#### CLERK TEAM LEADER

Richard Davies

#### SENIOR ASSISTANT CLERK

Richard Walsh

#### ASSISTANT CLERK

Tracey Hawe

#### LOCATION

Committee Room 1



## Scottish Parliament

### Rural Affairs Committee

*Tuesday 1 February 2000*

*(Afternoon)*

[THE CONVENER *opened the meeting at 14:03*]

**The Convener (Alex Johnstone):** Ladies and gentlemen, thank you for your presence here today. We do not have a huge agenda—I have seen larger. However, knowing how these committee meetings can go, I think that we should crack on, in case things start to drag.

### Shetland Islands Regulated Fishery (Scotland) Order 1999 (SSI 1999/194)

**The Convener:** We have a number of items of subordinate legislation to deal with. The first is the Shetland Islands Regulated Fishery (Scotland) Order 1999, SSI 1999/194. The order is laid under the negative procedure, which means that unless a formal motion for annulment is agreed, it will come into effect. No such motion has been lodged, so the purpose of today's discussion is for the committee to examine the instrument.

There are two explanatory notes attached to the order. The first, from the clerks, sets out the key dates for action. The second, from the Scottish Executive rural affairs department, is provided at our request and explains the order. There is a third note at the end of the instrument, which appears on all subordinate legislation. We are also obliged to take account of the report of the Subordinate Legislation Committee, published on 31 January, which draws our attention to some drafting errors. A copy of the report was circulated to members yesterday. Do all members have that copy and have they considered it?

**Members:** Yes.

**The Convener:** We have with us Tavish Scott, the member for Shetland, who has asked to address the committee on this issue.

**Tavish Scott (Shetland) (LD):** Thank you. It felt for a minute as though facing my esteemed colleagues would be like facing the inquisition, but thankfully John Munro has joined me on this side of the table.

I would like to put on record my appreciation for the work that Kenny MacAskill and his colleagues on the Subordinate Legislation Committee have done. They helped me to understand the process

that this order has had to undergo.

As colleagues will be aware, the Shetland Islands Regulated Fishery (Scotland) Order gives the right to manage and regulate shellfish around the coast of the islands out to a distance of 6 miles and for a period of 10 years. That is a fundamental reform of the way in which we manage the fisheries around the coast of Scotland. I believe that the principle that is being established through this order is very welcome and hope that it will be extended to other areas.

I want to address the issues that have been raised through the parliamentary process. This weekend, I spoke to the Shetland Shellfish Management Organisation, which is the body responsible for implementing the order. This morning, the organisation told me that none of the drafting issues raised by the Subordinate Legislation Committee is likely to interfere with its management plans. In other words, it does not see the issues raised as anything more than minor drafting points.

I am concerned that those problems were not sorted out beforehand. The Executive has had the proposals since October of last year; the process as a whole has taken five years. Last August, there was a public inquiry in Lerwick, at which the Executive's reporter recommended that the order go through in time to introduce the planned licensing system for the fishing season, which starts today—it was meant to be a done deal by now. Other committees may wish to take up the issue of why so much time has passed without the difficulties being sorted out. Scottish ministers agreed with the reporter's recommendation, and on 5 January John Home Robertson issued a press release that he rather grandly entitled "Happy New Year as Scottish Shellfish Regulating Order is laid before Scottish Parliament". It would have been a happy new year if we had got the order through as soon as possible.

As the organisation that will run the scheme has stated, the technical deficiencies identified by the Subordinate Legislation Committee can be overcome and will not interfere with the practical operation and management of the order. The order will allow Shetland to implement management measures to secure the future of the shellfish fisheries. It has the widespread support of the Shetland fishing industry and has been subject to lengthy public consultation and a public inquiry. There is some frustration about the amount of time that the process has taken. A great deal of work has gone into drafting the proposals—there is a thick implementation document—so for them to be pulled back at this stage seems a little harsh.

The order puts local representatives, environmentalists and fishing interests at the heart of a sustainable future for shellfish management in

the area. It sets the right precedent for the future of sustainable fisheries. Crucially, it puts fishermen into the decision-making process.

I have answers to some of the technical points that were raised, but the management organisation has told me today that the technical problems can be overcome—they can be managed out of the system—if the order is allowed to go through. I encourage members to consider the order in that light.

**The Convener:** We have present Mr Neil Fleming and David Cassidy of the Scottish Executive rural affairs department, who will also speak to this instrument if that is required. In light of the report by the Subordinate Legislation Committee, should we ask them to address us on this issue?

**Alasdair Morgan (Galloway and Upper Nithsdale) (SNP):** Yes, it might be helpful if they talked about the specific points that were raised by the Subordinate Legislation Committee.

**The Convener:** I thank the witnesses for coming. As you will have heard, we want to understand the order with specific regard to the points that were raised by the report of the Subordinate Legislation Committee. They are of particular concern to us, as we are required to take that report into account before we give our decision.

**Mr Neil Fleming (Scottish Executive Rural Affairs Department):** I was going to speak about regulating orders in general and on the progress towards this order in Shetland in the past few years, but Mr Scott has fully explained the background.

The order was formally advertised in November 1998, but because of the legislative requirement for a public inquiry if one valid objection is made, the process has taken longer than Shetland interests had hoped for. The up-to-date position is that Shetland is moving ahead on work on stock assessment, which underpins the management plan. Two PhD students, who are working for the North Atlantic Fisheries College—one of the partners in the shellfish management organisation—and who are supported by the University of the Highlands and Islands, are carrying out studies on local shellfish stock biology.

The order is to be the first of its kind in Scotland. The number of management groups around the coast working towards similar orders is growing. An application for an order has been received from the Orkney Fisheries Association. The Highland Council has been working hard on proposals for its coastline, as has the Western Isles Fishermen's Association. Dumfries and Galloway Council and a number of other local interests intend to apply for

a regulating order for the management of cockles on the Solway, and Fife Council has appointed consultants to produce a management plan for a regulating order on lobsters and crabs on the Forth.

Clearly, Shetland interests have put in much work over a long time to reach this stage. The order is regarded as a key step in encouraging the development of sustainable and locally managed fisheries to support local fishing communities on the islands. Despite the comments of the Subordinate Legislation Committee, we take the view that the order as it stands gives effect to the policy intention.

**The Convener:** Do members have any questions?

**Lewis Macdonald (Aberdeen Central) (Lab):** Are you satisfied that the drafting matters that have been raised will not open up the producer organisation to legal action that might otherwise be avoided?

