

# **RURAL AFFAIRS COMMITTEE**

Tuesday 14 March 2000  
(*Afternoon*)

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## RURAL AFFAIRS COMMITTEE

6<sup>th</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 MEMBER ALSO ATTENDED:

Mr Jamie McGrigor (Highlands and Islands) (Con)

### WITNESSES

Andrew Brown (Scottish Executive Rural Affairs Department)  
David Ford (Scottish Executive Rural Affairs Department)  
Mr David Henderson-Howatt (Forestry Commission)  
Mr John Home Robertson (Deputy Minister for Rural Affairs)

### CLERK TEAM LEADER

Richard Davies

### SENIOR ASSISTANT CLERK

Richard Walsh

### ASSISTANT CLERK

Tracey Hawe

### LOCATION

Committee Room 2



## Scottish Parliament

### Rural Affairs Committee

*Tuesday 14 March 2000*

*(Afternoon)*

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

**The Convener (Alex Johnstone):** I had hoped that, out of courtesy, a few more committee members would have arrived by now. It is rather distracting for our main speaker if members arrive during his opening remarks.

I thank members for attending. It is a pleasure to have the Deputy Minister for Rural Affairs and his advisers with us today. I have received apologies from Dr Elaine Murray, who will be unable to join us; otherwise, now that John Farquhar Munro has arrived, we have a full house.

I have been called to a meeting of the Parliamentary Bureau, which will take place at 2.30 pm. For the first item of business, I shall hand over to the deputy convener, Alasdair Morgan; I hope that I will be able to slip away without disturbing the meeting too much. I should arrive back later in the meeting.

## Forestry Strategy

**The Deputy Convener (Alasdair Morgan):** As members will recall, we have discussed forestry before. We asked the Forestry Commission to come back to the committee with its consultative strategy. I am delighted to welcome John Home Robertson to present that strategy to us.

**The Deputy Minister for Rural Affairs (Mr John Home Robertson):** Thank you, chairmen, and thank you for your courtesy in waiting for all members to arrive before starting. As you know, Alasdair, that does not happen at Westminster.

I am grateful for the opportunity to launch the final stage of the consultation on the Scottish forestry strategy by presenting our draft strategy document to the committee this afternoon. It seemed appropriate to present such an important document to a committee of the Parliament, rather than launching it at a press conference, as some ministers do elsewhere. I am keen to give the committee its place and I hope that we will take each other seriously.

As members will know, the Scottish Executive has made a commitment as part of its programme for government to publish a Scottish forestry strategy by the autumn of this year. This is the final part of that process. We want the strategy to be based firmly on the views of the people of Scotland. An initial consultation exercise began last summer, and more than 5,000 copies of a fairly short consultation paper, entitled "Forests for Scotland—consultation towards a Scottish forestry strategy", were distributed to local authorities, community councils, forestry organisations and interested individuals throughout the country. I know that members have seen that document. Copies were also made available at agricultural shows and on the internet.

There were about 250 responses, many of which came from organisations representing a large number of members. However, there was also a good spectrum of quality responses from individuals. Copies of any of the responses can be made available to the committee.

Everyone who responded to the consultation exercise was invited to a seminar in Dunkeld last November, which about 150 people attended. At that gathering, the results of the consultation exercise were presented and the main issues were debated. The draft strategy that you have before you reflects the responses to the consultation and to the debate at the seminar in Dunkeld.

The draft has been put together by a working group chaired by the Forestry Commission but including staff from other departments and

agencies: the Scottish Executive rural affairs department, Scottish Natural Heritage, Scottish Environment Protection Agency, Scottish Enterprise, Highlands and Islands Enterprise and the Convention of Scottish Local Authorities.

Following concerns that were raised at the initial consultation exercise, I invited two external assessors to join the working group: Peter Wilson, the executive director of the Forestry Industry Council of Great Britain, and Jim McCarthy, an environmental consultant. Members will recall that David Henderson-Howatt, on my left, who is chairman of the group and chief conservator of the Forestry Commission in Scotland, attended a meeting of the committee on 16 November to answer questions about the preliminary consultation process.

The draft strategy prepared by the group is a fairly lengthy and complex document. Whereas the initial consultation paper was deliberately targeted at a general audience, the working group decided that the draft strategy itself should contain more substantial and detailed analysis. The draft strategy sets out a number of general principles and strategic directions. I will not read them out—they are summarised on pages 4 and 5 of the Executive summary.

However, I will read out the paragraph that sets out the fundamental vision:

"The Scottish Forestry Strategy is the Scottish Executive's framework for taking forestry forward, through the first part of the new century and beyond. Its vision is that Scotland will be renowned as a land of fine trees, whose valuable forest resource both strengthens the economy and enriches the natural environment, and where people are proud of their trees, woods and forests. The intention is to promote confidence in the future of forestry, encouraging investment that will benefit current and future generations. High quality trees, woods and forests can help make Scotland a better place for people to live and work and visit."

Part 2 of the strategy develops the analysis and explains how we can help to realise that vision, using forestry to contribute to the economy, to conserve and improve the environment and to enhance the quality of life of communities. We are not trying to reinvent the tree, but we are seeking to give trees and forests a new status in Scotland.

Obviously, we are not starting from scratch. We have the advantage of a lot of experience and a wealth of good practice in Scotland's forests. The continuation of that good work is vital to the health and value of Scotland's trees, woods and forests. A key part of the draft strategy identifies priorities for action to build on what has already been achieved and to do things even better in future.

For each strategic direction, a number of priorities for action have been identified. They have been printed on a different colour of paper in

part 3 of the draft. Each priority is explained: what the benefits of action are; what needs to be done; what the costs are; and who needs to be involved. Indicators of progress are also suggested.

To take one example—the need to develop the timber transport infrastructure—I was delighted that Sarah Boyack was able to announce a freight facilities grant of more than £4 million last month to promote the use of shipping, which will help to reduce the pressure of timber transport on the roads of Argyll and Bute.

Finally, the draft strategy deals with delivery. The strategy itself is not an operational document. It provides a broad framework and establishes priorities. Tactical decisions and local implementation will be based on those agreed priorities, which will include the Forestry Commission's corporate plan for Scotland and the action plan for the forestry industries that Scottish Enterprise is preparing.

Once we have agreed and adopted the strategy, the Scottish Executive will be able to take account of it in developing policies that have an impact on forestry. I expect that the principles and the strategic directions will remain fairly constant, but the priorities for action may need to be reviewed and updated in future years.

It is important that we agree and publish a set of indicators of progress so that we can monitor performance. Within five years there will be a further consultation to gauge the success of the implementation of the strategy and to form a basis for reviewing priorities for action.

Today, the Forestry Commission is sending copies of the draft strategy to everyone who responded to the initial consultation exercise. The strategy can also be found on the Forestry Commission's website. Six regional meetings will be held over the next week or two—in Dumfries, St Boswells, Inverurie, Dingwall, Lochgilphead and Perth—to present the draft and to promote final discussion. We are allowing 12 weeks for consultation. At the end of that process, I am confident that we will be able to produce a fine-tuned document, which takes into account the views of all those who have an interest in Scotland's forests. I emphasise that this is a strategy for development and not another strand of red—or even green—tape to tie up the industry.

As I said in the foreword to the draft strategy, our trees, woods and forests play an important part in Scottish life. They cover about one fifth of our land area, with more than 10,000 people employed in forestry and wood processing, which represent a substantial element of the economy of rural Scotland and a sector that will grow as timber production doubles over the next 15 years.

Thanks to the devolution of responsibility for

forestry and woodlands to the Scottish Parliament, we can now begin to develop distinctive Scottish policies, which will allow Scottish forestry to take its place as a thriving industry and ensure sustainable land use, enjoying widespread public support.

I welcome comments or questions from members. If you wish to return to any aspect of this subject in future, we will be happy to oblige.

**The Deputy Convener:** Thank you minister. Members have received the Executive's summary only today, if they have received it at all.

**Mr Home Robertson:** The papers should have been circulated this morning.

**The Deputy Convener:** I understand that the Executive's summary was circulated this morning but that members may not have had the chance to read it. The draft strategy was not available to members, although if they want to rush across to Parliament Headquarters they can get a copy now.

**Mr Home Robertson:** I had understood that the whole document would be circulated this morning.

**The Deputy Convener:** I suspect that, even if the document had been circulated, members would not have been able to read it in detail. Nevertheless, members may have questions that arise from the general issues.

Do you think that the strategy will lead to legislation or do you think that it can be implemented without benefit of legislation?

**Mr Home Robertson:** I think that your committee will be pleased to hear that we do not envisage legislation. It should be possible to implement the ideas that are set out in the strategy using mechanisms that are available under current statute.

