

RURAL AFFAIRS COMMITTEE

Tuesday 21 March 2000
(*Afternoon*)

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CONTENTS

Tuesday 21 March 2000

Col.

| | |
|---|-----|
| SEA FISHERIES (SHELLFISH) AMENDMENT (SCOTLAND) BILL | 527 |
| RURAL EMPLOYMENT INQUIRY | 530 |
| PROTECTION OF WILD MAMMALS (SCOTLAND) BILL | 540 |

RURAL AFFAIRS COMMITTEE

7th 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 ALSO ATTENDED:

Sarah Boyack (Minister for Transport and the Environment)

Tavish Scott (Shetland) (LD)

Professor Mark Shucksmith (Adviser)

Sue Sadler (Rural Employment Inquiry Team)

CLERK TEAM LEADER

Richard Davies

SENIOR ASSISTANT CLERK

Richard Walsh

ASSISTANT CLERK

Tracey Hawe

LOCATION

Committee Room 2

Scottish Parliament

Rural Affairs Committee

Tuesday 21 March 2000

(Afternoon)

[THE CONVENER *opened the meeting in private at 13:34*]

14:02

Meeting continued in public.

The Convener (Alex Johnstone): I would like to take this opportunity to pass on Alasdair Morgan's apologies. He is not able to be with us today as he has an appointment with the Chancellor of the Exchequer in London.

Draft National Parks (Scotland) Bill

The Convener: We now move to item 2 on our agenda. I am pleased to welcome back to the committee the Minister for Transport and the Environment, Sarah Boyack. I would also like to welcome her officials, Andrew Dickson and Jane Hope. I think that this is the third meeting of the committee that they have attended. I would also like to welcome Neil MacLennan, who is the minister's personal secretary.

The Minister for Transport and the Environment (Sarah Boyack): I would like to bring people up to date. Since the previous meeting on national parks, we have completed the recording and logging of all the responses to the consultation. Members will have received a summary of the 332 responses we had received up to 8 March. Since then, we have received a further 12 responses. We intend to complete a summary of all the views we have received and to identify the amendments to the bill that we have made as a result. That will be made available to the public; we are keen that all who have made a contribution to the exercise should see the outcome of the consultation.

I would like to take this opportunity to thank all the organisations and individuals who have taken the time to engage in the consultation. As you will see from the responses in the summary, a wide range of people and organisations—local authorities, community councils, non-governmental organisations, voluntary bodies and public bodies—has contributed. When you look at the depth of the comments, it is clear that a lot of people have taken a great deal of time to compile their responses. We have been able to consider

those responses as we have drafted the bill, which has been extremely useful. Every response has been read, and we are very grateful for them. Whatever decisions we come to will be subject to further test when the bill is formally scrutinised during its passage through Parliament.

As I said a couple of weeks ago, it will not be possible to take everybody's views on board—some of them are diametrically opposed. Our job is to find a sensible and coherent approach that allows us to identify the changes that we need to make to the bill.

The two areas that people have mainly commented on are aims and appointments. I do not want to pre-empt the questions that committee members may have, but, in the light of those comments, I would like to make one or two points on our current thinking. I hope that that will be helpful.

There is a clear division between those who, although concerned about social and economic issues, feel that conservation should be the primary aim and those who feel that social and economic issues, especially for the people who live in the parks, are taking second place to conservation. I would like to restate the thinking that underpins our policy: a national park is a place for people to live and work, and their lives will inevitably be inextricably linked with the natural and cultural heritage of the park.

When I launched the draft bill in January, I said that we were of the firm view that we have to consider the issues in connection with national parks in the round. We have to balance environmental, social and economic considerations; not just minimise the conflict between competing aims, but recognise that those aims may sometimes be mutually supportive.

My conclusion from the comments that we received during the consultation is that we have not adequately conveyed, in the drafting of the bill, that philosophy of balance and of an integrated approach. I am therefore looking closely at the drafting of section 1, on aims, and section 8, on the duty to have regard to those aims.

Members will be well aware of the varying opinions on appointments. I will not repeat them. A clear message from the consultation is that the draft bill did not explicitly provide for the membership of national park authorities to include people from the local communities and that, because of that, people are worried that there will be no local representation other than by local councillors. I understand those concerns, but it is my intention that there will indeed be local representation on the park authorities—such representation is essential if the parks are to be effective.

The bill was drafted to provide flexibility; the details of membership are to be made clear in the relevant designation order. I suggest that schedule 1 clearly provides for all appointees to a national park authority to have knowledge or experience of the park or the functions of the authority. Paragraph 5(2) of the schedule makes clear that the designation order is able to specify more precisely the particular experience or knowledge that certain members must have. When we drafted the bill, we saw that provision as allowing for the specification of membership by community representatives or by someone with a farming interest, if that was considered important in the area.

We believe that the bill allows for community representation—and representation by farming and other interests—to be specified in the designation order, as appropriate for the particular national park. However, I have taken note of the large number of responses calling for that to be made explicit on the face of the bill. I am sympathetic to those views, but at the same time I am conscious of getting the balance right so that there is flexibility for the different national parks.

I would like to reiterate that I realise the importance of community involvement, which includes community involvement in the membership of the authority. I would expect the designation order to be absolutely clear. The people who manage the land, whether they are involved in farming or forestry, have a vital role to play in land-based parks, such as those for Loch Lomond and the Trossachs and the Cairngorms, and we would expect them to be involved in the national park authorities. It is appropriate that the precise combination of interests should be determined by the designation order.

There are other appointments issues, such as the proportion of members from local authorities, communities and other sources; the role of local community councillors; the idea of special elections; and the idea of specifying membership on the authorities of sectoral interests such as mountaineering or forestry interests. I touched on some of the many issues when I last spoke to the Rural Affairs Committee.

I look forward to hearing the views and observations of the committee now that members have had the chance to get a sense of the nature of the responses that have been received. The consultation allows us to explore issues in depth, although that will not prejudice the opportunity to come to a view on these matters during the full scrutiny of the bill.

The Convener: Thank you for outlining your views.

We have tried to structure this part of the

agenda. I do not know how easy that will be because some members of the committee are very difficult to control. Irene McGugan will lead on the purposes and aims of national parks.

Irene McGugan (North-East Scotland) (SNP):

As you rightly say, the purposes and aims generated most response. There was a mixed response to the fourth aim, which is

“to promote economic and social development of the area.”

I welcome your clarification about that.

What types of economic development would be acceptable in national parks? How would you respond to the considerable concern, which has been expressed by many people, that as tourism is the industry that would be most likely to thrive in national parks, the increase in visitor numbers might result in a great deal of damage to the natural and cultural heritage? How can we reassure people that the natural and cultural heritage can be maintained?

Sarah Boyack: We are experiencing increasing difficulty managing tourist numbers. That is one of the main pressures behind the establishment of the parks. It is difficult for me to be prescriptive today about what economic development is most likely to be appropriate. I think that the national park plans will set out the right local balance. The ability of the national park plan to zone different areas of the national park is the key way in which appropriate management at national park level can be achieved. For example, in certain parts of a park particular interests or designations might have a different type of control from that which would apply in other areas, such as an area on the fringe of a park. It is appropriate that such balances should be struck at the national park level.

The forms of economic development that would be appropriate have to be explored locally. It is certainly not our intention to opt for one type of economic development to the exclusion of all others. There has to be a balance between tourism, farming, and forestry, and other types of economic development that could be accommodated in an integrated way.

Irene McGugan: Will you comment further on the increase in visitor numbers, which some people feel could undermine the reason for designation by jeopardising the natural and cultural heritage?