**Mr Fleming:** That is my understanding.

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** The department has answered the questions that the Subordinate Legislation Committee highlighted. As Tavish Scott mentioned, we should not allow the matter to detract from the effect of what is happening. The Shetland Shellfish Management Organisation has been empowered to do something that Scottish fishermen have sought. We are allowing the organisation to do it, which sets a first-class precedent. I hope that this hiccup will not interfere with the launch of the initiative.

14:15

**Alasdair Morgan:** No one is disagreeing with the intention of the order, which is conveyed in its generality. It is only when one gets down to the nitty-gritty of what might happen in certain awkward situations that there is a problem. We are considering legislation, and I want to be reassured. The committee should not be put in the position of being the villain, with people saying that we are holding up a perfectly worthwhile scheme just because somebody made a drafting mistake. However, if the only way not to be seen as the villain is to agree to something with drafting mistakes in it, I want to know what will happen about the errors—or however we categorise them—if we do that. Will the mistakes remain in the order for the next 10 or 15 years in the hope that they will never be of significance, or will another order in which the drafting errors are sorted out replace this one? If so, when could we look forward to seeing that?

**Mr Fleming:** This is the start of a developing

process and, as this is the first order in Scotland, lessons will be learned. I am sure that if there is an amending order within the first few years, the points raised will be taken on board.

**Alasdair Morgan:** Dumfries and Galloway, for example, is to seek a similar kind of order. Can we expect that order to be different and not to be subject to the four criticisms to which this order has been subject?

**Mr Fleming:** There is no doubt about that. There will be a separate order for Dumfries and Galloway, which will deal specifically with cockles—and, perhaps, mussels. The points raised will certainly be taken on board at the drafting stage.

**Alasdair Morgan:** I was trying to work out whether the issues raised were insoluble problems or problems to which people knew the answer. If people know the answer, there is surely nothing to prevent another order from being introduced in a fairly short time scale to replace this one, or have I got the wrong end of the stick?

**Mr Fleming:** The procedure would be the difficulty. The legislation would require us to advertise again and, even if there was only one valid objection, to set up a local public inquiry to consider what may only be small objections. That could add greatly to the time involved.

**Alasdair Morgan:** Yes, but if the order goes through, nothing will be held up in the meantime. The Executive will have to balance the cost of bringing forward a replacement order against the likelihood of anything proving to be of significance in the drafting mistakes.

**David Cassidy (Scottish Executive Rural Affairs Department):** The view taken, which is shared by the local organisation, is that the points raised about the drafting are not of substantial concern and that it would, therefore, be inappropriate to go through the process required for an amendment of substance. The view is that the points raised can be lived with and given effect according to the local organisation's understanding.

**Alasdair Morgan:** For the record, then, are we being advised by our officials that none of the drafting errors is ever going to lead to a substantive challenge in a court of law, which might prove the instrument defective?

**David Cassidy:** No such assurance can be given. Whether such a challenge would be successful is another issue. The view is that it would not.

**Tavish Scott:** I take Alasdair Morgan's point, but the danger is that, if this gets knocked back today, a new order will take a further two years, because the process has to be gone through

again. At the hearing last August, two objections were made: one was from a local person and was dealt with at the inquiry; the other was from a national fishing organisation that has stated clearly that it will object to all these regulating orders irrespective of whether they are in Shetland or in Alasdair's part of the world. The concern is that things will be put back a couple of years. People have waited five years as it is.

**Mr Rumbles:** Notwithstanding Alasdair's comments, it would be helpful to make a move on this now, rather than delay it further. Tavish is the local MSP and he knows the importance of this to the industry there. We should give weight to what he says. We have heard that these issues are not substantive, and that is important.

**The Convener:** As there are no further questions, I thank the two representatives of SERAD for their assistance.

If the committee feels that the instrument is valuable and wishes to accept it today, we can decide to make no recommendations in our report to Parliament. If we do that, in this case it might be appropriate to append to our report the report of the Subordinate Legislation Committee. That would emphasise the fact that we feel that those issues should be highlighted.

**Richard Lochhead (North-East Scotland) (SNP):** That is a good idea.

**Lewis Macdonald:** I suggest that we consider that a little. We are in new territory, and I would not want any appended report to be seen as a comment from this committee. I am not sure how firmly we can draw the distinction. The officials made the point that these are not issues of substance and, having read the documents, I share that view. I would therefore be cautious about a report that said anything other than that we had no recommendations to make.

**Rhoda Grant (Highlands and Islands) (Lab):** Could we state in our report the fact that we had questioned the officials and that we felt that no issue of substance was being raised? That would make it known that we had addressed the issue. To pin another report on the back would make it appear that we were giving that report a fair amount of credence. We need to make it clear that we have addressed the issues and are satisfied that there is not a problem.

**The Convener:** The clerk has just pointed out to me that the report of the Subordinate Legislation Committee is already in the hands of the Parliament anyway.

**Lewis Macdonald:** So we need say nothing other than that we have no recommendation to make.

**Richard Davies (Clerk Team Leader):** If the

committee wishes to comment, it is welcome to do so. The crux of the matter is that the committee is not advising the Parliament to annul the order.

**The Convener:** Are members content with the proposal? Do we conclude that the committee wishes to make no recommendation in its report to Parliament?

**Members indicated agreement.**

## **Seeds (Fees) (Scotland) Order 2000 (SSI 2000/1)**

**The Convener:** The second piece of subordinate legislation that we have before us is the Seeds (Fees) (Scotland) Order 2000, SSI 2000/1. Again, this is a negative procedure, which means that unless a formal motion to annul the order is agreed to, the order comes into effect. No such motion for annulment has been lodged to date, so the purpose of today's discussion is to examine the instrument.

The Subordinate Legislation Committee considered this order this morning and agreed to draw some technical matters to our attention. We cannot draw a conclusion until we see the report later this week. However, because of the time scales for this instrument, it has been suggested that today we should hear about the order from the representatives of SERAD and that later in the week we should take the opportunity to deal with this matter by correspondence among members. Would that be appropriate?

**Members indicated agreement.**

**The Convener:** I therefore ask Brian Cockwell of SERAD and Simon Coopers of the Scottish Agricultural Science Agency to come forward.

I think there may be a fault in my agenda. Is it Coopers or Cooper?

**Simon Cooper (Scottish Agricultural Science Agency):** Cooper.

**The Convener:** Thank you. We will correct that.

I invite you to speak about this statutory instrument, gentlemen.

