

RURAL DEVELOPMENT COMMITTEE

Tuesday 6 March 2001
(*Afternoon*)

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RURAL DEVELOPMENT COMMITTEE

6th Meeting 2001, Session 1

CONVENER

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

DEPUTY CONVENER

*Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP)

COMMITTEE MEMBERS

Mrs Margaret Ewing (Moray) (SNP)

*Alex Fergusson (South of Scotland) (Con)

*Rhoda Grant (Highlands and Islands) (Lab)

*Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab)

*Richard Lochhead (North-East Scotland) (SNP)

*Mrs Mary Mulligan (Linlithgow) (Lab)

*Dr Elaine Murray (Dumfries) (Lab)

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

*Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

*attended

CLERK TO THE COMMITTEE

Richard Davies

SENIOR ASSISTANT CLERK

Tracey Hawe

ASSISTANT CLERK

Jake Thomas

LOCATION

Committee Room 2

Scottish Parliament

Rural Development Committee

Tuesday 6 March 2001

(Afternoon)

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

The Convener (Alex Johnstone): Good afternoon, ladies and gentlemen and thank you for attending. We still expect Cathy Jamieson to be here. In fact, here she comes; she has not missed any of the business at all. We have received apologies, however, from Margaret Ewing, who will not be joining us today.

Committee Business

The Convener: First, we must decide whether to take some items on today's agenda in private. We have already decided to deal with item 9 in private. Item 8 concerns an expenses claim; we have traditionally dealt with such claims in private. Item 7 is the reintroduction of a draft report that has never been signed off. That item is on the agenda primarily for the benefit of those members who were not members of the committee at the time when the work was done on that report. As with previous issues of the report, we propose to take that in private. Item 6 is a discussion of the committee's approach to the budget this year. It has been suggested that we take this item in private because we may want to discuss the appointment of an adviser, which we normally do in private.

Do members have any views on whether we should take those items in private?

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): I wonder how many of those items we will get to, considering the length of the agenda.

The Convener: Indeed.

Mr Rumbles: There are 11 petitions, nine statutory instruments, the taking stock exercise, the cod recovery plan, the budget, land reform and then, of course, the Protection of Wild Mammals (Scotland) Bill.

The Convener: Many things could happen during the meeting but, if we have made the decision to take those items in private, that covers us for when they come back on to the agenda for future meetings.

Mr Rumbles: But we will not get as far as that, will we?

The Convener: Are there any objections to those items being dealt with in private?

Members: No.

The Convener: In that case, we shall take items 6, 7, 8 and 9 in private.

We shall now progress with the agenda. However, I have had a request from Richard Lochhead that the item on the implications of the cod recovery plan be brought on to today's agenda. I added it as item 5 but, because of events that are taking place, Richard asked me to bring it forward so that he can address us on it now. I understand that a meeting will take place later this afternoon, which he may want to inform us about. Do members object to allowing Richard to speak on item 5 at this stage?

Mrs Mary Mulligan (Linlithgow) (Lab): I want to be clear about this. Will he speak on the substance of the issue, or on why we should take it now rather than as item 5?

The Convener: Would members be content to allow us to take agenda item 5 at this point?

Mrs Mulligan: I assume that the intention is to take that item now so that Richard Lochhead can go to another appointment. However, I am not sure how that sits with regard to the importance of the other items on the agenda.

The Convener: I understand that Richard will suggest that the committee may want to become involved in what he is planning for this afternoon. Taking item 5 now would give him the opportunity to explain that and to make his suggestion to the committee.

Mrs Mulligan: I would be happy to hear that.

Dr Elaine Murray (Dumfries) (Lab): I am a little bit unhappy about the suggestion that we might want to be involved in something that we have not had any notice of as a committee.

The Convener: I suggest that Richard explain that to us further. All members should have received an e-mail concerning a meeting that is taking place later today.

Mr Rumbles: On a point of order. I am a little confused. I started by looking at the agenda and it seemed obvious to me that we cannot cover all those items today. It is as simple as that. Now, we seem to be discussing item 5. If members want to discuss it now, we should discuss it now. If they do not, we should leave it as item 5. I do not understand what we are doing.