**The Deputy Convener:** Will there be significant budgetary implications for the Executive?

**Mr Home Robertson:** The Executive already spends about £25 million a year on forestry, some of which is recoverable from the European Union, but most of which is not. We anticipate that we will work within existing budgets.

**Lewis Macdonald (Aberdeen Central) (Lab):** I welcome the balance of the five strategic directions and the emphasis that you place on aspects other than the purely economic, essential though the economic aspects of forestry production are. I noted that the creation of new employment opportunities in rural areas is a priority for action listed under the strategic direction

"To help communities to use woods and forests to promote development".

As the committee is undertaking an inquiry into

rural employment, will you tell us the areas in which you are optimistic that new jobs will emerge?

**Mr Home Robertson:** At present, there are 10,000 jobs, about 7,000 of which are in forests and 3,000 of which are in sawmills. The output from our forests will double in the next 15 years, so there should be opportunities for further employment. We are also keen to examine ways of adding value to the timber that comes out of our forests. Far too much of our wood gets exported from Scotland, and far too much of the UK's wood is imported from outside—I am sure that everybody understands that we have a distorted market at present.

There must be opportunities for increasing the share of the timber that is used in Britain from Scottish forests and for adding value. That goes right across the board, not just for softwood, which we have in abundance, but for broadleaf and hardwood timber. There is a lot of potential.

I welcome the fact that Scottish Enterprise and Highlands and Islands Enterprise are actively considering ways in which to develop timber-based clusters in obvious areas, such as the south-west of Scotland and the Highlands.

**Lewis Macdonald:** I will put my constituency hat on and say that I regard that as very encouraging for the paper industry in Aberdeen. The added value that you referred to can be created in downstream manufacturing processes.

14:15

**Mr Home Robertson:** The potential is there, but we are in a difficult position at the moment because the world price of timber is at its lowest ever. Over the past four years, there has been a 40 per cent fall in the price of commodity timber. That gives rise to short-term problems.

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** I notice, minister, that one of the priorities in the strategy is

"To help communities use woods and forest to promote development".

That heading includes the aim to

"Increase opportunities for community consultation".

In West Aberdeenshire and Kincardine, controversy is raging over the use of the forest of Durrus by four-wheel drive vehicles. Community councils have led the complaints that local people have not been consulted about the developments in that area. I am pleased that you want to increase opportunities for community consultation because it is the Forestry Commission that is developing the use of four-wheel drive vehicles in Durrus, and the local community does not feel that

that is a good use for the forest. You say that you want to help communities to promote development, but do you really mean to help the Forestry Commission to maximise its profit margin?

**Mr Home Robertson:** We are keen on promoting community-owned forests where that is appropriate. It is important that there is a sense of ownership, pride and locality in the forests that are developed—that is central to the strategy.

Mike Rumbles wrote to me on that point and will have received a reply. Over the weekend, I had my ear bent on the same subject by a Labour party delegate from that constituency.

**Mr Rumbles:** The matter will be fresh in your memory.

**Mr Home Robertson:** I appreciate that there is controversy about that matter. In some remote areas of forest, there are opportunities to consider different uses, provided that they will not have an adverse impact on the environment or annoy local residents. It sounds to me as though Durris is not all that remote.

We all know about groups of young people who want to indulge in various sports that might not be appropriate close to people's houses, but which might be appropriate in some remote piece of forest. That is something that needs to be discussed by the local authorities and communities and the people who own the forest. I hear what you are saying, Mr Rumbles.

**Mr Rumbles:** Are you saying that you want to increase opportunities for community consultation? That is very important.

**Mr Home Robertson:** Yes. The strategy deals largely with new forests and changes in the management of forests. However, it also applies to the management of existing forests and to diversity in that.

**Richard Lochhead (North-East Scotland) (SNP):** Mike Rumbles has covered a couple of the points that I was going to raise. The vast majority of the members of the strategy working group that was mentioned are from quangos. To what extent do local communities have an input into the strategy?

**Mr Home Robertson:** There is a table in the document—it is not your fault that you have not seen it, as it has only just been passed round. Appendix 1, on page 79, provides a breakdown of the people who have responded to the document. You will note that 17 per cent of those people came from community councils. About 40 community councils have pitched in, but the table lists the percentages. We are encouraged by the breadth of the input that they have had, and we want a bit more.

**Richard Lochhead:** I was going to ask whether you were satisfied with the response that you have received from local communities. Do you envisage any limit to the community ownership of forests? The Forestry Commission would not be happy if lots of communities wanted to take over ownership of their local forests.

**Mr Home Robertson:** I favour the principle of community ownership, but we need to be a little careful. The management of forests is a long-term business; it is quite complicated and requires resources and expertise. We should be careful in encouraging groups of local enthusiasts to take over land. There are some good examples of community forestry in central Scotland—I am pleased to see that Cathy Peattie is nodding her head, as some of those examples are in the Falkirk area—and we would like to develop that concept.

**Alex Fergusson (South of Scotland) (Con):** Minister, I am sure that you will agree with me—

**Mr Home Robertson:** Do not bank on it.

**Alex Fergusson:** You are doing so more and more often, I have noticed.

I am delighted with two things in this report. The first is the emphasis on the problem of transporting timber; the second is the absolutely correct resolve to add value wherever possible in Scotland and, I hope, in the region in which the timber is produced. The more value that is added to a product close to where it is grown, the easier it will be to solve the problem of transport. Obviously, the less transportation that is involved, the better for everybody concerned—particularly if, as you said, timber production will double over the next 15 years. How do you envisage that happening?

**Mr Home Robertson:** To get the timber from the forest to the end user will necessitate transport. At present, we are harvesting 4 million cu m of timber a year in Scotland—that is 4 million tonnes of timber coming out of our forests. Of that, 95 per cent is being moved by road. You do not need to be a genius to work out that that involves an awful lot of truck movements. The vast majority of that is made up of round logs that are coming out of the forests and going all the way to the mill. Value is added to it later, by making it into paper pulp or structural timber.

I agree with Alex Fergusson. This is embarrassing; we are going to have a love-in if we are not careful.

**Alex Fergusson:** Do not panic.

**Mr Home Robertson:** We should seek to develop opportunities to add value to timber in the forest areas at every opportunity. In the case of paper manufacture, in which high volumes of

timber are involved, it is not possible to locate production near every forest. That must be managed strategically.

Last week, I attended a conference in New Lanark on the better use of Scottish hardwoods. We are encouraging more planting of hardwoods; as many broadleaf trees are being planted in Scotland as softwoods. That must be good news for the landscape, as well as for the potential value of what is being produced. At present, far too much of the hardwood that is cut goes up the chimney as firewood. A lot of that wood could be used for furniture or structural timber—or furnishings in Parliament buildings, for example. I was encouraged to see so many architects at the conference—it was very well attended and there was a lot of enthusiasm. A lot of quality businesses are coming in to this field and we need to encourage them.

**The Deputy Convener:** I do not know whether that says something about the time scales for the Parliament.

**Alex Fergusson:** If Señor Miralles was there, we can worry.

**Mr Home Robertson:** Do not worry—there is a big enough stockpile of good hardwood.

**Irene McGugan (North-East Scotland) (SNP):** I want to underline the fact that it is very difficult to discuss this strategy in any detail today, given that we received the document only 10 minutes ago. I am a little concerned that MSPs are not getting sufficient opportunity to have an input.

Bearing in mind the fact that forestry and timber products need all the promotion that they can get, has the Executive given any thought to having a more high-profile launch and to discussing the draft strategy document as part of the business of Parliament, as has been the case with other draft strategies? Why has that not happened with the forestry strategy?

**Mr Home Robertson:** This is a committee of the Parliament, and we are bringing the strategy here, which seems to me to be giving you your proper place. I apologise for the fact that you did not get the full document first thing this morning—that will have been because of a misunderstanding somewhere down the line. You should at least have had the Executive summary. Hardened veterans of politics will understand the problem. We know from bitter experience at Westminster that, if documents get circulated to committees several days in advance of meetings such as this, they almost invariably get leaked. That was why the decision was taken to make it available to the committee this morning. However, there has been a misunderstanding over whether you should have received the Executive summary or the full document. Lessons will be drawn from that.

**Irene McGugan:** I would say that even receiving it this morning did not allow us sufficient time. Some of us had committee meetings from 9 o'clock this morning until 1 o'clock and so would not have had the chance to consider it before 2 o'clock. I draw a comparison with what happened to the draft cultural strategy, which did not go to the Education, Culture and Sport Committee, but was debated fully in Parliament. Cynical people might say that rural issues are sometimes a little sidelined and do not get the high profile that other issues do.

**Mr Home Robertson:** I was anxious not to sideline your committee.

**Irene McGugan:** I have not had a chance to read this document, so perhaps David Henderson-Howatt or someone can answer this question. Where has consultation made the biggest impact in your strategy? What strategic direction are you taking that you might not have taken prior to consultation?