Sarah Boyack: Managing the increase in visitor numbers is one of the key tasks of the national parks. I know that the work of the interim committee on Loch Lomond and the Trossachs focuses on that issue. We need to learn how parks elsewhere in the world manage visitor pressure. We should focus on the scale of the national parks

that we are designating. It is up to the national park plan to identify areas that are less pressured, and areas that are under extreme pressure and need a slightly different kind of protection—it is important to get the balance right.

14:15

Lewis Macdonald (Aberdeen Central) (Lab): Getting that balance right is at the heart of the bill. I fully support the holistic approach that you have outlined, which recognises that we are trying to achieve a balance between the natural and cultural heritage, sustainability, public access and social and economic development. When you say that you are persuaded to look again at how that has been presented, which particular part of the bill do you mean? I would sign up to the statement of broad aims in section 1, as I suspect would most members of the committee. The key part is section 8(5), which says that where there is a conflict, the duty to promote conservation should come first. Is that the paragraph you are talking about, or are you considering some other way of presenting the general principles?

Sarah Boyack: The issue is how the aims interact with each other; they need not necessarily conflict. We are trying to achieve mutually supportive development between those aims. The right balance has to be achieved so that there is no false conflict between them. There are bound to be areas in which the aims can reinforce each other. I am trying to focus on how they work together—that is the important issue.

Rhoda Grant (Highlands and Islands) (Lab): Irene asked whether anything would be ruled out in the way of economic development in a national park. I am concerned that some new industries—renewable energy, for example—may not be taken into account during our current consideration of the legislation. Will it be more difficult for people in a national park to come up with ideas for economic development? Will there be a system whereby they can work with the authority on the development of those ideas?

Sarah Boyack: The key issue is that development would have to be appropriate. In a sense, that is already the case. We would take into account the national planning policies and the structure plan as a broad indication of what would be acceptable. A national park authority would be able to identify opportunities within a park. Developments that are allowed at present would not inevitably be ruled out. There will be more of a co-ordinated, integrated approach to managing those developments, where they are considered to be appropriate.

The Convener: If we have completed our discussion of the purposes and aims of the

national park, we will move on to appointments to the national park authorities, on which Mike Rumbles will lead.

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): This is the next biggie, if we can call it that. It is clear, from all the information that we have before us, that appointments to the board is the other major issue. Judging by some of the responses here, it is quite a contentious issue.

I listened carefully to your opening statement, minister, and I welcome your recognition of the importance of community involvement. That is right and proper, and will go a long way towards addressing some of the concerns raised in the consultation.

The key word here, which you often mentioned, is appointments. While the replies from people who have been consulted may not talk about big brother—or, in this case, big sister—making appointments, an appointment is an appointment. People have approached me with their concern over this issue, which is reflected in the responses to the consultation. There is fear about local communities not having a say. Nobody is talking about a full election of the board, but I was hoping to hear some recognition today of the reference that has been made to this issue in the consultation exercise, and that some members of the board would be elected from local communities.

Sarah Boyack: While I accept your point that we should engage local communities and give them a sense that we are involving them practically in this process, it is difficult to find a formula that will please everybody. However, I acknowledge that this is an important issue.

One thing that might be helpful in that regard concerns the point you raised about the nature of the appointments process. I draw your attention to schedule 1, which deals with how the national park authorities will be established. It covers membership. Paragraph 4 contains the following requirement:

“The Scottish Ministers shall, before appointing any directly appointed member, consult—

- (a) such persons as appear to them to be representative of the interests of those who live, work or carry on business in the National Park,
- (b) every local authority any part of whose area is in the National Park, and
- (c) any other person they consider appropriate.”

There are perhaps other issues to consider here: first, the different categories of appointment; secondly, the process by which we reach the appointments, and the extent to which we can get the local communities involved in the process. The points that you are making are important, Mr

Rumbles, and I have mentioned the two ways that I think we need seriously to consider in order to succeed.

We should send a strong message that we see a role for community involvement in national parks, whether in the authority or on the advisory committees that may be established. It is a matter of getting the formulation right. The people in local communities who have voiced their views and concerns should be given feedback that tries to take on board their comments.

Mr Rumbles: I welcome all that you have said, minister, but there is a certain suspicion among people. I am sure that everyone in this room has come across people who are not necessarily representative of local communities. People turn up to meetings and make their voices heard, but there is only one sure way of knowing that a person is representative of their local community: if they have that community's backing. I hope that the minister will take that on board.

Cathy Peattie (Falkirk East) (Lab): I understand what you have said, minister, about it being difficult to have a prescription, as it were. I assume that every area in which we will be working will be different—there will be different activists and other people in areas with different interests.

It seems from the consultation that we may wish to consider the involvement of community councils. Many rural community councils are very active and have a fair understanding of what is happening in their areas. You have said that communities have answered a fair number of questions in the consultation. It is good that the opportunity has existed and it would be very helpful to keep the community councils on board and to consider ways to involve them, either as authorities or as advisory groups.

Alex Fergusson (South of Scotland) (Con): I would like to back up the point about the importance of who is on the national park authority. I am sure the minister agrees that the success or otherwise of national parks will depend on that to a significant extent.

Community councils could play a very important role. Their already having been elected would address some of the issues raised by Mike Rumbles. They also have the necessary local community touch and feel. I do not have a question for the minister, but I would like to mention that a considerable number of people have represented to me that it is very important that community councils should be part of the final formula.

Mr Rumbles: What I am trying to get at, minister—you heard Cathy Peattie and Alex Fergusson talk about it—is that there is a feeling

that the process should not just be top down; it should not be about the appointment of people by ministers from on high. There should instead be a recognition that local communities ought themselves to bring people forward. That would help, even if there is a reluctance to go down the route of direct election—which is still my preference. If local communities choose their own representatives, or at least a certain number of them, it would be helpful.

Sarah Boyack: Can I come back in at this point?

The Convener: Yes—unless you want to comment on this issue first, John.

Mr John Munro (Ross, Skye and Inverness West) (LD): I agree with the proposed concept of local representation. The huge areas of countryside that have been proposed for national parks will incorporate the areas of perhaps two or three local authorities and a dozen community councils. There would be a conflict of interest. If each community council or local authority were represented, there would be a huge, unmanageable group. We have to be careful in selection.

Sarah Boyack: That is an important point.

I will give you a sense of how many community councils we are talking about. There are 25 in Loch Lomond and the Trossachs and 23 in the Cairngorms. There are also three or more local authorities in each area, depending on the boundaries. It is difficult to get the right balance between the different communities.

I will consider the point that Mike Rumbles made about the extent to which local people are able to introduce ideas about the appropriate process and nature of representation. We will need to have that discussion when we get to the designation order. What is going in the bill must be right as well, to convey the message that we are keen to take people's views on board.

We must get this issue right for the parks. Although we are setting them up as national parks, local communities must feel that they are part of the process. I will consider the points that have been made. I will reflect on the process by which we appoint members to the boards and the extent to which it can be transparent and involve local communities, both community councils and local interests.

Lewis Macdonald: You confirmed last time we met that it would be open to a council, in appointing half the members of the national park authority, to appoint someone other than a local councillor—perhaps a representative of a community council.

Can I take it from your introductory remarks on

schedule 5 that you are saying that it would also be open to Scottish ministers to go down that road in making an appointment to the other half of the list for the national park authority?