The Convener: I received a request from Richard Lochhead that item 5 be brought forward.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I think that we should hear

from Richard Lochhead out of sheer courtesy. The e-mail was sent at 11 something this morning and I read it at lunch time. The events in question have come up very fast. I think that Richard intended to propose that we adjourn the meeting and go down to Leith.

Richard Lochhead (North-East Scotland) (SNP): That is right. I wanted to discuss the topic, as I intended to do under item 5 in any case. In the light of the events that are overtaking us, I also want to refer to what is happening this afternoon.

The Convener: Are we content to take item 5 now?

Members *indicated agreement.*

Cod Recovery Plan

The Convener: Item 5 on the agenda concerns the implications of the cod recovery plan. It was placed on the agenda at Richard Lochhead's request, in the light of the fisheries closures, which members may wish to discuss.

Members will be aware that meetings and protests took place in the past week. Fishing industry representatives are to meet the First Minister shortly to discuss matters. Before the committee discusses any action that it might take, I ask Richard Lochhead to speak on the matter.

Richard Lochhead: I thank the convener for placing the item on the agenda at short notice and I thank the committee for allowing me to speak to the issue.

The committee will be aware that the fishing industry faces a crisis. A protest is taking place as we speak, in the form of a flotilla that has come down from the north-east and been joined by boats from around Scotland. That flotilla is now in the capital—I expect that it is at the Forth bridges—and comprises at least 180 boats, which is double the expected number. I understand that it stretches for 11 miles.

As with last Thursday's lobby, when 500 fishermen from around Scotland's coasts descended on the Scottish Parliament, and meetings before that around the country, the purpose of the flotilla is to highlight the crisis that the industry faces and to call for a compensated tie-up scheme for the fishing fleet, in light of the cod recovery plan.

I will briefly summarise the effects of the crisis. A fortnight ago, the European Union put in place a 12-week closure of key North sea fishing grounds to protect cod spawning. That has led to a concentration of fishing effort in the grounds that are open to the Scottish white fish fleet, which comprises between 300 and 400 boats. Those grounds are around Shetland and Fair Isle. Within days, it became clear to the fishermen there that that concentration of effort was destroying immature haddock stocks and the haddock fishery. Fishermen came across billions of young haddock of the 1999 year class, which was supposed to sustain the fishery for the next few years. They had to discard 90 per cent of their catch. In some cases, 200, 300 or 400 boxes of fish were caught, of which 10 or fewer were put down in the hold to bring to shore, because the fishermen are not allowed to bring back the smaller fish, which are at any rate not marketable.

In response to that, the fishermen faced a dilemma. They could go to sea, destroy the juvenile haddock stocks and the future of the

fishery, or stay in port voluntarily and allow the bills to run up and bankruptcy to come closer with each day. The fishing community has engaged in much high-profile activity in the past couple of weeks to call for the Government to compensate the fleet for staying in port, to safeguard the 25,000 jobs that relate to fishing and to protect the young haddock stocks.

I think that the committee would join me in commending the fishermen for the dignified way in which they have conducted their protest, which has caught the public's imagination and won the support of the public and many MSPs. As a result of last week's action, the First Minister agreed to meet the fishing industry on Wednesday to discuss the crisis. I asked for the subject to be added to today's agenda because the committee might wish to respond to that meeting and because fishermen are arriving in Edinburgh as we speak. The committee might wish to adjourn its meeting—perhaps at 3.30 pm—to meet the fishermen's leaders, who will be at Leith docks between 3.30 and 4 pm. I recognise that we have a heavy agenda, although we may not get through half of it.

I do not exaggerate the crisis. At stake are 25,000 jobs in the inshore and offshore sectors relating to fisheries. If the fishermen fish out the haddock because they have no compensated tie-up scheme, they will divert to other fisheries, such as the prawn fishery, which will in turn be wiped out. Then, the fish processing sector will close down, as will all our coastal communities. This is the week when the powers that be will take the decision that dictates the outcome of the crisis. That is why I ask the committee to consider its response to the First Minister's meeting tomorrow. Does the committee wish to contact the First Minister before then by letter or another means? Do we want to use the opportunity of the biggest fishing protest in decades coming to Edinburgh to meet the fishermen's leaders?