**Mr Home Robertson:** Right—how long have you got? There are fundamental differences between the opinions of the different interest groups. At one pole is the green environmental lobby, which gives total priority to landscape, environment, habitats and all the rest of it, and at the other is the purely commercial lobby, which just wants to produce as much timber as it can for as much money as possible.

The whole strategy is designed to knit those interests together and to take account of wider public interests. We were all aware of the various strands of opinion and of the different pressures from different interests. Our intention was to achieve a balance, and I think that, in this strategy document, we have done so.

I will ask David to come in here, because he has been directly involved in the consultation. Is there anything in particular that has been influenced heavily by representations from the public?

**Mr David Henderson-Howatt (Forestry Commission):** Those representations have been desperately important. If you compare the initial consultation paper with the strategy document, you will see that an awful lot of the meat of the strategy document comes directly from the responses to the consultation and from what we got out of our seminar in Dunkeld and other discussions. That sort of input from people on all sides of the argument—as the minister said—has been fundamental to the development of this document.

**Mr John Munro (Ross, Skye and Inverness West) (LD):** I welcome the basic thrust of the document. I have not had an opportunity to read through the full draft, but the summary is very helpful and explains many of the initiatives that the

Forestry Commission has promoted.

There is nothing new in what is being said, however. Between the two wars and following the second world war, the Forestry Commission greatly supported local communities in much of rural Scotland; it even provided homes and kept communities together. It has a strong tradition of co-operation in rural Scotland, which I am sure will continue.

The document talks about community support and I think that the commission has the support of the community in many of the areas in which it operates. However, I heard the minister say that he was pleased to support the Government's investment of £4 million in the transportation of timber. I was disappointed when he said that that would apply only in Argyll and Bute.

14:30

**Mr Home Robertson:** The investment is actually in Ayr. I should have said that. However, it will benefit Argyll and Bute.

**Mr Munro:** As Alex Fergusson said, the problem is that, as Forest Enterprise develops and the timber matures, shipping it to the point of use becomes a problem. What does Forest Enterprise intend to do to co-operate with local authorities to ensure that rural Scotland's road system is not torn apart by the extraction of heavy loads of timber? If roads were destroyed, it would be the first time that we would hear criticism of the activities of Forest Enterprise.

**Mr Home Robertson:** This is a complicated issue. There has been a huge increase in the amount of woodland cover in Scotland—at the beginning of the century, only 5 per cent of the land was covered by trees and now the figure is 16 per cent and growing. Production will double in the next 15 years and a huge volume of soft wood will have to be shifted.

Forty per cent of the trees belong to the Forestry Commission and the rest are in private hands. That means that the problem does not relate only to the Forestry Commission. We want to use alternative forms of transport where possible. At present, timber going from Kintyre to Troon goes all the way up the Mull of Kintyre, past the Rest and Be Thankful and down through Glasgow by road. The upgrading of the port facilities in Ayr that we talked about will allow the timber to be shifted across the Firth of Clyde. It might be possible to develop similar alternative transport arrangements elsewhere. Railheads could be developed where there are railways. The Argyll timber transport group, which draws together the local authority and the forestry interests, is doing work on the matter and there are similar initiatives elsewhere in Scotland. As the husband of a Scottish Borders

councillor, I am well aware that that local authority is concerned about the effect of freight on bridges and roads. I have no doubt that the damage to the road system is worse in Mr Munro's constituency.

There are innovative ways to solve the problems of freight. There is no need for all freight to go by public roads. Sensible co-operation between neighbouring estates can enable forest roads to be developed. There is scope for innovation.

**Mr McGrigor:** I saw the first load of timber—1,000 tonnes of it—going into Ardrishaig the other day. The only problem was that it was loaded on a Sunday and there were complaints about the noise.

You mentioned the freight facilities grant for Ayr. However, one of the main problems the whole way up the west coast to Ross-shire and islands such as Mull that have a lot of timber is that the piers and facilities are in very poor repair. Are there any plans to use more of the freight facilities grant to repair some of those facilities?

**Mr Home Robertson:** If I start giving spending commitments, I will get into all sorts of trouble with Jack McConnell. I cited an example of what Sarah Boyack was able to announce on the freight facilities grant, which was to upgrade the port facilities to make it possible to handle timber. That device is available; however, it is a limited budget and will have to be dealt with in accordance with appropriate priorities.

**Mr McGrigor:** Has the whole grant gone to Ayr?

**Mr Home Robertson:** I am not sure whether this project is in Ayr or Troon.

I have just been advised that it is in Ayr.

**The Deputy Convener:** Certainly in the Ayr constituency.

**Mr Home Robertson:** You have a nasty, suspicious mind, convener.

This project facilitates the shifting of timber from Argyll to mills in Ayrshire. However, it is only one project; there is nothing to prevent people from setting up other projects in other parts of Scotland. In fact, we would encourage people to do that.

**The Deputy Convener:** Was that your first or second question, Mr McGrigor?

**Mr McGrigor:** That was my first question.

I was very pleased to see that attention has been given to integration in the forestry strategy. On page 4, the document says:

"Forestry should fit well with other rural activities in Scotland, such as agriculture, conservation, deer management, fishing".

Perhaps I should declare an interest. For a long time, I have had a hill farm in an area with a lot of

forestry and some deer. There seems to have been a change in forestry policy on fencing, in that people are no longer fencing large areas of forest to keep deer out. In the past, a lot of money was made out of deerstalking in forestry areas. Although the current policy on deer is not exactly mass slaughter, it seems that not as many deer are wanted in the plantations as before. People now appear to be putting up stock fences instead of deer fences; deer jump over those fences, get into forestry areas and are shot. They are leached off open hill areas where they are used to supplement farmers' income.

I was very surprised not to find that area of tension addressed in the document, as it has been raised with me by deer groups and other individuals. Can you outline your policy on deer management?

**Mr Home Robertson:** I think that it is an area of tension in some places. However, the fundamental point is that it is a waste of time planting young trees if they are simply going to be scoffed by grazing deer.

**Mr McGrigor:** May I butt in just there? My point was that deer fences used to be erected, but now stock fences are being put in their place.

**Mr Home Robertson:** We will have a seminar on capercaillies in a minute, if you can stand it. Environmentalists are very concerned that deer fences are killing capercaillies. I have yet to see a capercaillie, but I live in hope; it is a remarkable bird, which is unique to Scotland. However, the trouble is that they fly low along rides in forests and if there is a deer fence in the way, they commit suicide on it.

**Mr McGrigor:** In Argyll and Bute—

**The Deputy Convener:** Please let the minister finish.

**Mr Home Robertson:** We are under pressure from environmentalists and people concerned about capercaillies to minimise the number of deer fences and to take down deer fences that are no longer required because trees have grown up. I am not sure whether I have answered your question, however—try again, if you like.

**Mr McGrigor:** I want to know from Mr Henderson-Howatt what the deer strategy is, so that I can tell people who ask me about it whether or not there is a slaughter policy.

**Mr Home Robertson:** Deer need to be controlled. We have been advised that the population in the areas that we are talking about should be in the region of five animals per 100 hectares, which is fairly thin stocking. Deer also need to be managed. That is a matter for Deer Commission, rather than for us.

**Mr Henderson-Howatt:** The red deer is naturally a woodland animal, and in many of the forests we now have resident deer populations. In a sense, the presence or absence of a fence is immaterial—there would be deer in the forest anyway. As the minister said, it is our policy to get numbers down to the level of about five per square kilometre. That involves significant culling to protect the forest.

I am aware of the concern that exists about neighbouring estates. There is some dispute over the so-called vacuum theory—the extent to which, by killing deer in one place, one is sucking them in from another place.

**Mr McGrigor:** That is what is happening. The deer jump over the little stock fences and are shot, because there are additional deer in the area. There is a leaching process. What is your policy on that?

**Mr Henderson-Howatt:** Our general policy is not to deer-fence unless we have to—to control deer in the forest and, critically, to work closely with the Deer Commission and on deer management groups, so that as far as possible local problems can be dealt with locally.

**Cathy Peattie (Falkirk East) (Lab):** It is good that the report has come to this committee. There is a lot in it, and I would like an opportunity to debate it more in the future. It will not surprise you that I am particularly interested in the community benefits aspect of the report, which is where it differs from the reports that I have seen in the past. Am I right to assume that community ownership comes with support for training and that communities will be helped to examine development possibilities? Cowie Woodcutters in Stirlingshire, for example, is a professional and well-run community business. Community ownership has been very important for economic development in that area.