**Brian Cockwell (Scottish Executive Rural Affairs Department):** The Seeds (Fees) (Scotland) Regulations 2000 introduce statutory provisions for the charging of fees in relation to the training and licensing of field inspectors and seed samplers, and a number of other services provided by the Scottish Agricultural Science Agency.

The regulations prescribe fees in respect of matters arising under various other seed marketing regulations, such as the Cereal Seeds

Regulations 1993, the Fodder Seeds Regulations 1993, the Oil and Fibre Plant Seeds Regulations 1993, the Beet Seeds Regulations 1993, the Vegetable Seeds Regulations 1993 and the Seeds (Registration, Licensing and Enforcement) Regulations 1985, all of which have been amended over the years. The first five regulations restrict the marketing of those seeds in Great Britain to the specified categories of seeds that meet prescribed standards. They also require such seeds to be sold in sealed packages, and make tampering with prescribed labels an offence. The last of those regulations—the Seeds (Registration, Licensing and Enforcement) Regulations 1985—includes a provision for the licensing of seed testing stations and of seed samplers and field inspectors.

The various seed regulations flow from the European Council directives governing the marketing of seeds. Those directives contain the requirement that all seeds of the main agricultural species—such as cereals—must, when sold to the public, be officially certified and meet the minimum standards of identity, varietal purity, germination and so on. Those are examples of the prescribed standards that I mentioned earlier.

SERAD is the official certifying authority for Scotland and those functions are carried out on our behalf by the Scottish Agricultural Science Agency. Since our accession to the EC, we have sought to keep to a minimum the cost to the industry of the bureaucracy of this highly regulated system. To achieve that, we have made maximum use of trade personnel, under official supervision, to carry out such tasks as field inspection of growing crops and the sampling of seed lots in the premises of registered seed processors and dealers.

To carry out those tasks, the field inspectors and seed samplers must be licensed by the certifying authority, which, in Scotland, is SERAD. To obtain a licence, Commission decisions 89/540/EC and 98/320/EC require that those individuals be suitably qualified as confirmed by official examinations. Those examinations are conducted on SERAD's behalf by SASA, which provides pre-examination training if required.

Fees are collected by SASA for the training of prospective field inspectors and seed samplers, and for the examinations. At present, those fees are not prescribed in any statutory regulation. Last year, Friends of the Earth prompted a judicial review in England and Wales of the seed marketing regulations. As a result of questions raised in the judicial review proceedings, solicitors to the Scottish Executive advise that we must have statutory power to allow SASA to make charges for the training and examinations of field inspectors and seed samplers. These regulations



do that.

We have also made statutory provision for a small number of other services provided by SASA, hitherto charged without sound statutory provision. We have made provision for reduced charges in relation to some services. Other fees—the bulk of the fees—remain unchanged. As is our usual practice, we consulted the industry in October last year and received no substantial comments on the proposed changes.

As the Seeds (Fees) Regulations 1985 have been amended a number of times in recent years, we have followed advice from the office of the solicitor to the Scottish Executive and have taken the opportunity to make consolidated regulations on this occasion.

The Seeds (Fees) (Scotland) Regulations 2000 revoke and replace the Seeds (Fees) Regulations 1985 in Scotland. They pose no financial burden, as the trade is paying for the services at present, and other charges have remain unchanged. The regulations simply put into statute fees that the industry has been paying for many years and that it would have been expecting to continue to pay.

14:30

**The Convener:** Thank you very much. Are there any questions on the issues raised by the instrument and its explanatory documents? As there are none, I thank you, gentlemen, for addressing us.

As I explained earlier, we have been told that the Subordinate Legislation Committee will wish to draw a report to our attention. Are members content with this proposal, subject to receiving the report from the Subordinate Legislation Committee? Can we conclude that the committee does not wish to make any recommendation in its report to Parliament?

**Members** *indicated agreement.*

**The Convener:** We will act on the basis of correspondence made in the light of the report, once we receive it from the Subordinate Legislation Committee. Assuming that it meets with the agreement of members of this committee, we will consider this item to have been dealt with. Members will receive correspondence as soon as the report is available.

## **Hill Livestock (Compensatory Allowances) (Scotland) Regulations 1999 (SSI 1999/187)**

**The Convener:** There are two explanatory notes attached to SSI 1999/187. The first, from the

clerk, sets out the key dates for action. The second, from SERAD, is provided at the committee's request, and explains the order.

We are obliged to take into account the report from the Subordinate Legislation Committee, which was published on 25 January. The report draws our attention to some drafting errors, and an extract from the report was circulated with the agenda papers. Have members all received that and had the opportunity to consider it? I see that they have.

This order has come to our attention as a negative procedure, which means that, unless a formal motion to annul the order is agreed, the order comes into effect. No such motion for annulment has been lodged, so the purpose of our discussion today is to examine the instrument. Are members content that they have enough information to examine the instrument?

**Members:** Yes.

**The Convener:** Representatives of the Scottish Executive rural affairs department who are prepared to speak to the instrument have come to our meeting. I therefore ask David Dickson, Ian Stewart, Heike Gading and Ailsa MacLagen to come to the table and explain the regulations to us.

**David Dickson (Scottish Executive Rural Affairs Department):** As all members of the committee will be aware, support for farming in Scotland's less favoured areas is vital, not least because 85 per cent of the country is classed as less favoured areas.

The Agenda 2000 proposals, which were part of the common agricultural policy, incorporated discussion on the future of less favoured areas support. As a consequence of that, the council agreed that there should be a move from headage payments to area payments. At that juncture—and with the Scottish Executive in the vanguard—we argued with the council and the European Commission that there should be some form of transition. Agreement was reached that there would be a roll-over year for headage payments. Having had that agreed in principle, we had to go through the long process of getting the Commission to come up with the necessary legislation. That process dragged on until virtually the end of the year, which is why this order was put forward at relatively short notice.

The order provides for the continuation of headage system support similar to the hill livestock compensatory allowance. Such support existed prior to the council's decision that the system should be area based. Legislation that was drafted closely follows previous UK legislation. We note that legal queries have been raised about the negative statutory instrument that is before you.

My colleagues would be pleased to answer questions on that. We do not necessarily agree with everything that is said by the legal advisers who have drafted the memorandum and we would be glad to avail the committee of our opinion either today or later, by letter.

**Alasdair Morgan:** Obviously, the EU agreed that a transition period was necessary before moving to a system of area-based payments. Is the new system on target?