Mr Stone: I will probe Richard Lochhead's idea a little. This is not a problem, but the Liberal Democrats had a group meeting at lunch time—as Richard knows—and we decided that Iain Smith would stand in for me and go down to meet the fishermen. He represents the East Neuk, after all. Could the fishermen come here? Only two boats are coming to Leith. Do they have other meetings scheduled for later today? I do not know.

14:15

Richard Lochhead: That is a good suggestion. However, my understanding is that the fleet is allowed only into the Firth of Forth, where it plans to stay for a couple of hours. Two boats are breaking off from the fleet to dock at Leith, because the fishermen's leaders want to speak to

the media and some people must be allowed off the boats to come onshore. Those boats must then rejoin the rest of the fleet, which will leave, for safety. For those reasons, I am not 100 per cent sure whether Jamie Stone's suggestion is an option.

Mr Stone: I take it that, in your absence, someone else from the SNP is representing you at Leith.

Richard Lochhead: Yes, but I will go there between 3.30 and 4 pm, because I gave an undertaking a while back to do that. The fishermen are highlighting a real crisis. They are not performing a publicity stunt. Therefore, it would be worth while if the committee spoke to them. That is an option.

Mrs Mulligan: Representations were made last Thursday. I accept what Richard Lochhead says about the situation being serious, but I am not sure whether anything has changed substantially since last Thursday. People listened to the arguments then. As Richard said, a meeting between the fishermen's leaders and the First Minister will take place tomorrow. If the committee wished, it could offer its support to the fishermen, but I am not sure what we could do by being in Leith, especially given our heavy schedule. No one would deny that the agenda contains equally pressing matters. We have said that we will have difficulty getting through the agenda, so taking time out to go to Leith and return would make it difficult to cover even half of it.

Richard Lochhead: I welcome Mary Mulligan's comments, especially her support for the industry. I merely flag up a visit as an option. The committee has an opportunity to be innovative by adjourning at 3.30 pm to meet the fishermen, who represent thousands of people. The situation is unusual when a flotilla of 180 boats or more, stretching for 11 miles, comes to Edinburgh to communicate with the Parliament. We represent the Parliament. Welcoming the fishermen is an option for us.

Mrs Mulligan: You did not say whether anything had changed substantially since Thursday, to which we could respond.

Richard Lochhead: The substantial change since Thursday is that we are only 24 hours away from the Government saying whether the campaign has been successful. If we greeted the fishermen, we would show our support for their cause.

Alex Fergusson (South of Scotland) (Con): Mary Mulligan made a good point. What has changed? Richard Lochhead said that we are 24 hours away from the fishermen's meeting with the First Minister. I have great sympathy with the fishermen's case as they put it to us last week, but

we would be much more useful if we made a positive contribution by sending a message to the First Minister before the meeting. I feel that that would carry much more weight. I am seriously worried about the amount on the agenda and what another postponement would mean to the size of next week's agenda. I think that we have a meeting scheduled for next week.

I have sympathy with Mary Mulligan's point of view.

The Convener: I detect a view that it is important to carry on with today's business. However, I am also beginning to detect a degree of support for the views that have been expressed by the fishermen. What are members' views on that? Is the committee in a position to express support for the fishermen?

Mr Stone: Mary Mulligan's suggestion is a good one. Following on from what Alex Fergusson said, we should, if possible, say to the First Minister that we understand and sympathise with the fishermen's situation. Can the committee write to the First Minister prior to the meeting and ask him to do everything in his power?

Members will think that I am absolutely off the wall, but I think that it might be no bad thing for the committee to get its teeth into the detailed questions about what the fishermen are asking for. I know that we have an impossible schedule, but should we invite the fishermen to give evidence to us sooner rather than later?

The Convener: We should await the outcome of this week's talks before we make a decision on that.

Mr Stone: Okay. Subsequent to that meeting, could we issue that invitation? At last week's meeting, there was quite detailed discussion about, for example, the amount of money per day per boat per tie-up. We could quite easily get our teeth into that sort of thing. There was some haziness over the sums involved. The sum of money that was needed was realised, but there was some haziness in trying to define the average size of boat, for example. That could be useful work that would help the fishermen.