**Mr Home Robertson:** Cowie Woodcutters is a good example of what can be done. Woodlands do not have to be limited to vast areas in the Highlands and Galloway. We are keen to have more woodlands in lowland areas and in central Scotland, close to urban areas. Community benefit extends right across the board. It includes the creation of employment, which Alex Fergusson mentioned. When we plan forestry developments, we want to seek to ensure that there are spin-offs for the local community. There are also indirect benefits. By enhancing the landscape, we improve the quality of life of the people who live in the area, raise property values and help other industries such as tourism. It is not enough simply to consider the cash value of a tree trunk. Forestry developments have many other benefits, which we need to take into account and work up.

**Cathy Peattie:** Do you agree that communities need support, advice and expertise in doing that?

**Mr Home Robertson:** Yes, and that can be made available. There are a number of examples, particularly in the area that Cathy Peattie represents, of local communities and voluntary organisations showing an interest in working up woodlands, perhaps in association with local schools. Advice is available and we are keen to co-operate.

**Rhoda Grant (Highlands and Islands) (Lab):** I want to return to the question of landscape. The document talks about developing forests of mixed species and encouraging alternatives to clear felling. Twenty or 30 years ago, when much of the woodland that is maturing now was planted, no consideration was given to what it was going to look like; trees were simply planted in great swathes throughout the countryside. Now that those forests are being felled, the same problems are being created all over again. The fact that they do not look very nice does not help tourism. Will there be an attempt to ensure that new forests fit in with the countryside in which they are being planted?

**Mr Home Robertson:** Better planning is dealt with in the document, and we would like communities and local authorities to be involved in planning. Instead of the Forestry Commission or a private woodland owner simply acquiring a slab of land and planting it with one species of trees from fence to fence and from horizon to horizon, we want forests to be planned in such a way as to blend in with the landscape. Planting a variety of species is beneficial to the environment, protects watercourses and provides a habitat that encourages wildlife.

That can be done, and much has been learned. My friends in the Forestry Commission—or their predecessors—may have had rather a bad name about 20 years ago because of the blanket approach to forestry, but we have come a long way since then. Anyone who has seen recent plantings and forestry redevelopments will acknowledge that the landscape is being looked after far better, and we can take that principle further.

14:45

**Richard Lochhead:** I have been quickly turning the pages of the strategy document, trying to get to grips with it. The success of forestry in Scotland depends on wider economic circumstances and external forces such as the strength of sterling, which leads to cheap imports that our industry must compete against, and the cost of road fuel. Both those factors will influence the Executive's ability to deliver the strategy successfully. Is the

Executive considering those matters and putting pressure on the Chancellor of the Exchequer to ensure that we can deliver a successful forestry strategy in Scotland? If there are inappropriate fiscal policies, the best strategy in the world on paper will be difficult to deliver in practice.

**Mr Home Robertson:** There is more to the issue than the Chancellor of the Exchequer in London. Factors that extend well beyond the European Union affect our industry. A huge volume of timber is becoming available in Russia and the Baltic states, where labour is cheap, there are no controls over felling, transport is less of a problem and people are desperate to get foreign exchange at almost any price. It is virtually a dumped commodity that is coming on to the market—at least in some cases—and that is why timber prices have collapsed in recent years, which is a big problem.

Having said that, I and the other UK forestry ministers—Elliot Morley, Christine Gwyther and whoever will be in charge of forestry in Northern Ireland in due course—talk to our colleagues in the Treasury about relevant aspects of fiscal policy. However, I am sure that members do not expect me to go into details about that now.

**Richard Lochhead:** You can if you wish.

**Irene McGugan:** You said that there were many representations in response to the consultation exercise from the industry and from the environmental sector. That is reflected in your two external assessors, one of whom represents the industry and the other of whom is an environmentalist. What priority is being given to rural development and community forestry? I can find only one and a half pages in this 84-page document that refer to that. I accept that threads of that aspect of forestry run throughout the document, but I can find only one mention of community aspirations and developing communities.

**Mr Home Robertson:** As you acknowledge, community development runs throughout the document, and it needs to. As forestry minister, it is my job to ensure that rural development runs through all aspects of forestry policy. The Forestry Commission regards that as a major priority, as do Highlands and Islands Enterprise and Scottish Enterprise.

**Mr Henderson-Howatt:** Historically, the initial priority of the Forestry Commission after the first world war was timber production. About 20 years ago, environmental issues started coming on to the agenda, and we have learned a lot in those years. I understand Mr Munro's earlier comments, but I suspect that community issues have come on to the agenda more recently, in the past five years or so. The volume of words, so to speak, in the

document is partly a reflection of that, and I suspect that we have most to learn about those issues.

**Lewis Macdonald:** Minister, can you give us some clarification about the timetable that governs the strategy? I note that the deadline for responses is June 2000 and that you intend to publish an action plan on the forestry industry cluster by October. Will a revised strategy be published following the consultation on the draft strategy? If so, is it likely to be published in October or sooner?

**Mr Home Robertson:** We are committed to publishing the formally adopted strategy this autumn. As members acknowledged already, the consultation exercise has been fairly protracted, with the stage 1 document, meetings and consultations. We are now entering the final stage.

It has not been just a cosmetic exercise—we really want to listen to people's views on these issues. There is not much time left, as I have just been reminded that the deadline is 6 June. At that stage, we will distil the points that have come in and tie them in with the draft strategy, formally adopt a strategy and that will be that.

**Lewis Macdonald:** On the basis of your previous answer to Irene McGugan, you may well strengthen the community aspects of the strategy.

**Mr Home Robertson:** Sure.

**Mr Rumbles:** I have now had a chance to flick through the 84-page document—

**Mr Home Robertson:** I am impressed.

**Mr Rumbles:** I refer to my earlier question about Durris, which I want to widen out, because it is a major issue. We talked about forests in the Highlands and Islands, and you mentioned the fact that you wanted to talk about woods and forests that are closer to urban centres, so I will use the example of Aberdeen.

On page 35 of the document, you say:

"There is a clear need to widen opportunities for woodland access especially by bringing woodland nearer to people".

I am not quite sure what that means, although I thought of Macbeth—woods to Dunsinane; but never mind. [*Laughter.*]

**Mr Home Robertson:** That came to a bad end.

**Mr Rumbles:** Your priorities for action include:

"To create opportunities to enjoy trees, woods and forests

- Provide woodland recreation opportunities near towns.
- Improve availability of information about opportunities."

A priority is the peaceful enjoyment of woodland

that is close to cities.

When I was flicking through the 84-page document, I tried to find references to commercial developments that are not related to woodland, but I could not find any. I am thinking particularly of the commercial four-wheel drive enterprise in Durris forest as an example. The closest to that is found on page 24, when you talk about niche markets and non-timber sources of income. Paragraph 2.2.23 is the only one that refers to that:

"Woods and forests can also generate income from non-timber sources. The market for some activities, such as game shooting, is well developed. Others, like the sale of permissions for filming, for military training, or for various sporting events are necessarily opportunistic."

I accept all of that—it is good. However, while I have had only a few minutes, I cannot find anything in the document that relates specifically to commercial developments, such as the four-wheel drive enterprise in Durris forest.

I know that you would not give spending commitments, but I would like a commitment from you to consult if you are to go down that route, although I am pleased that the document does not say that you will do so. However, if you go down that route, please will you give your commitment to consult local community councils and local communities? Such commercial developments are a major issue in my constituency and have implications for elsewhere.

**Mr Home Robertson:** I think that I have gathered your point that it is a major issue in your constituency.

**The Deputy Convener:** We have all picked that up.

**Mr Rumbles:** But it has implications for elsewhere.

**Mr Home Robertson:** I am sure that colleagues on the committee from all parties will appreciate the Executive's land reform agenda, which is about access to the countryside, including access to forests—we are keen on appropriate, responsible access to the countryside. Indeed, Forest Enterprise has an excellent record of encouraging recreational use of forests, with car parks, forest trails, orienteering and a range of initiatives to encourage people to enjoy their forests. That is good, I am keen to see it develop and I would like private owners to take up similar policies.

Mr Rumbles mentioned a particular type of alternative use.

**Mr Rumbles:** As an example.

**Mr Home Robertson:** There might be areas where such a use is appropriate. I am not saying

whether Durriss falls into that category, because I honestly do not know enough about it. Your specific question was, "Should there be appropriate consultation?" There certainly should be.

**Mr Rumbles:** Is that a commitment to carry out consultation if the developments that we have discussed occur?

**Mr Home Robertson:** I can give commitments only on behalf of Forest Enterprise, which we own.

**Mr Rumbles:** That is all that I am asking for.

**Mr Home Robertson:** What the private owner of a forest does is up to them, but for the enterprises that we have talked about, there should be wider consultation involving local authorities, for example—it sounds like a change of use of land.

**Mr Rumbles:** But there is a commitment to consult people—in your document, you are committed to do so.

**Mr Home Robertson:** I can commit myself only for future developments; there is not a lot I can do if something is already going on.