**David Dickson:** The proposals for the area-based system have been lodged with the European Commission as part of the Executive's rural development plan. The Commission has six months in which to approve the plan. We have met the timetable, but the matter is now in the hands of the Commission. We are on target, subject to the Commission's agreeing to the plan, particularly the less favoured areas element. If the Commission wants us to change our plan, there might be delays.

**Richard Lochhead:** I will take advantage of David Dickson's presence to ask a general question. How will the change from headage payments to area payments affect tenant farmers? Would the payment go to the landowner?

**David Dickson:** No. The system remains unchanged. The support is for sustainable farming, so the farmer is the beneficiary.

**Mr John Munro (Ross, Skye and Inverness West) (LD):** Some weeks ago, when we were discussing this legislation, I asked the Minister for Rural Affairs whether there were proposals to include HLCA payments to deer farmers. He indicated, at that time, that that possibility was not being considered, and I do not see that included in the document. Is it implied that the area-based payments would include all types of agriculture, including rare breeds, goats and deer?

**David Dickson:** As I have explained, the document that you have in front of you is a roll-over of the headage system that is based on the traditional coverage of that headage system, namely, sheep and cattle. The less favoured area proposals that have been sent to Brussels, which the committee incorporated in the rural development plan that it was given copies of, propose the extension of area-based coverage beyond the traditional categories of cattle, sheep and deer farming. Support for dairy farming in the ring-fenced areas and for goats is included in the plan. It will be a matter for the Commission, in the first instance, to say whether that is acceptable. The Scottish Executive and the Parliament will eventually decide on the precise coverage, in the light of the availability of funds.

**Dr Elaine Murray (Dumfries) (Lab):** I have a brief question on the provision that is made for

appeals. The Subordinate Legislation Committee seemed to be concerned about that. I know, from the briefing that we received, that the appeals mechanism is to be established by SERAD in the autumn. However, as this is a roll-over of a previous scheme, I would have thought that there would be a system of appeal in place that would relate to the previous scheme. Is there no such system in place?

**Ian Stewart (Scottish Executive Rural Affairs Department):** A system of appeals for all the livestock schemes is in place, as for the mainstream integrated administration and control system scheme and for arable schemes. Any claimant or producer who feels unhappy with either the service that they receive or decisions that have been made can appeal to the local office and ask for the matter to be referred to headquarters, where it will be considered by the scheme manager, who may take advice from our solicitor's office.

**Dr Murray:** I presume that that will continue to exist during the transitional period.

**Ian Stewart:** Yes. That is enshrined within the wider appeal discussions that are going on at the moment.

**Alasdair Morgan:** The Subordinate Legislation Committee raised a concern over the time limit beyond which prosecution for offences cannot take place, particularly in relation to section 19. Is that section identical to what was in regulations in previous years?

**Heike Gading (Scottish Executive Rural Affairs Department):** It is identical to the 1996 hill livestock compensatory allowance regulations.

**Alasdair Morgan:** In other words, whatever problems there are, those problems were there in the past?

**Heike Gading:** Or not there, as the case may be.

**Alasdair Morgan:** Touché.

**The Convener:** Let us move on a little. The only difference is that, under the rules governing this Parliament, any legislation that is passed by this Parliament is subject to consideration by the European Court of Human Rights. That also was brought to your attention by the Subordinate Legislation Committee. Do you feel that there are any inherent dangers in that aspect of the changed circumstances?

**Heike Gading:** The provisions in these regulations are not in danger of breaching article 6. Article 6 guarantees a person the right to a trial within a reasonable time, when they have been charged. That means that, when the state has approached a person, that person will not be in a

state of uncertainty. The time limits for prosecution, as they are in these regulations, relate to the question of when the prosecution is initiated: within six months of it coming to the knowledge of the prosecutor and not later than 12 months from the commission of the offence. That is the rule as it stands in these regulations, and there is no risk of article 6 challenges to it.

**Mr Jamie McGrigor (Highlands and Islands) (Con):** I have a question on the HLCAs. What is the total amount payable this year?

**David Dickson:** For this year, £61.8 million will be paid out from the end of February.

**Mr McGrigor:** How much is that per ewe?

**David Dickson:** There are different rates depending on whether a farm is in a severely disadvantaged area or in a disadvantaged area and there are different rates for the Highlands and Islands. We can provide that information.

14:45

**Mr McGrigor:** I can find that out. It occurred to me that because the sheep annual premium has dropped by about £2.50, the HLCA might rise to compensate.

**David Dickson:** Unfortunately not. The hill livestock compensatory allowance scheme is self-standing and has a self-contained budget. It is independent of the market mechanism that determines the sheep annual premium.

The Commission regards less favoured areas support as being a reflection of the degree of natural disadvantage and therefore something that does not fluctuate according to economic circumstances. There is no link between them.

**Mr McGrigor:** The point that was made to me was that the sheep annual premium was a safeguard: when sheep prices were low, the sheep annual premium would rise. However, this year the prices are low, but the sheep annual premium has also fallen.

**David Dickson:** That is because the sheep annual premium is based on weighted European averages. Although prices in this country are low and returns to the farmer have been low, the overall average price calculated by the European Commission is higher than last year. The deficiency payment represented by the sheep annual premium is higher than expected.

**Mr McGrigor:** Yet it is still £2.50 less than last year.

**David Dickson:** That is correct.

**Mr McGrigor:** Is that because of the currency?

**David Dickson:** No. Currency is an influence,

but the payment reflects market prices in Europe. This year, market prices across Europe are higher than last year, so the deficiency payment is less.

**Lewis Macdonald:** Our job as a committee is not to engage in a general discussion about hill livestock compensatory allowances, interesting as the topic may be, but to address the legislation before us. I would like to confirm that the Subordinate Legislation Committee concluded that while there are concerns, most of those relate to the form and structure of the regulations, rather than to the content. There appear to be no matters of substance that cause the committee serious concern. Is that your interpretation of the committee's report? Are you content with that conclusion?

**David Dickson:** Yes. There was one amendment to the legislation, which we have undertaken to make. My legal colleagues understand why the other legal points have been raised, but do not necessarily accept them. We hope that the committee will support the legislation, or at least not vote against it, because there would be serious problems if it did.

**The Convener:** I thank the ladies and gentlemen for their attendance and for the information that they have given us.

During the course of our discussions, it struck me that this could be one of the rare occasions on which I should raise the issue of declarations of interest. Are any committee members claiming the hill livestock compensatory allowance?