Dr Murray: I am not sure what will transpire after the First Minister's meeting tomorrow. The committee may wish to write to the First Minister to ask him to do all that he can to deal with the problems that the fishermen are facing.

I went to both meetings last Thursday and was impressed with the fishermen's arguments. I was conscious, however, that we did not hear a direct response from the ministers to the fishermen's points. Unless some decision has already been taken or some announcement made, it might be worth while to have a session in which we take

evidence from the Scottish Fishermen's Federation and from the ministers to find out what can be done to ease the pretty dreadful situation that fishermen are in.

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): I support the points made by Elaine Murray. Over the past couple of weeks, I have become very aware of the range of issues that are involved. It is important that we hear from all sides.

I was quite surprised to hear of some of the financial arrangements, the impact on the crews on the fishing vessels and what might be done in a general sense to pick up and ease some of their difficulties. I would like to have some more information on such matters, presented in a structured and carefully thought-out way, so that we could make some recommendations.

I appreciate, however, that short-term difficulties have to be resolved. If the committee can do anything today—such as write to the First Minister to urge him to hear all sides and take whatever steps are appropriate—we should do that.

The Convener: There is a big queue to speak, but Fergus Ewing has been waiting for a while.

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): No one who was at the meeting at which John Buchan spoke last week can be in any doubt that the fishing industry in Scotland is facing its greatest crisis ever. I support Richard Lochhead's proposal to visit the fishermen this afternoon. I detect, however, that it will not be supported by the committee as a whole.

Alex Fergusson was the first to point out that there is one thing that we can do today. We can write to the First Minister to express the committee's clear support, in principle, for a compensation package for the industry in exchange for a tie-up scheme. I do not need to rehearse before committee members the arguments for that, because members were present last week and therefore know the arguments.

As has been mentioned by Cathy Jamieson and Elaine Murray, we cannot put a figure on the compensation package now, nor would it be appropriate that we do so in such an open forum. However, I am sure that to give fishermen what they have been arguing in favour of for a long time, we should accept the principle that a tie-up scheme is not only necessary but essential if we are to have a fishing industry. If we accept that the millennium dome cost around £1 billion, by broad rule of thumb, we could pay for a tie-up scheme around 50 to 100 times over from the money that it cost to build the millennium dome.

My proposal is quite simple: that the Rural

Development Committee, following today's meeting, writes to express its unanimous support for the principle of a compensation package—to be negotiated between the Executive and the fishing community—with the aim of securing the tie-up that the fishermen say is necessary to conserve the industry and fish stocks.

Rhoda Grant (Highlands and Islands) (Lab): I think that we have to go further than that. Fergus Ewing's proposal is all very well as a means of dealing with the immediate crisis, but if we are to have a fishing industry, we need to look at the long term. Our letter should say not only that we need to consider and deal with the short-term issues, but that we need to take a serious look at the industry's long-term needs. I know that the Scottish Fishermen's Federation has produced proposals to make the fishing industry sustainable. Rather than just firefighting, we need to keep our eye on the long-term goal: if anything, that is as important as the short-term goal.

The Convener: As other members wish to comment, I will take Mary Mulligan first—she has been waiting for a while—then Alex Fergusson.

Mrs Mulligan: On the point that Rhoda Grant made, I would be reluctant to tie ourselves strictly to compensation for tie-up at this stage, as we may lose some of the benefits that could be brought about by looking at a longer-term plan, which might result in some kind of decommissioning situation. We need to look at what resources are available—Fergus Ewing can sit here and say that money was spent elsewhere, but we are talking about money that will have to come out of the Scottish Executive budget. I accept the difficulties that the fishermen have at the moment, but members must recognise that the money has to be found from somewhere. I am not ruling out a compensation package, but we need to discuss it in more detail. I do not think that at this stage, with the information that we have, we could support compensation.