Sarah Boyack: Absolutely. Identifying a good mix of people with specific local interests will be important. It could be someone with a geographical or sectoral interest or someone who, for example, is based in the park and has a mountaineering interest. It is a matter of getting the balance right. We have set a maximum number of members, so some members might represent one or more interests. The people who are on the first national park authority must be people local communities and organisations can trust. Both the mix on the designation orders and the way in which we get there are important.

Cathy Peattie: I agree with that, but there must be a mechanism to enable people who represent local communities on national park authorities to feed back information about what is happening. It is important that someone who is identified as representing an organisation or a community gives it feedback.

Alex Fergusson: I take on board Sarah Boyack's comments about the number of community councils, but they get together occasionally in community council forums, which could be an ideal vehicle from which to go forward. Community involvement on the national park authority is important. A lot of the success of national parks depends on people believing that the park belongs to them and that they belong to the park.

The Convener: If there are no further comments under this heading we will move on to planning.

Lewis Macdonald: I welcome the fact that ministers are trying to create a flexible system, as we envisage that there will be different kinds of national park in different parts of Scotland.

What is your response to the responses to the consultation? There are some who think that any reduction in local authority planning powers to the benefit of the national park authority would be a loss to local democratic control. Equally, there are those who feel that to exercise its functions properly, the national park authority would require full planning powers. Both of those views are at variance with the flexibility in the draft bill.

14:30

Sarah Boyack: As I said before, that important matter will be addressed at the designation order stage. It is important to allow flexibility for different areas, rather than having a blanket approach to planning.

One reason for not including planning powers in

the main bill is that a national park might not be based on land. In such a case, planning would not be relevant. We need to be flexible in the long run; we do not want to have to amend the bill every time we discuss a new national park. The range of planning powers should be discussed at the designation order stage.

Lewis Macdonald: I support that approach in principle. It puts the emphasis on the degree of consultation at the point at which the designation powers are introduced. What are your expectations of the consultation process, particularly as it relates to the designation orders and planning powers?

Sarah Boyack: We will move on to that once we have got the bill through Parliament. I expect many community groups and interest groups to focus on the nature of the planning powers that would be appropriate in different park authorities. Another issue would be the extent to which local authority representatives should be involved in the national park authority, were it to have planning powers.

Lewis Macdonald: As was the case with the consultation on the primary legislation, would community interests be able to express a view before the publication of the designation order?

Sarah Boyack: I would expect extensive consultation on the designation order. A hefty section of the bill sets out the consultation process and the nature of reports and designation orders. All of that must be carried out in a transparent way because communities will want to be involved in the discussion of the detail of each part.

Dr Elaine Murray (Dumfries) (Lab): I missed the first part of your contribution so I do not know if you have already answered the question that I want to ask.

It is good that there will be different planning powers for different types of parks. However, what reassurance can be given to communities that they will have an opportunity to influence parks' planning mechanisms? Some authorities might cover only a small area covered in a national park. We would want to ensure that there is no conflict between such authorities' planning mechanisms and those within the park.

Sarah Boyack: There would have to be extensive publicity to ensure that people were aware of what was being suggested. We have a huge list of interest groups that we have consulted on the bill and on other occasions. It is important to bear in mind that a designation order will be subject to affirmative procedure. That means that the decision on a designation order is not mine: Parliament will have to approve it.

There will be a consultation process and the

responses will be considered. At the end of the day, the Parliament will have to respond to the issues that have been raised by the public. That provides a robust accountability mechanism.

Mr Rumbles: Contrary to what you said about the final decision resting with the Parliament, I understand that, once the designation is laid before the Parliament, MSPs' scrutinising role is over. At that stage, we can only either approve the whole thing or throw it out.

I have concerns, particularly about planning, which is a major issue. In your consultation document, planning is the third most important issue. However, although I accept that what you are saying about the establishment of national parks is logical and reasonable, if the enabling legislation is not prescriptive, it will be too late for members to do anything when the designation orders come before us.

Sarah Boyack: We will be able to take views on board in various ways. For example, after we have published a draft designation order, we will seek views from many people about the contents of the order, which will provide the opportunity for that kind of scrutiny.

However, the bill should not prescribe the planning process in each national park. That would mean that, regardless of central decisions, the parks would have no flexibility. Each park will raise different issues, and the designation orders will make sure that the characters of the various parks suit different circumstances, instead of using prescriptive, one-size-fits-all legislation.

Mr Rumbles: Although I understand that, my point is that the Executive will make the decisions after consultation and Parliament will only say yea or nay to them.

Sarah Boyack: I would have to bear in mind the representations that were made to me. Because designation orders will be subject to affirmative procedure, members will have a choice—I do not want members to be unhappy with the designation orders.

Although we will need an extensive debate about the contents of designation orders, we must, finally, make a decision—Parliament is the right place in which to do that.

Cathy Peattie: Are you saying that we can vote against a plan if we feel that there has been no consultation and that the proposals do not adhere to the legislation?

Sarah Boyack: I would work extremely hard to ensure that I was not put in that position.

Cathy Peattie: I hope that we would never have to do that, but we should bear that in mind when considering new plans. The consultation makes it

very clear that if planning happens as it is set out in the bill, we should not be put in such a situation.

Sarah Boyack: I hope that our model shows committee members that we have been rigorous in consulting, collecting feedback and reporting on that process. That is the way to proceed, if we are to address Mike Rumbles's points. Different communities have very strong concerns that need to be acknowledged and, if possible, addressed.

The Convener: We will now move on to the Gaelic issues that have been raised in the consultation.

Mr Munro: Some representations have raised concerns that sufficient prominence has not been given to the Gaelic language. However, I am not sure whether those respondents are referring to the bill's wording or to the use of Gaelic in national parks. The latter is not a great problem, because many villages, rivers, mountains and glens that will be in national parks already have Gaelic names or titles, and I am sure that we will not lose such names.

It has been suggested that consideration should be given to bilingual signposting in national parks, which would not be very onerous. That has been developed in many areas of the country, not least in the Scottish Parliament. Perhaps the flora and fauna might merit some bilingual signposting.

There is a suggestion that we should consider the appointment of a Gaelic ranger. I do not know whether that suggestion should be promoted by the Scottish Executive or the Scottish Parliament. I would have thought that such an issue would be dealt with by the local management group, if it thought that such an appointment was necessary in the area that it managed. What are your views on the issue, minister?

Sarah Boyack: We would expect each national park authority to consider employing a Gaelic officer and to formulate a response on the way in which they would involve the Gaelic language in their national parks. We might discuss the matter in the context of best practice, in the statutory guidance that we will issue to each national park authority. Best practice would cover the employment of Gaelic rangers and interpretation.

Mr Munro: A problem would arise if the Scottish Executive or the Parliament suggested that all national parks should have a Gaelic ranger service, because some areas have no Gaelic background. It would be better left to the local management groups, when they are established, to make up their own minds on how they view the management of parks.

Rhoda Grant: Would it be helpful if reference was made in the legislation to the Gaelic language as part of the culture of the national park areas? It

might be helpful if the bill stated that national park authorities would have to consider using the Gaelic language, especially in relation to the Cairngorms and national parks that might lie further north.

Lewis Macdonald: I agree. The primary aim of the bill is to promote the natural and cultural heritage of the areas in question. Both areas that have been mentioned so far include at least an element of Gaelic in their cultural heritage, and there is the potential for a future national park to be established even more firmly in the heart of the Gàidhealtachd. A section in the bill that recognised that fact might send out a positive signal.

The Convener: Are there any other comments on Gaelic issues?

Mr Munro: Is Lewis Macdonald suggesting that the Scottish Parliament should make that a statutory obligation, or would he be happy to leave the decision to the local management group?