**Mr Rumbles:** I was asking about future developments.

**The Deputy Convener:** If there are no other questions, I thank the Deputy Minister for Rural Affairs and his team for answering a fair number of questions. We might wish to return to some of the points that we have discussed, either collectively or individually, after we have had time to digest the report. It seems that two broad possibilities are before us. We might want to take a stance on the consultation document. Alternatively, we could wait until the public consultation is completed and request a report on that consultation from the Scottish Executive. It is the latter approach that we have taken in the past, on similar documents. Do members have any strong feelings on that issue?

**Lewis Macdonald:** The view has been expressed by several members that we would want more detailed consideration of the strategy. Judging by the comments that have been made, I think that there is general welcome for the principles included in the strategy. I wonder whether we might want to make our consideration of it part of our future business for a later agenda.

**The Deputy Convener:** Fair enough. Would members like to consider that under future business?

**Members indicated agreement.**

**The Deputy Convener:** The convener has returned to the room at an appropriate moment, as we are just about to move on to item 2.

**The Convener:** Good.

## **Sea Fishing (Enforcement of Measures for the Recovery of the Stock of Irish Sea Cod) (Scotland) Order 2000 (SSI 2000/26)**

### **Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (Scotland) Order 2000 (SSI 2000/34)**

**The Convener:** Item 2 on the agenda starts with subordinate legislation laid under the negative procedure. That 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 today's discussion is to examine the instrument. The deadline for parliamentary action is 23 March.

We have with us David Ford and Andrew Brown, who can speak to both fisheries instruments.

Are we to be addressed by the Deputy Minister for Rural Affairs on the subject?

**Mr Home Robertson:** I thought that it would be discourteous of me to walk out at this stage. Both statutory instruments arise from points that were negotiated at the December meeting of the Fisheries Council in Brussels, on the recovery programme for Irish sea cod, and on a whole range of total allowable catches and quotas.

I will now hand over to David Ford and Andrew Brown to deal with the details.

**David Ford (Scottish Executive Rural Affairs Department):** I will deal with the Irish sea cod stock recovery plan. In your papers you have an entertaining map showing a complicated horseshoe of closures. The reason for this order is the poor state of Irish sea cod stocks. The scientific advice was that they were in imminent threat of collapse, so at the December Fisheries Council the Commission and Council made a joint statement noting the situation and calling for a recovery stock plan to be introduced as soon as possible, and for most emphasis to be placed on protecting spawning stocks this year.

The Commission produced regulation 304/2000, a copy of which is included in your papers, which provides for a 10-week closure in the area that is shown on the map to prevent fisheries that are directed at cod. This order brings that regulation into Scottish legislation. If members have questions, I can provide more details.

15:00

**The Convener:** Are there any questions about

the order or the explanatory documents?

**Richard Lochhead:** I have no questions, but I would like to make a few quick comments. I think that we all welcome these measures. It is worth drawing attention to the fact that it is the fishermen who have made much of the running on this. In January and February, there were a number of meetings of the industries of the Irish Republic, Scotland, England, Northern Ireland, France, Belgium and the Netherlands. That was a good working model for zonal management, which is being promoted in the European Union. We should congratulate the fishermen on taking the initiative and working together. Fishermen are often criticised for not working together, but this is a shining example of co-operation.

**Lewis Macdonald:** I wish to add congratulations to the Executive for responding in such a positive way. What are the consequences of this order, which provides for the enforcement of measures and introduces penalties? The order requiring fishermen not to catch cod in these areas was introduced some weeks ago. Have any breaches of the regulations been recorded?

**David Ford:** I am not aware of any breaches. Mr Lochhead is right. Because the fishermen were involved in the gestation of the plan, there is a reasonable level of acceptance of the measures.

**Mr Home Robertson:** Scottish fishermen never break rules anyway, do they?

**The Convener:** It has been suggested that we should ask about the status of the map and whether it represents the closure zone accurately.

**David Ford:** The map was drawn with crayon and is unofficial. The European Commission regulation sets out the co-ordinates and is the most accurate reference. It is not possible to be accurate on an A4 map.

**The Convener:** I understand that the map has appeared on the website.

**David Ford:** I think that it is acceptable as an illustrative guide, but one should not rely on it for guidance.

**Alex Fergusson:** Ten weeks seems a very short period to allow a significant recovery of the cod stock. I am ignorant about this matter and would like to be enlightened.

**David Ford:** I will do my best. That period was chosen because that is when cod are spawning. There is only a risk when cod are dropping and fertilising their eggs, which occurs only for a short time. For some reason, that period traditionally starts on Valentine's day.

**The Convener:** That seems appropriate.

**David Ford:** It is hoped that after 10 weeks, the

eggs are hatched and everything is okay.

**Alex Fergusson:** It is nice to know that cod, too, have romantic illusions about Valentine's day. Is it likely that an order like this one will be imposed annually for five or six years, or is it hoped that one year will be enough?

**David Ford:** We would be very lucky if one year were enough. It is probable that the order will have to be reimposed next year, but maybe two years will be enough. We hope that there will not be such a rush next year and that you will have more time, to allow the 21-day rule to be adhered to, for example.

**The Convener:** If there are no further questions, I will assume that members are content with this proposal. Is it agreed that the committee will make no recommendation in its report to Parliament?

**Members indicated agreement.**

**The Convener:** I ask Andrew Brown to explain briefly what the other order is about.

**Andrew Brown (Scottish Executive Rural Affairs Department):** This is a routine order that must be renewed annually. It flows from the regulations that establish total allowable catches and quotas, which were agreed at the December Fisheries Council. Essentially, the order provides British sea fisheries officers with powers to enforce various aspects of that regulation and the penalties that are implemented in cases of infringement.

The powers of the sea fisheries officers are analogous to those that this committee considered recently in the control order, and the penalties are analogous to those in the Sea Fisheries (Conservation) Act 1967, as amended. The order establishes no new powers or penalties; it is routine. The scope of the order covers the activities of Scottish vessels and all vessels in the Scottish fishing zone, including third country vessels from the Faroe Islands and from Norway, with whom we have reciprocal access agreements.

That summarises the order, although I am prepared to answer questions if the committee has any.

**Lewis Macdonald:** It is worth noting that this is the first formal opportunity that this committee has had to touch on the December Fisheries Council, and to note that it produced positive results that received a widespread welcome in the Scottish fisheries industry. I welcome that, and hope that the committee will approve this order.

**Mr Home Robertson:** I would like to chip in with two quick points. The first follows up what Richard Lochhead said earlier about the input of the fishing industry into conservation initiatives. This order is

one example of such input, and provides a useful trade-off. We have taken more haddock from the North sea than we expected to, largely because we were able to negotiate technical conservation measures, which we will consider at a future date. Those measures enable us to protect juvenile stock in the North sea. Because our industry was keen to agree to that kind of conservation initiative, a trade-off has been negotiated of an extra 8,000 tons of haddock from the North sea this year. So there is a positive story behind this order.

The second point that I would like to make, very briefly, is that you have before you two people who carry out a lot of hard work for the industry in my department, in detailed negotiations on our fishermen's access to fish stocks around our coast and elsewhere in EU and UK waters. I am impressed with them.

**The Convener:** Thank you. If there are no further comments on this order, are members content with this proposal? Can we conclude that the committee wishes to make no recommendation in its report to Parliament?

**Members indicated agreement.**

**The Convener:** I take the opportunity to thank the Deputy First Minister—

**Mr Home Robertson:** No, not quite.

**The Convener:** Sorry—the Deputy Minister for Rural Affairs, or the minister with responsibilities for forestry and fisheries. I have now given you three titles. I also thank David Ford and Andrew Brown for giving us the benefit of their expertise in explaining the nature of these orders before we took the decision on them. Thank you very much for your assistance, gentlemen.

## European Documents

**The Convener:** The next item on the agenda is the European documents that have been circulated to the committee. They should have been circulated with the papers last week. Have members had an opportunity to read through those documents, and are there any comments on them?

The documents relate to proposed regulations on the registration of bovine animals and the labelling of beef and beef products. That is an on-going issue and I have a substantial mailbag of comments. I am concerned about the way in which the regulations will eventually be interpreted.

**Alasdair Morgan (Galloway and Upper Nithsdale) (SNP):** As you say, convener, there are some problems with the documents. The European Scrutiny Committee in the House of Commons is not happy with them. We have all had correspondence from farmers, in Orkney and elsewhere, who are worried about regional and Scottish labelling. I would like more explanation of the possible effects of the proposed regulations.

**The Convener:** When the European Committee considered the documents on 25 January, it decided to defer the matter and request further clarification. Is it necessary for us to see that clarification?

**Lewis Macdonald:** Yes.

**The Convener:** Should we take some evidence on the documents? The current voluntary label scheme arrangements have been extended to 31 August. The voluntary scheme was to have been replaced by a compulsory scheme on 1 January. The date of 31 August gives us some scope, but we will need to be well within the time scale to have an active input.