**Mr McGrigor:** I am.

**Mr Munro:** I am.

**Members:** Aah.

**Mr McGrigor:** It is in my declaration of interests.

**The Convener:** Declarations that appear in the "Register of Members' Interests" should always be repeated when business is dealt with that relates to those interests. John Farquhar Munro and Jamie McGrigor indicated that they are claimants of that allowance. I was a claimant until a few years ago, but I am no longer one.

Having heard the explanation, and taken into consideration the report from the Subordinate Legislation Committee, are members content that they have enough information to make a decision on this matter? It seems they are. Are members content with the proposal? Does the committee wish to make no recommendation in its report to Parliament?

**Members indicated agreement.**

## Petitions

**The Convener:** Moving to the next item on the agenda, a paper in my name suggests a way in which we can deal with these petitions. I ask members to consider items as they appear on that paper, and to make any comments that they feel are appropriate.

**Lewis Macdonald:** The main recommendation that you make is that we consider the pesticide tax petition separately from the others. I am not inclined to support that view, because the petitions have been brought forward as a whole, and we should consider them as a whole.

**The Convener:** In case you have forgotten, Lewis, may I remind you that the pesticide tax petition was brought to us before the others. It is numbered separately. We dealt with it quickly on a previous occasion, and asked for a report from the Department of the Environment, Transport and the Regions, which we now have. That is why it appears separately.

**Mr Rumbles:** May I make a comment? I have just been passed a note, which members may be interested in, if it is correct, which says that in his speech to the National Farmers Union of England, the Prime Minister has announced that if there were plans to impose the pesticide tax, they have been scrapped. The issue no longer exists.

**The Convener:** You are taking advantage of my research.

I still think that we have to deal with this issue in a constructive manner today, in case it comes back to bite us.

**Mr Rumbles:** I should have credited you with that information, because we shared it.

On a serious point, Lewis is right. Even though we received this petition before the others, they are presented as a package. We should devote a special meeting of our committee to take a strategic overview of all the petitions. Lewis's suggestion that we should not deal with these petitions in a piecemeal fashion is a good one.

**Cathy Peattie (Falkirk East) (Lab):** I support the suggestion that we should not deal with these petitions in a piecemeal fashion. I have raised concerns before that we seem to deal with one crisis at a time. Having heard what farmers were saying on the NFU demonstration, it is clear that people want us to address these issues.

I remind the committee that we are committed to a review of agriculture. We need to do that, and bring in all these issues, so that we can come up with a strategic way forward; otherwise, all we will be doing is firefighting, which will not help farmers in Scotland.

**The Convener:** Are there any other comments or questions?

**Mr Munro:** The petition comes from a cohesive section of the community, which practises farming in all its complexities. It would be remiss of us to discuss each petition in isolation. The petitions that were presented on one day came from a united front, so we should keep matters that way and discuss the petitions as a unit.

**Cathy Peattie:** May I remind you that at our first meeting with the NFU, it said: "Help. We need a strategy for agriculture in Scotland." We want to help. Let us look at how we can take that forward. Can we get back to considering how we do that?

**Alasdair Morgan:** I have not checked the wording of the petitions, but some of them seem to be of a shorter-term nature, whereas others are more strategic. I have not had access to the Prime Minister's speech, but if the Chancellor of the Exchequer introduced a pesticide tax in his budget there would be no point in our considering PE24. Our consideration of the longer-term strategic issue might take us well beyond the date of the budget. We should establish which of these petitions involve short-term issues that we should deal with right away.

**Mr Rumbles:** I would like to reiterate my point of view, which is echoed very strongly by Cathy Peattie. These petitions came to us together, from the same source, and it is incumbent on us to treat them together and to highlight their importance. I propose that at either our next meeting or the one after we should consider these petitions as the sole items on the agenda. They are that important. We should take a strategic view on them.

**Lewis Macdonald:** I agree with the proposal that we should take a strategic view on these petitions. We should consider, in the context of our discussion of our future programme, where they fit into the business of the committee. It is important that we consider the petitions together. However, we already have a standing commitment to undertake an inquiry into the state of Scottish agriculture, the timetabling of which should affect when we consider the petitions.

**The Convener:** Would it be appropriate for us to take this opportunity to consider whether we want to obtain research or request information that is relevant to any of the items on the list of petitions? I remind members that the Public Petitions Committee has designated other committees the lead committee for four of the eight petitions that were submitted on the same day. However, it is important that we should have some input into their consideration of those items.

**Mr Rumbles:** As I understand it, you are saying that in due course the European Committee will seek our comments on PE61 and PE62, and that

we should wait for the Transport and the Environment Committee to comment on PE63. However, the other petitions are for us to consider and we should examine them in detail. We have already received informal briefings from the pig industry, so we ought to be able to proceed with our consideration of PE64.

It should not take long for the Executive to provide us with details of the over-30-months scheme and the agrimoney issue.

**The Convener:** It would be appropriate to approach SERAD for additional information on those issues. Do members wish us to undertake other research at this time?

Should we set aside specific time to consider the petitions? Do we require an additional meeting, or should we try to programme them as the major item at our next meeting?

15:00

**Dr Murray:** While I do not want to anticipate our discussion, given the fairly extensive nature of our future meetings I imagine that we will have to consider holding additional meetings as a matter of course. We will not be able to get through all our business by meeting every couple of weeks. We will have to discuss how we programme additional meetings into the timetable.

**Mr Rumbles:** We should defer this discussion until we get to the agenda item on future business. We are agreed that we should deal with the petitions as a specific issue—I think that everyone is happy with that approach.

**Richard Lochhead:** I am quite happy to have a separate meeting to discuss petitions, in advance of which it would be useful to have a note from the clerks to illustrate the common themes in the petitions. It would also be useful to have a note on the elements of the petitions that fall within the Parliament's remit, given that certain elements do not. It would be helpful to separate those elements out, so that we can home in on the points that we can progress.

**Cathy Peattie:** We have heard from pig farmers and taken evidence from various people, but I am frustrated that we did not seem to be able to do anything for them. The only way in which we can make changes is to combine the whole shebang, if you like, in a strategy on which we can make recommendations. I fear that we will have another meeting, discuss the petitions, agree how dreadful the situation is and then move on to the next item of business. We need to deal with petitions as part of a comprehensive strategy on agriculture in Scotland.

**Richard Lochhead:** I echo Cathy's sentiments. The purpose of our meeting on petitions should be

to consider how to blend them into our overall strategy and investigations, not just to go round in circles saying how terrible things are.