Lewis Macdonald: I am loth to enter into a committee discussion on the matter at this stage. However, I am interested in the minister's views on that. On the basis of her answer to John Munro's first question, I presume that she might be considering this issue in the context of the designation orders rather than in the context of primary legislation.

Sarah Boyack: We have not focused as much on cultural heritage as we have on some of the other national park issues. I do not want to be over-prescriptive at this stage, but that does not mean that we should not highlight this as one of the issues that we expect national park authorities to think about. Local communities might suggest particular perspectives that should be represented in different national parks. My inclination is to follow the model that was suggested by John Farquhar Munro, but we are considering all the comments that we have received to ensure that we acknowledge correctly the importance of Gaelic.

The Convener: When it is published, is the bill likely to be available in Gaelic?

Sarah Boyack: We have not published any other bills in Gaelic, and something might be lost in translation. I am not sure whether that should be recorded in the *Official Report*. Publication in Gaelic is not something that we intended to do initially.

The Convener: If there are no other comments on Gaelic issues, we will move on to the subject of national park plans.

Cathy Peattie: The minister has already answered some of the questions in that category. I would like to take the opportunity to ask her about the consultation process.

At the beginning of the meeting, you suggested that there were a couple of areas that you wanted to come back to and look into. Can you tell us whether there are any other aspects of the consultation that will change the bill?

Sarah Boyack: The consultation on the national park plan is not just about getting the procedures right, but about ensuring that there is the right spirit in each of the national parks. We must ensure that the process of drafting the national park plan is as inclusive as possible—people must feel that they are part of the process.

Dr Murray: You will be aware that there were differing opinions on the strength of the wording, particularly on the duty to "have regard to" the national park plan. Have the results of the consultation influenced or changed your views about the wording?

14:45

Sarah Boyack: We have thought about that a great deal. If we were to consider re-writing that section of the bill, we would need an alternative that was both workable and met our intentions. It is not a straightforward issue; it is about finding the right balance. I want to ensure that the final wording of the legislation will have the effect that we intend.

Mr Rumbles: I want to chase up Cathy Peattie's point. Would it be possible for you to outline the five most important changes that you have made to the bill—or are about to make—as a result of the consultation process?

Sarah Boyack: I am not sure that I want to pick out five changes. I have flagged up the two key issues that came out strongly from the consultation—aims and appointments. Those are the issues that I have spent most time focusing on. The third issue—planning—is one that we have thought hard about. We have decided that it is an issue for the designation orders, but the consultation has been helpful in our thinking on the way in which we might formulate the designation orders. We are not yet at the stage of having fixed views about each of the national parks. Other minor issues have cropped up, on which we have also been reflecting.

Mr Rumbles: Part of the committee's role is to scrutinise the consultation process. If the consultation process is to be meaningful—I am sure it is—there will be several major changes to the bill as a result of that exercise.

Sarah Boyack: One of the points that I made in my opening remarks is that we intend to follow up the consultation by publishing a commentary on the views that we received that resulted in changes to the bill, and on the views that had not.

That would allow people to see how their views have been taken into consideration.

Lewis Macdonald: I want to follow up Elaine Murray's point about the obligation to "have regard to" the national park plan. One or two of the consultation papers suggest that it might be possible to extend that obligation beyond public bodies and office holders to include private interests, such as landowners. Is that possible and desirable?

Sarah Boyack: The key thing is to get the right mechanism, whether in requiring an organisation to do something or in ensuring that we can work with an organisation to deliver objectives jointly. The terminology that has been used is right.

There is a good example of joint working in the Cairngorms, through the Cairngorms partnership. That example is not about compulsion, but about identifying mutual interests and allowing organisations to work together. Where that works, it is extremely helpful. There will be an issue for national park authorities in working with a diverse range of interests and ensuring that those interests have regard to the national park plan as well as the other way round. There needs to be a dialogue between the different groups and there are different ways in which that dialogue might be conducted—not all of which should be mediated by the legislation.

The Convener: Do you think that there could be a specific problem in the Cairngorms, because the partnership already exists and there might be some overlap and, possibly, conflict in the initial phases?

Sarah Boyack: No. That is something that we can resolve. The people involved in the Cairngorms partnership are well informed about the progress of the bill and understand the nature of the discussions. We are looking to resolve that situation later, when Parliament has passed the bill and we make designation orders.

The Convener: As there are no further comments on that section, we will move on to the general powers of the national park authorities.

Rhoda Grant: One of the issues that concerns me most about the additional, or general, powers is the ability of the national park to open retail outlets. There is concern, particularly in areas that depend on tourism a lot, that the national park outlets will take away trade from already established outlets, such as tea rooms, tourist information centres, gift shops and the like.

Sarah Boyack: We have suggested that we should enable the national park authorities to decide what is appropriate in their areas, as they will be able more effectively to interpret what exists already. Branded goods might be highly

appropriate to developing each national park. For example, an interpretative centre might be opened, which might have a gift shop attached. I expect the national park authorities to identify and to consider those issues. The draft bill specifies that, in the national park plan, the national park authority must decide what is appropriate to local needs in each area.

Rhoda Grant: A local person may feel that a business opened by the national park authority competes with a local business. Would that person be able to appeal or in some way override the decision to open that business? I suspect that it would be difficult for an individual to challenge the national park authority.

Sarah Boyack: A variety of mechanisms will be available, of which the planning process is an obvious example. Regardless of whether the national park authority or the local authority is responsible at the local level, people will still retain the right to make observations on any planning proposal—that procedure involves the democratic process. That would be one way in which people could make known their views at the point at which the decision was being taken.

The Convener: Are there other comments? We will move on to national park advisory groups.

Alex Fergusson: I find the national park advisory groups interesting, minister, as I think that their status and effectiveness will be tied up inextricably with the make-up of and representation on the national parks authority, which goes back to what we were discussing earlier.

I am worried that the advisory groups will be tempted to become a sort of repository for the overflow, if you like, of people who cannot be accommodated on the national park authority. That is fine and may inevitably be the case, although I would appreciate your guidance on that point. However, the effectiveness of the advisory groups will depend on what teeth they have. How do you define the role of advisory groups and how will they be most effective?

Sarah Boyack: The fundamental issue for any advisory group is to fulfil those functions for which it was established. I do not envisage advisory groups as repositories for people who did not make it on to the authority. I am quite clear that the advisory groups and the authority have different roles, different opportunities to involve different groups and a different focus.

I hear your concerns about advisory groups, but the establishment of such groups will be very much up to individual circumstances at the time. It would be entirely possible for advisory groups to have short-term working parties that would consider specific issues, so it may be that people

will not be appointed to the group in perpetuity. There might be a need for short-term, focused work on issues on which wider consultation was required but where it was not necessary for the work to be carried out by the park authority. That approach will provide flexibility—it is a way of involving different people and enabling them to focus on issues that run parallel to the work of the national park authority.

Alex Fergusson: I am encouraged to hear about the flexibility that you envisage within the system. I notice that there has been considerable consultation on the number of advisory groups. Could you comment on that? Do you envisage a finite number of groups, or will the number depend on the needs of each national park?

Sarah Boyack: The last time that I spoke to the committee, I said that our legal interpretation was that there may be more than one advisory group. I am thinking about the groups in terms of the legislation—whether it would be helpful to specify that there would not necessarily be only one committee and that different national parks should decide what was appropriate. There has been some confusion over the legal interpretation, which I am keen to clarify in the bill.