**Lewis Macdonald:** It would also give us the opportunity to see the clarification and decide whether we want witnesses.

**Richard Davies (Clerk Team Leader):** We circulated two Scottish Executive covering notes. The first note is dated 23 December and was considered by the European Committee in January. The committee asked for further clarification, which is contained in the second Executive cover note, which begins:

“Regarding SP470, we are sorry that our original note caused some confusion”.

That note was submitted in February.

**Lewis Macdonald:** Is there another note to come?

**Richard Davies:** Not at the moment.

**Mr Munro:** Everyone thinks that we should be pretty rigid about having clear and unambiguous labelling. In spite of the efforts of departments to ensure clear and distinct labelling, it is not happening to any great extent. The wording of some labels is deliberately framed to confuse.

**Cathy Peattie:** I do not think that the documents clarify the issue. I would like further information before making a decision on the matter.

**The Convener:** I would be interested in other views on that. We might ask someone to come before the committee to explain and interpret the documents and to answer our queries.

**Richard Lochhead:** That is a good idea.

**Alex Fergusson:** I would be unhappy about making a decision based on the information that we have at the moment. We all have questions.

**The Convener:** I have spoken to several people who have clearly misinterpreted parts of the document. That is why we must be extremely careful. Do we have any suggestions concerning whom we should invite?

**Richard Davies:** We should leave it to the Executive to find an appropriate official to come to explain the documents.

**The Convener:** In that case, we will continue with that at the earliest opportunity.

## Petitions

15:15

**The Convener:** Petitions PE96 and PE99 refer to sea-cage fish farming, and petition PE97 refers to agricultural support. I understand that those petitions have been circulated for information and will not be discussed at this meeting.

The petition that is on the agenda for this meeting is PE98, on the subject of rural post offices. All members should have the paperwork in front of them. The nature of this petition is clear: it relates to the items that were reported in *The Express* in early February. It begins:

"I, the undersigned, declare that according to the Daily Express 5/2/00".

We have all seen the paper. It is in front of us. I invite comment on the subject that the petition covers before we decide what we want to do.

**Lewis Macdonald:** We all acknowledge the importance of rural post offices, and Parliament has debated the issue recently.

The first thought that I had when I read this paper was that I had to question the Public Petitions Committee. It seems extraordinary that a note of this sort, reflecting on a newspaper article that was written by a single individual with an urban address—although, as a representative of Aberdeen, I would not regard that as a disqualification—should be regarded as a petition to the Parliament, to be referred to us to spend time on.

If a petition was submitted to the Parliament from a significant number of users of rural post offices, we would expect it to be referred. However, this seems an extraordinary way in which to interpret the remit of the public petitions process.

**The Convener:** Am I not right in thinking that Irene McGugan was heavily involved in the original article? Were you not quoted in that article, Irene?

**Irene McGugan:** No.

**The Convener:** I am sure that several members of the Parliament were quoted.

**Lewis Macdonald:** We need to put in place some kind of quality check on what is referred to us by the Public Petitions Committee. This petition would fail such a quality check on several counts.

**Mr Rumbles:** Would it be helpful for you, as convener, to convey those remarks to the convener of the Public Petitions Committee?

**The Convener:** That view is definitely widely held in this committee.

We discussed the issue of rural post offices recently and agreed that it should be covered in our wider inquiry. Anyone who wants to add a comment on the subject of rural post offices may do so now, but we have discussed it recently.

Is it the committee's view that the nature of this petition is questionable, and that it seems simply to take a newspaper article and present it back to us, supposedly in the form of a petition? The way in which the public petitions system is being interpreted and used by certain individuals causes me concern.

**Cathy Peattie:** When is a petition a petition, and when is it a letter from someone? Members of this committee will have been involved in gathering signatures for petitions. I do not believe that a letter from someone could be regarded as a petition. It does not give the weight to an issue that would be given by a petition from people in a community who feel very strongly about it. At the moment, a person can write a letter that will be given the same weight as a petition.

**The Convener:** That is probably an issue for the Public Petitions Committee, and perhaps I should suggest in my reply that that committee should interpret the contents of a petition.

**Mr Rumbles:** As this petition has been presented to the Rural Affairs Committee, could we ask one of the clerks to write back to the petitioner, quoting the motion that the Parliament debated, to inform him that we consider the matter to have been dealt with by the full Parliament six days ago?

**The Convener:** Our reaction to the petition must be that the matter has been on the Parliament's agenda and on that of this committee recently. We are right to say that it is one of our priorities and that we have been working on it already.

**Richard Davies:** I remind the committee that the Parliament's standing orders say:

"A petition may be brought by an individual person, a body corporate or an unincorporated association".

Therefore, the number of people signing a petition is not critical to its validity, although that does not address its quality.

**Lewis Macdonald:** The Public Petitions Committee may wish to consider amending the standing orders.

**Richard Lochhead:** Or, as Cathy Peattie suggested, it may wish to clarify the definition of petition.

**The Convener:** That might be worth doing, but we will respond to the Public Petitions Committee

in the way that we have described.

**Alex Fergusson:** The covering note says that the Public Petitions Committee felt that some of the issues raised—although only one issue is raised—could be examined in the course of the committee's inquiry into the impact of changing employment and so on. As we would not conduct much of an inquiry if we did not take that sort of issue into account, I do not think that that is a reason for us to discuss this petition in detail.

**The Convener:** We are satisfied that we have dealt with that petition.

## Future Business

**The Convener:** A paper has been circulated that gives a great deal more information on what is likely to come up under future business, which has been arranged into three groups—A, B and C.

Item A carries on from the item that we discussed in private at a previous meeting and, in my view, it would appropriate to take that item in private once again. Item B refers to the timetabling of a number of inquiries and bills. Is it the committee's view that that item should be taken in private as well?

**Members** *indicated agreement.*

**Mr Rumbles:** May I ask why?

**The Convener:** I am putting that view to the committee.

**Mr Rumbles:** I only ask why we should discuss that item in private.

**Richard Davies:** I made that suggestion to the convener because the paper discusses possible timetables for bills that have not formally come before the committee. They are purely speculative, as giving publicity to the timetabling of bills before decisions are made could mislead the public.

**The Convener:** Item C refers to bids for committee time in the chamber. Unless members wish to express a view to the contrary, we could safely take that item in public. Therefore, I propose to take item C in public now and then move into private session to conclude today's business.

Item C refers to bids being sought for use of committee time in the chamber. A description was given of the qualifications and qualities that are required for a suitable bid, and I understand that the Parliamentary Bureau seeks business on which committee reports have been produced already.

**Lewis Macdonald:** While we have discussed the forestry strategy, people were looking for opportunities for further debate on and a higher profile for that issue. Would it be in order and appropriate for a strategy of that kind to be proposed as committee business by the committee? The committee might come to the view that that strategy requires more public or parliamentary attention. Would it be in order, or possible, to bid to use our time to discuss either the strategy consultation that is before us or the report on the consultation when that is published?

**Richard Davies:** To make a bid for time in the chamber, the committee would have to have taken a position on the matter and have produced a report to the Parliament upon which the debate could be structured.

**Lewis Macdonald:** We are not simply talking about an opportunity for a parliamentary debate on a subject that might not otherwise get that opportunity; it is effectively a report from this committee that we are submitting to the Parliament for approval.

**Richard Davies:** Yes.

**Alex Fergusson:** Do we definitely get time for debate? Do we know anything about the time scale?

**The Convener:** We have to bid for it, and put forward a proposal.

**Rhoda Grant:** Could I suggest that we do not bid this time? A couple of weeks ago, we spoke about hanging fire until we get our first main report on employment patterns in rural areas completed, before we bid for time for debate.

It is a good idea to use the report and give it an extra push when it comes out. I feel strongly about that. We have put it at the top of our agenda; it has always been at the top of our agenda. We may have done other things in between, but a debate would give us a good platform to launch the completed report, although the report may be finished when we go into recess and the debate might be after the recess.

**Richard Lochhead:** I am delighted that this item has appeared on our agenda, and I think that we should bid for time as soon as possible. The subject is important to this committee. We have had a number of reports. Three of them are mentioned on the piece of paper before us. I am of the opinion that we should look for time in the chamber to discuss again the issue of the fishing boundary, and I would be happy to say why.

One of the unfortunate things about the reports that we put together is that we simply lay them before Parliament and that is that. In the report on the fishing boundary issue, however, we made recommendations, as do other committees, one of which was to the Secretary of State for Scotland.

John Reid is on record as responding to the report, saying that he read it very carefully and found nothing new to change his mind about the boundary issue. Given that this committee spent a lot of time investigating the issue and putting together what was a very detailed and considered report, I feel that we deserve a much better response, and that this committee should not give up on this issue. If a constituent came up to one of us as an MSP with a case, we would not simply give up on it at the first hurdle. I think that we should adopt a similar attitude as a committee with this particular report.