**The Convener:** Do we need to approach individuals or organisations for further research or written material?

**Richard Lochhead:** No. We should be quite focused. The research will come later, as part of the overall investigation.

**The Convener:** If there are no other research needs that members wish to discuss, we will discuss petitions as part of our discussion of future business.

## Petrol Price Inquiry

**The Convener:** The next item is a report on the Enterprise and Lifelong Learning Committee meeting on petrol prices. A number of members of this committee were present—who wants to give a report on what took place?

**Rhoda Grant:** I will kick off and Irene McGugan will follow. John Munro also attended the meeting.

The meeting took evidence from the Highlands and Islands hydrocarbon action group, Arran Council for Voluntary Service, oil companies and the Petrol Retailers Association.

The first two groups of witnesses pointed out the problems with petrol pricing in the Highlands and Islands and rural areas. The oil companies were heard next, although quite a few of us would have preferred to hear the Petrol Retailers Association prior to hearing the oil companies.

The oil companies said that they had a scheduled price, which was standard, but following discussion we discovered that they give rebates and that they have different pricing policies, depending on the content of a contract. It was difficult to discover how the pricing was set. One fact that arose from the discussion was that there should be a disparity of around 3p per litre of petrol, regardless of which rural area one is in. The oil companies said that they had no control over whether the disparity was greater than 3p. The retailers were unhappy because their contracts differed, depending on where they were located and on turnover. They felt that the oil companies were squeezing them badly. Some interesting suggestions were made, but I will let Irene carry on.

**Irene McGugan (North-East Scotland) (SNP):** Some of the evidence was complex and contradictory, so the inquiry is not at an end but will continue for some time yet.

The clerks will bring an outline of the issues that arose from yesterday's evidence to the next meeting of the Enterprise and Lifelong Learning Committee. They will also seek further submissions from those witnesses who were present yesterday but who may wish to provide additional information. The committee was also minded to get feedback from sources not present yesterday, in order to widen the inquiry.

A number of factors were aired thoroughly, but they, in turn, threw up other issues that will be addressed at the next meeting.

**Mr Munro:** I think that Rhoda has covered the afternoon's discussion. As she pointed out, the discussion was rather strange in that the last gentleman who spoke launched an Exocet through

the earlier presentations by the representatives of the oil companies. If that gentleman had spoken first, that would have changed the whole attitude of the meeting.

I spoke to some of my Highlands colleagues afterwards, and they are most anxious for the Rural Affairs Committee to await the report of the meeting and take the matter from there. As Irene McGugan said, they want to continue the discussion and to invite the gentleman from the Petrol Retailers Association and others who might lend weight to the argument. They are anxious for a motion to be lodged before the budget to ensure that there is a defence against the possibility of further increases in fuel prices. They would also like to present a paper at some point prior to the budget.

My Highlands colleagues went away reassured that they had a lot of support and that the claim that the oil companies were not the niggers in the woodpile had been exposed. I think that they were well pleased with their day's visit to Edinburgh.

**Irene McGugan:** The Office of Fair Trading, which also had representatives at the meeting, is undertaking an investigation. However, it became fairly clear to some people that the scope and nature of the OFT's inquiry might not be any more revealing than similar reports in the past. Folk from the Highlands are looking more to this committee's investigation to get to the root of the matter and come up with real answers.

**The Convener:** You said that the Enterprise and Lifelong Learning Committee hoped to continue its investigation—does it have a detailed proposal to do so at its next meeting?

**Irene McGugan:** Yes.

**The Convener:** Does the committee agree to ask the same three representatives to attend that meeting and monitor the situation?

**Members indicated agreement.**

**The Convener:** When the Enterprise and Lifelong Learning Committee produces its report at the end of the inquiry, this committee would be keen to consider that report and understand any implications for our on-going work.

Are there any other comments on petrol pricing before we move on?

**Richard Lochhead:** The issue will certainly take up a lot of our attention. At the weekend, I spoke to a self-employed haulier from Aberdeenshire who transports grain and other products. Nine years ago, he spent a third of his income on fuel; now he spends fifty per cent and the cost is crippling him. I expect that the issue of petrol pricing will impinge on our investigation into rural employment.

## Future Business

**The Convener:** The next agenda item covers a couple of matters that were brought to my attention by members of the committee, whom I now invite to speak to the issues that they raised.

**Mr Rumbles:** May I make a comment before you do that? I know that I risk upsetting whoever put matters such as rural post offices on the agenda, but at the weekend I waded through the subjects that were on the agenda only to discover this morning that the agenda had been changed.

We discussed rural post offices in the chamber last week. The issue concerns employment and communities throughout rural Scotland. Our final agenda item addresses changing employment patterns in rural communities.

We come to a committee meeting and find that extra items such as the pig industry and rural post offices have been added to the agenda. While such issues are deserving, we should keep our focus and address issues in the wider strategic context. We should examine rural post offices as part of our investigation into rural employment. It is a mistake to highlight issues separately. Cathy Peattie's point resonates with me—I am fed up with firefighting when we should be considering what the committee can do effectively.

**The Convener:** Irene McGugan will speak on rural post offices.

**Mr Rumbles:** I am sorry, Irene; I did not realise that you put that matter on the agenda.

**Irene McGugan:** You will not be sorry once you have heard what I say. The timing of the appearance of rural post offices on the agenda was not under my control. It was put on the agenda to highlight an important issue and to seek the committee's permission to have it included in our wide-ranging investigation, so that it was not forgotten. We had a short debate on rural post offices, which did not address all the problems that many members feel exist in their constituencies around rural Scotland. The recommendation is simply that we deal with the matter in a strategic way, as part of the major investigation, not that we have a long discussion on it today.

**The Convener:** The topics were put on the agenda to give members the opportunity to speak briefly on them to the committee. We are not trying to force anything on to the longer-term agenda; if we introduce the subjects in this way, the committee can consider the possibility of including them.

**Mr Rumbles:** I will give you an example of why I think that we should not operate in this way. I met the Dee District Salmon Fishery Board in

Aberdeenshire, which is worried about the impact of many things, but particularly about employment. Salmon fishing is a major industry, which employs 400 people up and down Deeside, and which is often forgotten. My advice to Andrew Bradford, the chair of the board, was that he write to the convener to ask that salmon fishing be included in our review of employment patterns. The committee should operate by feeding information to the convener. What is to stop me getting salmon fishing put on the agenda next week, so that I can speak about it?