Dr Murray: Following on from what Alex said, I believe that there is some confusion about the advisory groups. I can see where the perception comes from that the groups would be repositories for disappointed would-be members of NPAs. Have you come to a conclusion about the number and types of advisory groups and what their roles will be? What consultation will there be on that? Who will decide how the advisory groups will be constituted?

Sarah Boyack: It would be up to the national park authorities to identify how great a need there was for different types of advisory boards to assist them in their work.

Dr Murray: Would the operation of advisory groups be overseen through the national park plan? Is that how they would be scrutinised?

Sarah Boyack: As I said in my discussion with Alex Fergusson, the national park plan could identify key issues on which there was felt to be a priority need to engage a wider group of people than those in the national park authority. An authority could also do that.

Cathy Peattie: Local people could be actively involved in advisory groups, particularly when such groups are looking at a short-term piece of work that is important to a specific area. Has any consideration been given to the support or tools that local people would need to participate in such groups?

Sarah Boyack: We have some good experience

from the Cairngorms partnership, which has focused on involving community groups in the discussions on the way forward for the Cairngorms. Some interesting models have been put in place—for example, there is enthusiasm that young people in the Cairngorms should be involved. There are different formulations for involving different groups in society. That represents good practice, which could be developed in future. We intend to use the statutory guidance to give some ground rules for each national park, so that they do not all need to reinvent the wheel, but there would still be some flexibility.

The Convener: As there are no other comments under that heading, we will move on to marine national parks.

Richard Lochhead (North-East Scotland) (SNP): We have heard little so far about marine parks, although the bill provides for their creation. In some of the submissions, there seem to be two views. One is that those parks should not have been mentioned in the bill at all; the other is that the bill does not contain enough detail on them. That raises the concern that, because marine parks seem to have been tagged on to the bill, they are not receiving adequate debate. What is your response to those submissions? Have you considered taking marine parks out of the bill altogether and having separate legislation and a separate debate on them, given the many complexities that are associated with the matter?

Sarah Boyack: It is not my view that we should take that matter out of the bill. The bill will enable all future national parks to be set up, so it is important that it is broad enough to take on board a variety of circumstances. It is my strong view that some of the comments that have been made on marine parks have been extremely useful, in terms of clarifying everyone's thoughts. The first two parks that we would want to establish are Loch Lomond and the Trossachs, and Cairngorms. Thereafter, the process would allow us to identify what other parks it would be appropriate to establish. Certainly, a strong case has been made for marine national parks.

The critical fact is that the bill would enable a variety of national parks to be established. Marine national parks come within that category, regardless of whether they are attached to the land. The process that we will go through, in drafting designation orders for Loch Lomond and the Trossachs, will involve the same sort of consultation that would be needed for the establishment of a marine national park. A variety of interests, such as the fishing community, would have to be consulted if we pursued the idea of a marine national park, and there would be different nature conservation interests. I believe that the

best point at which to have that discussion would be during the drafting of the designation order.

Our concern now is to ensure that the bill is sufficiently robust to take on board different kinds of national parks. I believe that it is sufficiently robust. However, this debate has helped the consultation process, as it has enabled people to think about the issue and to give it more attention than it might otherwise have received.

15:00

Richard Lochhead: I may be wrong, but I have noticed that a lot of the submissions appear to have come from environmental organisations—mainly non-governmental organisations. Given that the marine parks are a hidden element of the bill, what proactive steps did the Executive take to consult non-environmental organisations that might be concerned about the prospect of marine national parks?

Sarah Boyack: We did not concentrate on talking to environmental organisations; a wide range of organisations were consulted. We did not focus on marine national parks before these discussions, principally because the first two national parks were to be land based. That does not rule out the prospect of extensive consultation if there are to be national parks that are not on land. In England and Wales, there is the experience of the marine national park in Pembrokeshire to draw on. However, our focus in Scotland has been on terrestrial national parks.

Lewis Macdonald: I presume that, if you were thinking about designating an area of coastal land as a terrestrial national park, you would rely on the powers in the bill to include marine national parks to extend that park beyond the high water mark. Is that the case?

Sarah Boyack: We think that the bill would make that possible. Such a park might be a terrestrial park, a coastal park or a marine national park—the legislation would allow different options.

Lewis Macdonald: In future, might the powers under the bill be directly relevant to the designation of a national park in an island area?

Sarah Boyack: Yes. The same procedures and consultation mechanisms would have to be undergone in any future proposal, and designation orders would be required to be brought before Parliament.

The Convener: Are there any other comments?

Mr Munro: Have we finished with the issue of marine national parks?

The Convener: We have come to the end of our list, and we are winding up.

Mr Munro: I just wanted to mention a general issue. Once the national park is established, in whatever area, it becomes a public place. Several representations have been made to me about the use of firearms in a designated public place. Under the current firearms legislation, it is not permitted to carry a firearm out of its sheath or gun case in a public place. That is an issue that we should address, in case it creates problems for us in the future.

Sarah Boyack: I note that point.

Mr Munro: I have one other point. The Scotland Act 1998 was published bilingually and I see no reason why this bill should not be afforded the same status.

The Convener: I have a question to finish off with. Is there any indication when the full consultation will be available for publication?

Sarah Boyack: Yes. Today we will place copies of all the responses to the consultation in the library at the Scottish Executive and in the Scottish Parliament information centre. Those responses provide an interesting read and I commend them to everybody.

The Convener: I offer the thanks of the committee to the Minister for Transport and the Environment, Sarah Boyack, and to Andrew Dickson, Jane Hope and Neil MacLennan for attending this meeting and for helping us in our continuing study of the issues surrounding the National Parks (Scotland) Bill.

Sea Fisheries (Shellfish) Amendment (Scotland) Bill

The Convener: Tavish Scott is here to speak to the Sea Fisheries (Shellfish) Amendment (Scotland) Bill, which has been lodged in his name. The bill was introduced on 8 March. The Parliamentary Bureau has officially referred it to this committee and I ask Tavish to explain some of the background to us.

Tavish Scott (Shetland) (LD): Thank you, convener. This is probably the only time that I will get to sit in a ministerial chair, and I will not be taking any questions from J F Munro after the broadside that he launched last time round.

As I am sure many members will be aware, the Sea Fisheries (Shellfish) Amendment (Scotland) Bill is a measure that Westminster considered a couple of years ago. Due to a variety of procedural mechanisms, it was not allowed to proceed, despite having—I am pleased to say—all-party support.

The bill's aim is to remove an unnecessary source of conflict in existing fisheries legislation, which sets fishermen against shellfish farmers. If a shellfish farmer wishes to take control over an area of sea bed on which to farm shellfish, he may apply for a several order. If he is successful, he wins control of that area and others cannot then fish his stock.

Under the Sea Fisheries (Shellfish) Act 1967, a several order bans all fishing within the area that it covers. Clearly, such a ban is necessary to prevent someone from fishing a farmer's stock, but the ban also prevents anyone from fishing for other species within the area. For example, a creel fisherman fishing for crabs and lobster may be excluded from an area that he has traditionally fished despite the fact that his fishing would in no way damage the interests of the shellfish farmer.

As a result, the conflicting interests have had to put their case to a public inquiry. Invariably, at the end of the process, either the fisherman or the shellfish farmer loses. It has therefore been the contention of the industry that a better way needs to be found of dealing with such conflicts.

The bill will amend the 1967 act to allow Scottish ministers making a several order to authorise the continuation of specified, non-damaging fishing operations within the area covered by the order. The aim of the bill is thus to prevent unnecessary and avoidable conflicts of interest between shellfish farmers and fishermen. I stress that, under the bill, not all conflict will be avoided. In some cases, opposition to several orders comes from fishermen who dredge for scallops. Such an

activity would be regarded as damaging to the shellfish farmer's interests and would not be permitted.