I therefore suggest that we bid for time, that we choose this matter as our subject and that we ask the Parliament to endorse this committee's report.

**Mr Rumbles:** I am sure that everyone is aware that 16 committees bidding for six half-days of debate in a year is not a lot. I am most loth to take Richard Lochhead's suggestion because the Parliament has already had a debate in the chamber on the issue of fishing boundaries. We have already had a full debate on it in this committee and have put out our report.

I think that it is far more important that we carefully consider our opportunities to address major issues that we have not already debated. It would be a shame if we backtracked, as Richard Lochhead is suggesting. I think that it is not appropriate at the moment to make a bid. We need to wait until we have a substantial report such as the one that we are about to undertake. I agree with the comments that Lewis Macdonald and other members have made.

**Richard Lochhead:** Can I come back on that point?

**The Convener:** I will call Lewis Macdonald first, then I will ask Richard to comment.

**Lewis Macdonald:** I support Rhoda's proposal. It has been a concern for a number of members of this committee that the short-term issues that sometimes attract attention for a day or two seem to take precedence over our real, substantial, long-term work. We should ensure that the signals we send out to Parliament through the business that we seek to have discussed in the chamber reflect the committee's priorities. The committee's first established priority is our inquiry into rural unemployment.

I would rather do as Rhoda Grant suggests and put in an early bid for time soon after the recess to discuss the substantive results of a substantive report on an issue that has not received the same consideration in Parliament as some of the others that have been mentioned. I think that all three items that are listed as committee reports have been discussed in Parliament during members' business. That is as it should be. It is right that the committee should seek time for a debate on what we consider to be our top priority, which is this inquiry. We should seek the same opportunity when our inquiries into fisheries and agriculture are complete, rather than use committee time to deal with other matters that can be raised during members' business.

15:30

**Richard Lochhead:** To my knowledge, very few reports from committees are before the Parliament, so we would have a good chance of getting more than one debate over the next year or so. We have the choice between bidding and not bidding for a debate in Parliament. I do not believe that this is a short-term issue; that was

recognised in the report.

I want to answer Mike Rumbles's point about going over old ground. There was a vote in Parliament in June last year, but we still took the decision to investigate the issue and produce a report. For good reasons, we did not take the view that because the issue had been voted on in Parliament, we should drop it. Because we put so much effort into the report and because every member of the committee believes that this is a very important issue, it deserves a better response than the one we have received. We can get that only by securing committee time in the chamber and asking Parliament to endorse the report.

**Alex Fergusson:** If bids are being sought, we should put in a bid for time. There is nothing to stop us doing that every time bids are sought. I have never been happy with the response to one of the first serious reports the committee produced, on which we spent considerable time. I would be happy for us to bid on that subject. That does not stop us bidding on any other subject in the future. Every time there is a round of bidding, we should be seen to take part.

**Mr Rumbles:** If we put in a bid for Parliament to discuss, say, the impact of the Scottish Adjacent Waters Boundaries Order 1999, which has already been debated, I do not believe that it will be accepted. The people who make these decisions in the Parliamentary Bureau or wherever will take the view that the issue has already been debated and wonder whether we have nothing else to bring before the Parliament. That would send the wrong message from this committee. As Rhoda Grant suggested, we should put in a bid in the next round for a debate on a major initiative that the committee has taken.

**Alasdair Morgan:** Members will not be surprised to hear that I take a different view. The Parliamentary Bureau will decide on this issue, and the votes there may be stacked against us, but I am not clear about who would be sending the wrong message. Would it be us, or would it be the Parliamentary Bureau by turning down our request? This is not a short-term issue. It does not require a massive inquiry, but it is of significance and relates to matters of principle, so we should debate it.

**Cathy Peattie:** Members will not be surprised to hear that I support Rhoda Grant's view. I have said repeatedly that we need to consider issues such as employment strategies and to remember that this is not just a fisheries and agriculture committee. We are about to do three major reports, and our priority should be to debate those. I would be concerned if we spent our time discussing issues that we have already covered and did not take the opportunity to discuss the three reports. Those are the important areas on

which we need to make progress.

**Richard Lochhead:** Given the amount of work we have put into the investigation and the fact that we made a stark recommendation to which we have had an inadequate response, we have two choices. We can allow the issue to go away and die or we can say that it is an important issue and consider the options that are open to us. The most obvious option is to take the report to the Parliament. That might provoke an adequate response. If we are unsuccessful in that bid, it will not stop us from bidding on other subjects.

**Lewis Macdonald:** We have come to a clear choice. The idea that we use our report slot to discuss a reserved matter on which the committee has had divisions on critical points, on the basis of an alleged response that none of us has seen, seems entirely wrong. We should emphasise matters on which the committee, the Parliament and the Executive have a direct influence.

Rural development is at the heart of the committee's work and we should bid for a debate on the first report that reflects that theme. That is a matter around which the whole committee can unite. I urge the committee to follow Rhoda Grant's suggestion and bid for time on that subject as soon as possible, so that we are at the top of the queue when the slot is allocated.

**Mr Rumbles:** I understand the points that Richard Lochhead and Alasdair Morgan have made. My priorities are realism and effectiveness. We have debated the matter before, it will not be debated in Parliament again and I do not see the point in asking the bureau to put it on the agenda—it will not happen. As Lewis said, we should address the issues that concern us and for which we have some responsibility.

**Alex Fergusson:** If we do not make a bid, it will send out the message that in the nine months we have been in business, the Rural Affairs Committee has not discussed anything worth debating in Parliament. That is not the case.

The covering notes state that the topic of the bid should be a subject on which the committee has reported and on which the Executive has had ample time to respond. Both criteria are met by the report on adjacent waters, as many members of the committee are not happy with the Executive's response. I understand where the Executive parties are coming from, but it seems to be a substantive issue for debate.

**Rhoda Grant:** I am not suggesting that we should not respond at all. We could say that we want to bid for a later slot, after the recess, and explain why. We could also explain that no one apart from us is going to set that business in front of the Parliament. We might ask the bureau to recognise that we are being thoughtful in allowing

others to come forward. In withdrawing our bid for this space, we would be putting in a bid for a later space.

**Alasdair Morgan:** I do not want to underrate anyone's powers of persuasion, but I suspect that we are going round in circles. We might try to reach a decision.

**The Convener:** It is strange that the same issue has divided the committee all the way along. The clerks have noticed the same thing and have been writing motions on voting forms for some minutes now.

Do members think that we should divide on the issue?

**Richard Lochhead:** Do we have a proposal?

**The Convener:** We have a proposal that has been gleaned from what you have said and another from Rhoda Grant.

**Richard Davies:** We have had a proposal from Rhoda Grant that the committee should bid for time immediately after the summer recess for a debate on changing employment patterns in rural areas. The other proposal, from Richard Lochhead, is that the committee seeks a debate in Parliament on its report on the impact of the Scottish Adjacent Waters Boundaries Order 1999.

**Richard Lochhead:** May I clarify something? My proposal is not a counter-proposal; I do not oppose Rhoda's proposal. We can all vote for both of them as far as I am concerned.

**Lewis Macdonald:** There is a clear choice. Rhoda is proposing that we take a negotiating position; everyone understands that these are matters for negotiation. We will strengthen our bid for a debate in the early period after the recess by following Rhoda's proposal.

**Richard Lochhead:** I do not think that we should be spending minutes trying to interpret the politics of the Parliamentary Bureau. I am happy with Rhoda's suggestion; but I want us to make another bid for a debate in the immediate future.

**Mr Rumbles:** I agree with Lewis. Let us not beat about the bush: this is clearly a choice between one course and another. We have Rhoda's suggestion before us and I think we should vote on it. The result will be indicative of opinion on the second suggestion.

**Alex Fergusson:** This is not a choice between conflicting alternatives: we could recommend both proposals, which I am happy to do. I have nothing whatever against Rhoda's proposal.

**Alasdair Morgan:** In terms of procedure and logic, the two proposals are not mutually exclusive, which would be the only circumstance in which we would put one against the other.

**Rhoda Grant:** My proposal is that we put in only one bid, to underline the importance of that topic and to ensure that we get any time that is available to discuss it. If we get time to discuss one topic, the chances are that we will not get time to discuss another. The bureau will say that we have already had time to discuss something and will therefore give the next available time to another committee. We have to strengthen our bid by putting in only one bid. That is really important.

**Lewis Macdonald:** Given our priorities, that is clearly what—

**Richard Lochhead:** May I suggest that, as I have made a proposal, we vote on it? Thereafter anyone else can put forward any other proposal.