**Cathy Peattie:** I agree with Mike Rumbles; it is important that we examine strategic effects. There may be areas of the review of employment patterns and agriculture that we have not yet considered. If we do not have that review, we could miss a lot of important evidence. We must allow space to discuss subjects such as the rural post offices, but we must also recognise that there is an overall strategy into which any discussion should fit.

15:15

**Richard Lochhead:** We have had this discussion so many times that I feel as if I am experiencing groundhog day. If I recollect correctly, we have agreed on several occasions that we have no objection to issues being added to the agenda for the committee to discuss. That is why we are here—to respond to situations as they arise. Clearly, we want to focus on our long-term agenda, but I do not see any conflict.

**Lewis Macdonald:** Richard's recollection of previous discussions is different from mine. I recollect not that we had agreed that we could take anything we fancied whenever we fancied it, but that we would ask the convener to try hard to keep the agenda under control—precisely to prevent this kind of sprouting of a thousand blossoms.

Adding items raises difficulties. First, Mike Rumbles highlighted the fact that members will come cold to agenda items of which we have had little notice. None of us will want that to happen with important items. Secondly, adding items will deflect us from the main items on our programme. We will be discussing the wider programme in a moment. It will be a heavy programme, because of the legislation that is expected this year. We have been able to indulge ourselves a little in recent months, but over the course of this year we will find that it is not possible to take late agenda items if we are to do justice to the legislation.

**Mr Rumbles:** Lewis got in just before me to comment on what Richard said. I agree with what Lewis said, with one caveat: we do not want to block off any real, emergency, last-minute matters.

The issue of rural post offices, although important, did not arise just yesterday; the same goes for food labelling requirements and so on. Nobody is suggesting that members of the committee can never get something on to the agenda at the last minute. However, what Lewis and I—and, I think, other members—are saying is that we should stick to what we agreed before. We need a focus. Lewis is absolutely right, and I accept his interpretation of what we agreed.

**Alasdair Morgan:** First, a discussion on rural post offices is not on the agenda. All that is on the agenda is the question whether we should have a discussion on them on the agenda at some time in the future. The difference between those two is not subtle.

Secondly, as Mike Rumbles rightly said, we must have a slot on the agenda into which we can decide to bring a subject forward for discussion; the only way to decide what should fill that slot is by using members' judgment. Members must decide what is important and what is not. If they can then get the rest of the committee to agree, that is fine and well, but that should not take up an inordinate amount of time. If everybody speaks only once, surely we can decide quickly whether we want to put something on the agenda for the future.

**The Convener:** I propose to give the two members the opportunity to say a few words on the subject that is dear to their heart and that they want to appear on the agenda.

**Irene McGugan:** The issue of rural post offices has had a high profile recently. It has been the subject of newspaper campaigns, two debates in Westminster last month, two motions in this Parliament, and a member's debate last week. The threat is serious. As many as a quarter of Scotland's rural sub-post offices are under threat because of the Government proposal to pay benefits not in cash but by automated credit transfer directly into people's bank accounts.

A number of issues arise from that proposal. Low-income families are disadvantaged, as they may not be able to access bank accounts; the lack of benefits business has a serious effect on rural sub-post masters; and, if many such post offices close, something is lost that has been of social benefit to the community. There is also the issue of the new structure for post office users' councils, which will soon come into effect.

In spite of the fact that we had a debate last week, the issue will continue to be discussed as we move towards 2003 and full implementation, or not, of the proposal. We want to ensure that the issue does not get lost, and that rural Scotland knows that we are aware of it as a big issue that has much to do with the sustainability of rural

communities. If we agree to include the matter in our wide-ranging investigation, that will go some way towards dealing with the problem.

**The Convener:** This matter is likely to be a significant part of the on-going investigation into the broader issues.

The other item on the agenda is John Munro's point on meat labelling, which came about following an incident that occurred yesterday morning.

**Mr Munro:** I am indebted to you, convener, for including this item on today's agenda.

The Rural Affairs Committee has responsibility for many areas, not least agriculture. We have been shouting from the rooftops, over the past two or three months, that we should support our farming industry. I know that the convener has lodged a motion about bringing commodities into the country—particularly in the meat trade—that cannot be identified easily.

Last week, at one of the main shops in Inverness, a neighbour of mine purchased and took home what he thought was a nice-looking piece of chilled beef. Lo and behold, when he started to unpack it he discovered a small label that identified the product as having been produced in Botswana. That was not evident when he bought it, and he was quite annoyed. He landed at my door with the packaging and the label, and I tried to calm him. I reassured him that we would take the issue up.

I do not know what other members feel, but I think that the Rural Affairs Committee is the appropriate committee in which to deal with such an issue. We cannot stop the importing of beef or meat products, as that would be contrary to fair play and justice, but we can reiterate the fact that the product on sale should be identified by its source and country of origin. That is a reasonable suggestion.

**Alasdair Morgan:** It is difficult to comment on apocryphal stories. Has John Munro brought the label with him?

**Mr Munro:** I do not have it here.

**The Convener:** We saw it yesterday.

**Alasdair Morgan:** Apart from asking for bigger labels from Botswana, I do not know what we can do. John Munro's option is to take the matter up with the minister and ask whether labelling of that size—in relation to whatever size the meat was—is within the regulations. He might pursue the matter in that way, as nothing in what he said makes me think that there is a problem. There was a label on the product. I do not know whether the gentleman was short-sighted, or whether he looked at the label properly. We cannot mount an



investigation on the strength of one story. I am pleased that there was a label on the product—that is a step forward.

**Cathy Peattie:** One of the messages that pig farmers were sending to us concerned labelling and marketing. In any agricultural strategy, that is a prime area in which we should make recommendations. This is a case in point—we could discuss what labels are like. My local Co-op labels its produce as Scottish beef, and we should advocate that people shop in supermarkets that do that. We can all come up with stories, but labelling and agriculture must be discussed as part of an overall strategy so that we can make recommendations to ensure that produce is correctly labelled. John Munro's point is important, but it must be considered as part of a wider strategy.

**Dr Murray:** I was going to make a similar point. Labelling comes under the umbrella of support for agriculture and we should consider it as part of that inquiry rather than as an issue on its own.

**Lewis Macdonald:** First, according to news reports, Tony Blair said this morning that new labelling guidance will be introduced in England and Wales in any case. Clearly, that will have an impact on Scotland; we must consider that.

Secondly, rumour has it that a member of this committee is intent on introducing a bill on this very subject, which will presumably come before this committee for consideration. At that point, we will be obliged to consider the ups and downs and the details of labelling.