Encouragement for the bill has come from the Association of Scottish Shellfish Growers. I have also informally consulted, among others, the Scottish Fishermen's Federation, Scottish Natural Heritage and the Highland Council's fisheries officer. As yet, I have not received any comments opposing the bill.

The Rural Affairs Committee will be considering its own formal consultation, but I was pleased that Scottish Natural Heritage said that it supported the aims of the bill, as it supports scallop farming, which it believes to be

“more environmentally benign than scallop dredging”.

I am also pleased to report that the bill has been given the support of the Scottish Executive. The fact that the bill will cost the Executive nothing and should reduce public inquiry costs has, I am sure, nothing to do with that support.

As I said, the bill has received support from MSPs of all parties. I hope that it will continue to be seen as free of party politics—which may not be true of all measures that members have to consider. Its aim is to make a small but useful amendment to our legislation. I hope that, in recognising the non-contentious nature of the bill, members will allow it a speedy passage.

The committee must consult on the matter, but I remind members that considerable work has already been done and consultation has been carried out, including when the measure went through the House of Lords and the House of Commons. I suggest that the consultation carried out by the committee as part of the statutory process should be brief and to the point.

Richard Lochhead: I congratulate Tavish on introducing this matter—it is one of the less controversial fisheries issues that the committee has discussed. When was there conflict in the past?

Tavish Scott: Conflicts in the past related to the need to set up public inquiries and to whether the Sea Fisheries (Shellfish) Act 1967 required them. Members who represent the west coast of Scotland will know that that happened on several occasions. The inquiries were expensive and, ultimately, futile, because they did not solve the problems. That is why the bill has such support and encouragement from the associations that are principally concerned with that fishing activity.

Rhoda Grant: I am not sure whether I should declare an interest as one of the members who signed the bill. Were there any objections when a similar bill went through Westminster?

Tavish Scott: I am not aware of any objections to the bill from the public or outside organisations. The only objection came from one particular MP. I will not go into that because it is history and should be left that way.

The Convener: Are there any other questions? It seems not—the bill must be uncontroversial.

We must now set a schedule for consultation. The committee has already suggested that it would like to take evidence on 25 April. It would be appropriate for us to open a consultation period before that to receive relevant comments. I strongly suggest that the consultation period should begin tomorrow and end on 12 April. That fits with the holiday requirements of the clerking team and allows three weeks for representations to be made to the committee.

Does that suggestion meet with the committee's approval and do we agree to take evidence on 25 April on the issues raised by the bill?

Members indicated agreement.

The Convener: We can now allow Mr Scott to return to the European Committee.

Tavish Scott: Thank you.

The Convener: In connection with the matter, the papers for today's meeting include a list of names of people whom we think it would be appropriate to approach for consultation. Are members satisfied with that list? It is proposed that we approach those on the list as part of the consultation exercise and that we launch the consultation publicly in order to inform those who are not on the list that the consultation has begun. Is that agreed?

Members indicated agreement.

Rural Employment Inquiry

The Convener: We move on to item 4 on the agenda. I welcome Professor Mark Shucksmith, who has been present during today's meeting. He has had an opportunity to see how the committee operates and has heard most of the committee's members speak at this meeting.

We have gone through a complex tendering process to secure the research and advisory background that we need to conduct the inquiry, which we have been planning since the first days of the committee. Today, the successful tender is represented by Professor Shucksmith. Our inquiry will undertake a wide-ranging investigation into employment patterns in rural Scotland, their impact on rural communities and the effectiveness of current policy responses. We have some flexibility; we always wanted to appoint an adviser who could help us to focus on the areas that we wanted the inquiry to address. We need the expert advice of someone such as Professor Shucksmith to ensure that we achieve the aims of the inquiry.

I invite Professor Shucksmith to go through what was, essentially, his tender, but is now his proposal for the way in which we should conduct the inquiry. We will then discuss the proposal.

15:15

Professor Mark Shucksmith (Committee Adviser): I hope that members have received copies of the briefing paper, which summarises the suggested approach. I will go through the paper briefly and then invite questions and discussion. This is a joint proposal for the committee to work with the University of Aberdeen, the Macauley Land Use Research Institute, the Scottish Agricultural College, and with Sue Sadler, who is here today. Sue Sadler is a former officer of Rural Forum Scotland and is very experienced in public consultations that were organised by Rural Forum Scotland. The proposal brings together my role as adviser and the role of the research team. The research team will be co-ordinated by Dr Andrew Copus, from the Scottish Agricultural College, who is also here today. We hope that by working together we will give you the benefit of a much broader range of experience that will help with the inquiry.

The different tasks in which I will engage are set out in a table on the first page of the briefing paper. This is the initial meeting with the committee. Next week I will present a draft of the consultation paper, which will be prepared in the light of the steer that the committee gives us today. There will then be evidence sessions. I understand that next week the committee would

like to hear suggestions about witnesses from whom the committee could hear early in the process, although members want to hold open the possibility of inviting other witnesses later on. Towards the end of May, I will help to draft the committee's report, which will draw on all elements of the research and consultation. Some time is scheduled in early June for discussion of the draft and revisions to it.

The research team has three main roles. First, it will help to devise the strategy for the consultation process and provide input into the consultation document. Sue Sadler will be instrumental in that role. The second role of the research team relates to the tasks that are set out in the specification document, which I will not go through now. Those tasks will lead the research team to produce a number of interim reports, which I will feed through to the committee as they appear. The third role is to analyse the responses to the consultation document and to feed that analysis into the draft report. We envisage that, if the consultation is launched before 4 April and six weeks are allowed for consultation, the consultation period will close in the beginning of May, and that there will then be a couple of weeks to analyse and summarise responses.

On the second page, a diagram provides a summary that I find extremely helpful. It attempts to show how the research team, the committee and I will work together. The remainder of the document summarises the contents of the interim reports. The first report will summarise findings from the analysis of evidence from the Enterprise and Lifelong Learning Committee. The second report will be based on tasks 2 to 4 of the research specification and will address these issues: the key drivers of rural employment change; who gains and who loses and what the impact is, especially in terms of income levels and housing. The third interim report will combine the findings from tasks 5 and 6, and will review the rural dimension of employment policy and present five best practice case studies. The final interim report will present the findings of the consultation exercise.

I hope that that gives the committee an idea of how the research team and I see our relationship. I would be grateful for advice and direction from the committee.

Cathy Peattie: I welcome the idea of the research and advisory teams working together. From day one, I have said that that would be the best way to work.

The paper makes clear the fact that there is a lot of work to be done. It is important that we ensure that rural businesses, people involved in housing, anti-poverty workers and so on are involved in the consultation process. I am particularly interested in

the processes that could be used at public meetings to ensure that local people who are facing unemployment have an opportunity to make suggestions. What is happening in communities should be reflected in the inquiry. One of the case studies that will be included in the third interim report should examine a positive way in which a community has dealt with unemployment through community economic development or something similar. It is important that we get out and about and that not all of the evidence is gathered in a committee room in Edinburgh. We should work in places where people are feeling the bite of rural unemployment.

Professor Shucksmith: I will take those comments on board. We want to involve as many people as possible. We have had some thoughts on how to proceed with the consultation process and although we were supposed to bring our proposals on that to the committee next week, it would be useful to give members a brief idea of what we envisage. That will let us know whether we are on the right lines.