As Rhoda Grant said, we must look at longer-term provision. If we are to write to the First Minister, asking him to look sympathetically at the fishermen's position when he meets them tomorrow, we must accept that he will have to consider all the options and all the information that is relevant to those options, before he makes a decision. We must look carefully at what we have to do to bring that about, but the First Minister must recognise that we totally support a long-term future for fishing in Scotland.

Alex Fergusson: I agree absolutely with Mary Mulligan and Rhoda Grant. However, it was brought home to me last Thursday that the situation is different, because of the desperate short-term urgency. Damage to the young stock is being brought about by regulation and legislation,

which have closed the areas for cod fishing and forced fishermen into other areas. A warning that there would be consequential damage to those areas was made in a debate in the chamber some time ago. The fact that the damage has been brought about by legislation means that we must address not only the long-term situation, which is vital to the sustainability of the industry, but the urgent short-term situation. I therefore tend to support Fergus Ewing's proposal.

Mr Stone: John Buchan made the point eloquently last week when he said that, if there is no survival in the short term, there would be no long-term future. I suggest that there is a middle way: the thing to do is to write to the First Minister, saying that the Rural Development Committee is deeply concerned about the state of the fishing industry, particularly at this point in time. We should ask that the First Minister consider all means of ensuring the short-term survival of the industry, including a possible tie-up scheme. Such a request would not box him in too much. We should rule nothing out, but we are duty-bound to the fishermen to mention the tie-up scheme.

The Convener: I have considerable sympathy with the views of Richard Lochhead and Fergus Ewing. However, at this time—the day before the meeting with the First Minister is due to take place—this committee's highest priority must be to send a unanimous message to the First Minister and the Deputy Minister for Rural Development. I therefore propose that we contact them—today if possible, but certainly before any discussions take place tomorrow—to express a unanimous view along the lines that Jamie Stone has suggested.

Mr Stone: Can we also—today—send a message to the people on the boats saying that that is what we have decided?

14:30

Richard Lochhead: All parties will be represented when the fleet arrives at Leith docks, and that is very welcome. I was merely flagging up some options. I fully accept that we have an agenda and that we will all be represented down in Leith anyway.

I have to make one thing absolutely clear. Alex Fergusson and Jamie Stone hit the nail on the head. The protests are happening because of tomorrow's meeting. Much of Scotland's fleet—the vast majority of boats—supports a voluntary tie-up. They are showing solidarity as an industry and are speaking with one voice, which has not happened in a long while.

We face a short-term crisis. Tomorrow, at the meeting with the First Minister, if the fleet does not get a compensated tie-up scheme, it will have to go back to sea so that people can make a living.

Otherwise, those people will go bankrupt. As Alex and Jamie have said, if the fleet goes back to sea, it may not have a long-term future, because the stocks that are to sustain the fishery for the next few years will be wiped out in a matter of weeks.

What is required tomorrow is a scheme that will get the fleet through the next 10 weeks, while the grounds concerned are closed. That is the nub of the issue. Rhoda Grant is absolutely right to say that we need long-term measures; however, this week we need a short-term measure, which can only be a compensated tie-up scheme. That is the absolute truth, and it is very important that we convey that message in our letter to the First Minister.

Dr Murray: From what he is saying, I am not sure whether Richard Lochhead supports Jamie Stone's approach or not. That approach, which is not prescriptive and which allows for discussion to take place between the First Minister and the fishermen's representatives, is appropriate. At that discussion, things will be said and points of view will be expressed that none of us have heard. I therefore support Jamie's approach, but I am not sure whether Richard does.

Richard Lochhead: I broadly support what Jamie Stone said when he cautioned us about the wording of the letter. Tomorrow, only one issue is on the agenda: the short-term measure to save the industry. The First Minister either supports that or he does not. I suggest that this committee should make it clear to the First Minister that we support that measure.

Mr Rumbles: Jamie Stone has hit the nail on the head. He has outlined a proposal that I am sure has the support of every single member of the committee. However, I do not think that everyone takes the view that Richard Lochhead takes. As the convener has suggested, it will be much more forceful if our letter to the First Minister and our message to the fishermen represent the unanimous view of the committee. We should support Jamie.