**Mr Rumbles:** I suggest that we vote on Rhoda's proposal first.

**Richard Lochhead:** But surely I made my proposal first.

**Rhoda Grant:** No, I proposed mine first. *[Laughter.]*

**Richard Lochhead:** But I brought the subject up!

**Irene McGugan:** I would like to be clear about the number of days that are available.

**Richard Davies:** I understand that five half-days could be allocated between now and the summer recess. One half-day is being used later this week by the Standards Committee and the Health and Community Care Committee jointly so, in theory, there are four half-days left. However, there is no guarantee that the bureau will agree to allocate all four half-days.

**Irene McGugan:** And after the summer recess?

**Richard Davies:** No decision has been taken on that, but there is a requirement that there be 12 half-days a year for committee business.

**The Convener:** To simplify the voting process, we will consider Rhoda's proposal as the main proposal and Richard's proposal as a counter-proposal. We will vote on the counter-proposal first and then vote on the main proposal. That will simplify a problem that I can foresee arising in the near future; it will also allow me to keep to advice that I took in advance.

**Lewis Macdonald:** Convener, will you clarify that Rhoda's proposal is that we should make one bid in relation to the employment report, and that Richard's amendment is that, in addition, we should make a bid for an earlier debate on adjacent waters? Is that the choice before us?

**Alasdair Morgan:** And will you clarify something else? We are talking about making one bid, but in how long a period? Is it one bid ever? Is it one bid

for this calendar year?

**Lewis Macdonald:** For this year.

**Alasdair Morgan:** Calendar year?

**Lewis Macdonald:** For a debate as soon as the employment report comes out.

**Rhoda Grant:** This is our first bid.

**Mr Rumbles:** Convener, I am somewhat confused by the arrangements. Are we going to vote first on Richard's amendment to Rhoda's motion?

**The Convener:** Yes.

**Mr Rumbles:** But if Richard's amendment is passed, it will emasculate Rhoda's motion. Is that correct?

**Alex Fergusson:** Will there not be two bids—one for now and one for later—if Richard's amendment is passed. Actually, I did not think that Richard's proposal was an amendment.

**Irene McGugan:** Would it complicate things too much to say that we want, if possible, to bid for one half-day before the recess for the fishing boundaries debate and to bid for another date after the recess for the employment debate?

15:45

**Lewis Macdonald:** That is Richard Lochhead's proposal. Rhoda Grant's proposal is to make our first bid for a debate on the employment report. It is straightforward.

**Richard Lochhead:** All I am suggesting is that our first bid should be for a debate on the fishing boundaries, which could be before or after the recess.

**Irene McGugan:** That is the difference between his proposal and mine. My proposal is that if Richard's proposal is not taken before the summer recess it should fall and allow the employment patterns debate to take priority in the allocations after the recess.

**Lewis Macdonald:** We still have the same choice to make.

**Richard Lochhead:** My proposal is that our first bid should be for a debate on the fishing boundaries, whenever it may be.

**The Convener:** This is the situation that we are in. Everyone agrees with Rhoda Grant's proposal. We will have the opportunity initially to vote on Richard Lochhead's proposal. If it is defeated, it is likely that there will be unanimous support for Rhoda's proposal.

**Mr Rumbles:** My confusion is still great. If we take Richard's proposal as an amendment and vote for it, it will destroy Rhoda's motion.

**Lewis Macdonald:** Richard has said that this is not an amendment, but an alternative proposal. We should vote on Rhoda's first and on Richard's second.

**Mr Rumbles:** That is the only thing we can do.

**Lewis Macdonald:** It is up to you, convener. At the end of the day, you must make the decision.

**The Convener:** If we take the votes separately, what is the wording of Rhoda Grant's proposal?

**Richard Davies:** The proposal that I have from Rhoda Grant is that the committee makes one bid for time immediately after the summer recess for a debate on the impact of changing employment patterns in rural areas.

**Lewis Macdonald:** In debate, the proposal has become that the first bid should be for a debate on the report on employment patterns.

**Richard Lochhead:** I want to propose an amendment to replace Rhoda's motion, that the committee will make a bid for a debate as soon as possible on our report on the fishing boundaries.

**Lewis Macdonald:** That is a counter-proposal. It is hardly an amendment.

**Richard Lochhead:** That is the same way as things work in the chamber. It simplifies matters, because everyone knows that we are voting on two things. We should vote on the amendment first.

**Mr Rumbles:** I wish somebody would simplify things.

**The Convener:** Do we accept Richard Lochhead's proposal as an amendment?

**Lewis Macdonald:** No. It sounds like an alternative proposal to me. Convener, it is for you to decide.

**The Convener:** Although it is a substantial amendment, it can safely be treated as one. That is how decisions have been made in the chamber. Shall we move to a vote then? First, we will vote on Richard Lochhead's amendment.

**Richard Davies:** The amendment is, that the committee seeks a debate in the Parliament on its report on the impact of the Scottish Adjacent Waters Boundaries Order 1999.

**The Convener:** As we are not agreed, there will be a division.

#### FOR

Alex Fergusson (South of Scotland) (Con)  
 Alex Johnstone (North-East Scotland) (Con)  
 Richard Lochhead (North-East Scotland) (SNP)  
 Irene McGugan (North-East Scotland) (SNP)  
 Alasdair Morgan (Galloway and Upper Nithsdale) (SNP)  
 Mr John Munro (Ross, Skye and Inverness West) (LD)

#### AGAINST

Rhoda Grant (Highlands and Islands) (Lab)  
 Lewis Macdonald (Aberdeen Central) (Lab)  
 Cathy Peattie (Falkirk East) (Lab)  
 Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD)

**The Convener:** The result of the division is: For 6, Against 4, Abstentions 0.

*Amendment agreed to.*

**The Convener:** How will the motion, as amended, read?

**Richard Davies:** The motion, as amended, is,

That the committee seeks a debate in the Parliament on its report on the impact of the Scottish Adjacent Waters Boundaries Order 1999 and will bid, immediately after the recess, for a debate on the impact of changing employment patterns in rural areas.

**Rhoda Grant:** I understood that we were making a bid for only one debate and that Richard Lochhead's proposal was to continue to bid for the debate on the fishing boundaries. I did not think that he wanted us to bid for time for another debate.

**The Convener:** We voted for the amendment as contained in Richard's statement. Effectively, that became the proposal—the motion. Are we agreed?

**Mr Rumbles:** On what?

**The Convener:** On the motion as amended.

**Mr Rumbles:** No.

**The Convener:** In that case we will have a vote.

**Rhoda Grant:** As I understand it, that was not Richard's motion. He had a counter motion to my motion that did not include having a debate on the changing employment patterns in rural areas.

**Lewis Macdonald:** We have lost the bid for a debate on the report on current employment patterns.

**Richard Lochhead:** So in theory we should have another vote on the amended motion.

**Mr Rumbles:** More than in theory.

**Rhoda Grant:** His motion replaced my motion.

**The Convener:** We should vote on the motion as amended.

**Lewis Macdonald:** On Richard's motion.

**The Convener:** We will now vote on the motion as amended.

#### FOR

Alex Fergusson (South of Scotland) (Con)  
 Alex Johnstone (North-East Scotland) (Con)  
 Richard Lochhead (North-East Scotland) (SNP)  
 Irene McGugan (North-East Scotland) (SNP)  
 Alasdair Morgan (Galloway and Upper Nithsdale) (SNP)

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

**AGAINST**

Rhoda Grant (Highlands and Islands) (Lab)

Lewis Macdonald (Aberdeen Central) (Lab)

Cathy Peattie (Falkirk East) (Lab)

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

*Motion, as amended, agreed to.*

**The Convener:** We will now move on.

**Alex Fergusson:** Is it in order to propose a further motion, continuing—

**Lewis Macdonald:** We have done it.

**Alex Fergusson:** Yes we have—but I think there is some unease about what we have voted on. [*Laughter.*] Can I propose another motion?

**The Convener:** Feel free.

**Alex Fergusson:** I would like to propose that, should we not have obtained time for a debate by the summer recess, we debate the report that we will then have on the impact of changing employment in rural areas.

**The Convener:** At this stage it is unnecessary to tie our hands. The committee might want to revisit the question in the light of the report when it is published.

**Lewis Macdonald:** That is right. The committee has made a decision on what it considers the priorities to be. A minority on the committee deeply regrets that decision and finds it surprising that the vote was taken, but we will want to revisit this if and when we have a different set of circumstances later in the year.

**Alasdair Morgan:** I want to say for the record that that is totally ridiculous. We are talking about debating a report we have not even started the investigation for yet, far less produced or given the Executive any time to comment on. We can apply for time to debate that report when we actually produce it.

**Lewis Macdonald:** I am sure we will want to do that, but at the moment we are not in a position to make that decision.

**The Convener:** Alex, are you happy with that?

**Alex Fergusson:** Yes.

**The Convener:** If there are no further comments, we will move to item 5 on the agenda, which we will discuss in private.

15:53

*Meeting continued in private until 16:34.*

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