As well as talking to the usual organisations, we want to talk to the wider public—we envisage doing that in a number of ways. We would have a mailing list to which the consultation paper would be sent. We will discuss the membership of that list with the committee's clerks after the meeting.

We also thought that it would be helpful to place articles in the rural press to alert people to the existence of the inquiry, its main thrust and where they can find more information about it. We envisaged that the consultation paper would be available on the Scottish Parliament website. We also envisaged that there would be a number of public meetings. We would like members' guidance on how many meetings there should be and where they should be held.

We have considered holding between three and five public meetings to cover the different parts of rural Scotland. There is a need to have some meetings in the south, some in the Highlands and some in Central Scotland—exactly where they were held would depend on whether there were three, four or five meetings. The number of meetings held would depend upon the participation of committee members and the time that members have to speak at the meetings to explain the inquiry to the public.

Sue Sadler (Rural Employment Inquiry Team): We have some ideas about where we might hold the meetings. Echoing what Mark has just said, we aim to have at least one meeting in the Highlands and at least one in South of Scotland. Depending on how many meetings we have, we would also like to cover the east and west of Scotland because transport links in Scotland are more north-south than east-west.

We are keen that members of the committee take the consultation out to people and explain it from their perspectives, so that we do not introduce yet another interpretation of what is wanted from the consultation.

There are questions about how many people we want to engage and what the cost of the exercise might be. We could limit the number of people who participate in a session, or we can make meetings open; that will depend on the resources that go into the inquiry.

If we were to have three meetings, I thought that they might be in Moffat, Laurencekirk in the north-east and in Kyle of Lochalsh or Oban in the north-west. If we have five meetings, we could perhaps consider Inverness, Newtown St Boswells, Laurencekirk, Newton Stewart or Stranraer, and Oban.

Any comments will be gratefully received.

Alex Fergusson: Go for five.

Mr Rumbles: Does Laurencekirk get two meetings?

Sue Sadler: No.

Richard Lochhead: I welcome the Aberdeen research consortium on board.

Since it is early in the Parliament and as this is a major inquiry, we should make full use of the opportunity for Parliament to be seen to go around the country. We should hold at least five meetings, which should be as open as possible and spread as widely around the country as possible. The committee could also take evidence outwith Edinburgh.

Rhoda Grant: I am concerned that the furthest north that a meeting will be held is Inverness, which is reasonably urban compared with other parts of the Highlands and Islands. The northern isles—Shetland and Orkney—and the western isles—Lewis, Harris and Barra—do not have links to Inverness and would not feed into those meetings. It is a huge rural area and to choose a large town in the south of the area might not be the best way to get rural views.

Lewis Macdonald: As an Aberdeen MSP, I am even more pleased than Richard Lochhead to congratulate the Aberdeen research consortium on making such a professional and impressive proposal. My concern is that when social issues in rural areas are being considered, those who are socially excluded sometimes find it difficult to express their views in a public forum that is also attended by those who are very socially included and who hold power in communities. Are there ways in which people who have less confidence and less power in their communities can be enabled to speak out and not feel inhibited?

15:30

Sue Sadler: We can think more about that, as it is important. We need to find ways of allowing people to feel comfortable—rather than intimidated—about contributing to the consultation. However, we also need to gather a wide range of views—I would be reluctant to go down any path that would lead to our listening to only a small selection of views. We might be able to reach the people to whom Lewis Macdonald referred through specific interest groups or activities.

The Convener: No matter how one approaches the topic, the sample will always be self-selected to some extent. Those who wish to come forward will do so.

Cathy Peattie: It is a difficult issue. Organisations such as the councils for voluntary service, which work in the rural areas and have a wide base of members, are the kind of agencies that we might want to link with. I share Rhoda Grant's concern—at least one of the five meetings should be held in the islands, where there are special problems of distance.

Alex Fergusson: I concur. I am pleased to see the acknowledgement that east and west have different problems within the northern and southern regions. I am a regional MSP for South of Scotland, and I am sure that Elaine Murray will agree that there are three distinct geographic regions in South of Scotland, each of which has distinct problems. Although one must have regard to the cost of the inquiry, I think that the five-meeting programme will serve us well, bearing in mind Lewis Macdonald's comments on how we need to draw people out to give us evidence.

Irene McGugan: I would add Caithness and Sutherland to the list, as the far north has particular problems.

Are you including bodies such as local rural partnerships and social inclusion partnerships on the list of those with whom you might make contact?

Professor Shucksmith: We have drawn up a list of different ways in which to reach different groups. Community groups could be reached through the newsletter that the Scottish Council of Voluntary Organisations in Inverness produces. We also have a lengthy mailing list in the Arkleton Centre for Rural Development Research, which includes many community activists in different parts of rural Scotland. We have tried to think of different ways in. I hope that we are approaching the issue from all angles and that we will be able to reach most groups. The points about having a meeting in the islands and ensuring that we reach people who would not normally participate are well taken.

The Convener: We have already said that there should be five meetings, but there are more than five suggestions about where they should be held. Will you run through the five places that you originally selected, so that we can have a brief discussion on where the committee wants the meetings to take place?

Lewis Macdonald: This is a balancing act that might be better performed by our research team than by the committee—if that is not delegating responsibilities too quickly. I would be happy to delegate that decision to the research team. They have heard the committee's views, and their initial proposal was well balanced, although there are one or two other factors that must be taken into account. We need to discuss this in detail today, unless other members feel differently.

The Convener: Do we have an alternative bid? I am happy with that, Lewis.

Sue Sadler: Can we have a steer as to whether a visit to the islands should be additional to the other five meetings?

The Convener: Are there any comments?

Rhoda Grant: I would be happy for such a meeting to be additional to the others. We do not need to visit all the islands but we should visit at least one, although I am not sure which. I would be happy to delegate that decision.

Professor Shucksmith: It would be helpful if we could get a steer on the nature of the consultation document. When we meet again next week, we will have drafted that document, and it will not be long before the committee will want to launch the consultation. The more steer that we can get on that today, the better.

This might be completely at odds with members' views—please tell me if it is—but I envisaged that the consultation document would begin with a preamble on the inquiry and why the committee is pursuing it. The document would be constructed around approximately 10 key questions. Those questions should be those that will engage people's interest and attention and to which they would respond. Each question might appear at the beginning of a separate sheet, with some text below the question that would elaborate the issue to be discussed. To determine whether I am on the right or the wrong lines, I have drafted 10 questions with the help of the research team. This will not be the document that I will submit to you next week, but discussion of it should give us an idea whether we are aiming for the appropriate breadth—or narrowness—in the inquiry and whether they are the sort of questions that members want.

The Convener: Do members have the questions?

Professor Shucksmith: I do not know whether members have had time to examine the questions in advance, but I would welcome comments and ideas on them.

Dr Murray: I had a brief read through the questions. Could they be more specific about manufacturing industry? Manufacturing industry is being lost in South of Scotland and in other parts of rural Scotland. There should be some investigation into the problems of attracting and retaining manufacturing in rural Scotland, and into the issues that surround the problems of the manufacturing sector. Those problems could be addressed specifically in some of these questions.

Professor Shucksmith: Absolutely. I included manufacturing in my first draft of question 2, but removed it when the question got very long.

Mr Rumbles: You are good at asking open questions, but question 5 begins the closed questioning. It asks:

"In rural areas there is a high level of self-employment. Is this indicative of a high level of entrepreneurship or of a lack of alternative opportunities?"

Your open questions are quite good, but we should try to avoid closed questions.

Your second question, concerning substantial increases in jobs in local government, will not go down well in Aberdeenshire or in rural areas where outstations and so on are being closed.