**Richard Lochhead:** Many wider issues are connected to labelling, especially the country of origin. I recently investigated the potential for a member's bill on country-of-origin labelling, and I was surprised to read in the press that our convener is considering that route. Would you like to comment on that, convener? Has there been any guidance for committee conveners on introducing members' bills that are relevant to their committees?

**The Convener:** There is no such guidance, as far as I am aware. My bill adds to the continuing debate; it is mobile at the moment and further news is coming in as we speak. I have no desire to use this committee to promote my own ends, but I am happy to answer any questions about the bill.

**Mr McGrigor:** I am not a member of this committee, but I think that it is a good idea.

**Alasdair Morgan:** Do you mean that labelling is a good idea?

**The Convener:** Would it be appropriate for us to suggest that, in the first instance, the specific incident that John Munro brought to our attention

today might be dealt with by writing to the minister and, perhaps, to the manager of the supermarket where the meat was sold?

**Alasdair Morgan:** That is a consumer issue.

**Lewis Macdonald:** As Alasdair Morgan said, this is a constituency matter and it would therefore be appropriate for John Munro to take up the issue as he sees fit. It is not a matter for the committee.

**Alasdair Morgan:** Quite right.

**Mr Rumbles:** Before we move on, I would like the committee to focus on what is going on. Alasdair Morgan said that he thought that everyone should have the right to bring up issues such as those that have been raised today and that that would not take long. Do members have any idea how much time the committee has just spent considering this item? It has been 20 minutes.

We can conduct our business in two ways. Either the convener has a strategic view on how we put down the agenda, or every member can bring up new items at the very last minute—remember that today's agenda came out just this morning and I was working from the previous one over the weekend. There are many issues that I would like to raise. Either we do it one way or we do it the other. Many committee members have expressed the view that I am expressing now. Good and worthy as all the individual items may be, I am getting a little bit fed up with this system. It is not the way in which we should operate. We will have real problems if we continue to go down this route. What are your intentions in setting the agenda for future meetings, convener?

**Lewis Macdonald:** Before you respond to that question, convener, I would like to remind members that, at our meeting with ministers yesterday, we saw the illustrative draft of the work that the committee might undertake this year. In the course of that discussion, ministers and civil servants made a number of points that I think we must consider in deciding how we allocate our time.

One of the points that we need to consider is the number of members' bills, plus one Executive bill, that will come before us in the course of this year. Secondly, we will be involved to a degree in land reform legislation this year and in future years. Thirdly, a question was raised about the timing of our fisheries inquiry, and I think that it is serious enough to merit some discussion. Is it appropriate to discuss that today, or should we set aside time on our next agenda to examine properly the whole year, agree the structure of the year and then seek to stick to that?

15:30

**The Convener:** If you do not mind, Lewis, I will deal with the items as they are written down in front of me.

On Mike Rumbles's question about future business, I am keen to avoid a situation in which it is impossible for any member to ask for an item to be put on this committee's agenda. The discussion that has taken place today should be taken to heart by me and by other committee members, who realise that, if we treat that as a privilege, it should not be abused.

Without doubt, there are issues that members will wish to bring to this committee's attention at short notice, and I do not propose to deny them that opportunity. However, I have taken on board the points that have been raised, and if there is an issue which a member does not believe is of burning importance but which he or she wishes to bring to my attention, I would be delighted to discuss it with any member, to decide how it can be fed into our future business appropriately.

I accept the points made, with the one proviso that I wish this committee to remain open to specific points if they are relevant at a specific time. If we accept that slight degree of flexibility, I am pleased to proceed in the way that the committee has discussed today.

The issues that Lewis Macdonald raised are those which we have discussed for a planning meeting. For some time, we have said that it would be useful to get together for a short, defined time, such as three quarters of an hour, to discuss the planning of our business programme. Is there a time between now and the next meeting when we could get together for a short time?

Richard Davies suggested earlier today that we might be able to spare 30 or 45 minutes over a Thursday lunch time, when everybody is around, to deal with a strict agenda. Could we meet next Thursday, before the next scheduled meeting of this committee, or on the subsequent one?

**Lewis Macdonald:** What about Thursday 3 February?

**The Convener:** That is Thursday of this week. I suggest 1.30 until 2.15, in order for everybody to be in time to get to the chamber for question time. We will check to see if a room is available for that.

**Rhoda Grant:** Will it be an informal meeting?

**The Convener:** I suspect that it will be less than informal—it will be quite rushed. It will simply be an opportunity for us to discuss how we wish to schedule the business that is before us.

**Dr Murray:** It was quite clear from the programme that we looked at yesterday, convener, that, apart from not having any summer

holidays, which are clearly written off now, we will not be able to deal with the volume of work before us if we meet every fortnight, but may need to meet more regularly. That at least seems to be the case for later in the year, as we come to consider legislation, given the time scale that some other committees have for their business. Would it be possible to get some idea of alternative slots in case we have to start meeting every week?

**The Convener:** We will ask Richard Davies to find out about that.

**Richard Davies:** Our diary is pretty full. All the committees meet regularly and we have been asked to encourage committees not to programme extra meetings during the next few months.

**The Convener:** Committee room 5 is available for next Thursday. It is close to the building's front door, so we will be able to get out in a hurry. We will have a short briefing session, rather than a formal meeting. It has been suggested that we have a meeting to deal with the petitions from the National Farmers Union. If we do not do that, we could deal with them at the next meeting, along with that day's business.

**Richard Davies:** I suggest that 29 February would be the best day for that. It looks like we will have a lot of subordinate legislation to deal with at the next meeting on 15 February. By 29 February, we should have got the views of the other committees that are considering the petitions.

**The Convener:** What does the committee think about that suggestion?

**Mr Munro:** I think that the Equal Opportunities Committee is due to meet in Stirling on that day.

**Dr Murray:** That is a problem. Another problem might be to do with the petition relating to agrimoney compensation for dairy farmers. Is there a time constraint on applications for agrimoney?

**The Convener:** I should point out that we are not the primary committee for that petition.

**Mr Rumbles:** The European Committee is.

**Lewis Macdonald:** If we meet on 29 February, we will have time to put together the background information that we need and to hear from other committees that are considering the petitions.

**The Convener:** We will clear the agenda for the meeting on 29 February, as far as possible, and use most of the time to deal with the petitions.

It has been agreed that we will deal with the next item on the agenda in private.

15:38

*Meeting continued in private until 16:00.*

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