Professor Shucksmith: Local government has been one of the fastest growing sectors in employment in rural Scotland.

Mr Rumbles: Not any more.

Professor Shucksmith: I know that local government is facing difficult times in Aberdeenshire.

The Convener: Are there any other comments?

Cathy Peattie: We do not want to ask leading questions when exploring the differences between full-time and part-time work and male and female employment. Is there room for a question on child care? When I speak to women, they tell me that that is the biggest barrier to employment.

Professor Shucksmith: Sorry, that should have been included. Perhaps I could add that into question 4, which lists the key issues. I am not quite sure how I left that out.

Lewis Macdonald: I have a small point on question 10, particularly as today is budget day—the UK Government might also be a main player in stimulating rural employment.

Richard Lochhead: I am just looking through the paper. I am not sure that there is anything in here about cost barriers to employment in rural

areas. It would be good to draw out of people what they see as the cost barriers to living in rural areas—petrol duty is one thing that comes to mind, but there may be others.

Professor Shucksmith: Question 4 includes a number of things that might be barriers, for example the lack of training opportunities. We have not listed them as positives or negatives. Transport should probably be added to the list, as well as child care.

Dr Murray: I have a point on question 10, to which Lewis Macdonald has referred. I imagine that a lot of people who will respond to the consultation will not be aware of the roles of the different organisations and might need a bit more explanation of what a local enterprise company does and so on.

Professor Shucksmith: That is where the idea of having a page of text underneath a number of the questions would help. It would be helpful to elaborate a little on the issues and responsibilities and so on. Similarly, on question 8, which lists various policies, there could be some elaboration of things such as the new deal.

Irene McGugan: Is question 7 where we would expect people to mention the reduction in services, such as the closure of post offices, garages, small shops and pubs, which further escalates the decline of rural economies?

Professor Shucksmith: I am trying to think where that would come in. Those issues are more to do with rural decline than specifically with rural employment losses.

Irene McGugan: Yes, except that when those services disappear, they take jobs with them. The lack of services may mean that fewer people want to live in rural areas, because they do not have access to a post office, local shop, school or whatever. When people move away because areas do not have all the services they need for their families, they take money out of the local economy.

Professor Shucksmith: We should probably elaborate on that a little in the text if we want to draw out that sort of issue in the responses. We may need to do that in questions 6 and 7, because question 6, which looks at how the changes in employment opportunities affect different groups and how they relate to poverty, social exclusion and housing, links with the other services as well. We will build that in.

Alex Fergusson: My point ties in with question 8 and with Elaine's point about manufacturing. Should we be examining whether people feel we could encourage better employment practices in rural areas by adding value to the primary products that at the moment are shipped out? That

would be well worth examining, if it comes within the remit of the report, which I think it probably does.

Professor Shucksmith: Yes.

The Convener: Are there any further comments?

Mr Rumbles: I have a question. How are we defining rural areas for the purposes of this investigation?

15:45

Professor Shucksmith: We agreed on the way here that we would not mention that. [*Laughter.*]

It is a perennially difficult question. It is especially difficult in a public consultation, because everyone has their own idea of what is a rural area. My usual approach is to let people define in their own minds what a rural area is. Pinning it down becomes more important when one is trying to assemble statistics. The research team will grapple with that. For the consultation, we will be interested in people's views regardless of what they think is a rural area.

The Convener: Would it be fair to say that we want to talk to people who believe they live in a rural area?

Professor Shucksmith: That sums it up very well.

The Convener: That seems to be all the questions.

Professor Shucksmith: Are members happy with the general approach?

Members indicated agreement.

Richard Lochhead: Brevity is the key to this. We want ordinary people to respond to the questions—not just organisations. There should not be too many questions—10 is fine—and we should keep them quite simple and straightforward.

Professor Shucksmith: We have made a first attempt at jargon-busting so the questions will be as accessible as possible.

Richard Lochhead: Organisations have the resources to answer these things—they just get someone to do it—but we want ordinary people to respond.

The Convener: Professor Shucksmith will be back again next week to consider the detailed consultation process, so we will be able to hear how the consultation is evolving. What he has told us today has been very encouraging. Cathy Peattie, Irene McGugan and I have tried to keep this running along. We have had a number of disappointments, so I am sure that I speak for both

those ladies when I say that we are delighted to have got to this stage. Thank you, professor, for coming along today.

Protection of Wild Mammals (Scotland) Bill

The Convener: We move on to the final item on our agenda. As I said earlier, the press has perhaps slightly misrepresented this. The intention behind having the bill on the protection of wild mammals on the agenda was simply to allow us to look at its scheduling.

I have spoken to Mike Watson and have agreed with him to have the launch of the bill—as had previously been agreed—on 4 April at 2 pm. There had been a possibility that that would be changed, but I have confirmed with him that we will go ahead as previously agreed. Thereafter, the committee can consider what consultations are required. Richard Davies will run through the schedule that has been planned.

Richard Davies (Clerk Team Leader): Our understanding is that once the committee has heard Mr Watson introduce his bill, members will wish to consider what sort of consultation they wish to undertake. The broad intention is to hear evidence before the summer recess.

The Convener: If we have the consultation phase and take evidence before the recess, we will have a stage 1 report available at the end of the recess, which will allow us to move to a stage 1 debate very soon after the recess.

Mr Rumbles: It is important that we do not allow our consideration of the bill to interfere with our other work. I have already announced my concerns about the national parks bill. I am concerned that we will not get the national parks bill through in time. I would not like to think that we are going to rush our work on this bill at the same time.

The Convener: From what the clerks have told me, I believe that the proposal to have the consultation period, to take evidence very late, but before the summer recess, and to consider the stage 1 report in early September—

Mr Rumbles: So national parks will be put to bed by the recess?

The Convener: We hope that that will be the case. By taking it this way, we will initiate the bill, go into a consultation phase, and I hope that thereafter the matter will not be demanding on the time of the clerking team or the committee until the period immediately before the summer recess.

Mr Rumbles: So it will not impinge upon the national parks bill?

The Convener: We hope that the schedule as laid out will allow that to be the case. Are there any other comments?

Alex Fergusson: Just as I do not want us be seen as a rubber-stamping committee for the national parks bill, we must not be seen as doing anything less than a very thorough investigation of this bill, which rightly or wrongly seeks to remove rights that people have enjoyed for a long time. We owe it to those people to be as thorough as we can. I hope that there is no intention of rushing this bill through. Our investigations must be thorough and intense. I hope that we can find time to do that.

The Convener: It is the broadly held view of this committee that we should make a detailed investigation of all the aspects surrounding the bill.

Dr Murray: I agree that there are a number of issues that have to be looked at carefully with regard to this bill. My concern about the timing is not so much with the national parks bill, which should be legislation when we discuss this bill, but the possible interaction of this bill with the fishing inquiry that we intend to do around late summer, because that inquiry is time limited and we have to give our responses to the European Union to feed in to the process. We have no flexibility on that. Does the clerk have any comments on that?

Richard Davies: It is hard to comment at this stage. We would need to see how much work is involved in those two pieces of work.

The Convener: We are setting out today the intention to have a stage 1 report by early September, so that the Parliament can move to a stage 1 debate in early September, or as soon as it can be scheduled. Once that has happened, we will be in a position to consider the scheduling of our progress thereafter.

If there are no further comments, I thank all of you for your attention, and in particular I thank Mark Shucksmith and his team for making their presentation to us today. We look forward to meeting them again next week. Thank you for your help.

Meeting closed at 15:52.

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