Mr Stone: In fairness to Richard Lochhead, I do not see why the letter should not say that this committee is concerned about the short-term survival prospects of the Scottish fishing fleet. I think that that is what Richard is saying.

Fergus Ewing: It seems to me that my proposal, as expanded by Richard Lochhead, and Jamie Stone's proposal are different in one important respect. My proposal was that we should unequivocally support the principle of a tie-up scheme. Jamie said that, although we should make it clear that we are concerned about the short-term future of the industry, we should recommend measures including—and I wrote this phrase down—a "possible tie-up scheme".

With respect to our colleagues as the committee tries to find unity, Richard Lochhead and I disagree with that wording. There is no question mark—a scheme is necessary. I would find it difficult to support a form of words that merely referred to the possibility of such a scheme, because, with all due respect, that is almost identical to the form of words that the ministers have suggested. Nothing is ruled in or out. Without being prescriptive, Richard and I want to rule in the principle that such a scheme is necessary. That is the clear difference between the two positions. Although the details are a matter for negotiation, the principle must be established beyond doubt.

Mr Rumbles: It will be unhelpful if we cannot reach a unanimous view. If we have to push the matter to a vote and it becomes likely that a motion will not go through unanimously, we should have no motion at all.

Mr Stone: In that case, shall we instead say something like "a tie-up scheme or a similarly financed scheme that would equally lead to the survival of the fleet"?

The Convener: We must be careful that we do not prescribe anything.

Cathy Jamieson: The wording that Jamie Stone proposed earlier should be able to encompass the views of all committee members. I agree with Mike Rumbles. If we cannot give out a unanimous message, we will divide people over a very small point instead of allowing them to focus on what all committee members want: a short-term solution to deal with the immediate crisis, but in the context of a discussion about measures for the longer-term sustainability of the industry.

Although I do not know the technicalities or practicalities of a tie-up scheme—those are for others to work out and negotiate—it should be considered as an option. However, I do not want to rule out any other possibilities that I may not yet know about. As a result, Jamie Stone's suggested wording is perfectly sensible.

Alex Fergusson: I totally understand the desire for unanimity and agree that we will have problems with sending a message if we cannot be unanimous, but I am also worried that the wording will be too wishy-washy. Although I do not mean to call my friend Jamie Stone wishy-washy, the proposed wording dilutes what the committee is trying to say.

Although I am willing to accept that I am no expert on the subject and am therefore open to what I hear about it, it was made clear to us last Thursday that there are two options; that a tie-up scheme is introduced or that the fishermen go back to sea and destroy the future stock. Given that choice, I can see no alternative but that the

committee should suggest a tie-up scheme. We do not need to go into how much it would cost or the amount that individual boats and skippers should be paid. Any message that we send must be relatively robust; watering it down too much will have no beneficial effect. That said, I would like to see a degree of unanimity.

Mr Stone: Although the evidence to date has indicated that a tie-up scheme is the solution, there has been some strong evidence against. All I am trying to do is find a form of words that the two SNP members can accept.

Alex Fergusson: Perhaps we could say something to the effect that we urge the First Minister to consider all options and that if no other option can be achieved, he should consider a tie-up scheme.

The Convener: Or we could simply ask the First Minister to consider all options, including a tie-up scheme.

Mr Stone: That is what I said in the first place.

Alex Fergusson: No. You said "a possible tie-up scheme", which is different.

Mr Stone: Oh well, take out the word "possible", then.

Alex Fergusson: If we do that, we could reach an agreement.

The Convener: Richard Davies has made some notes. At the risk of not being able to read his writing properly, I will ask him to run through them.

Richard Davies (Clerk): What appears to be suggested by Jamie Stone comes in three parts: first, to express unanimous deep concern over the present situation; secondly, to urge the First Minister and the Deputy Minister for Rural Development to do all that they can to ensure that all options for sustaining the future of the industry are considered; the third part uses the words, "including a possible tie-up compensation scheme".

Alex Fergusson: We should take out the word "possible".

Mrs Mulligan: Could you read out the third part again.

Richard Davies: No problem: "including a possible tie-up compensation scheme".

Mrs Mulligan: Could you take out "possible" and say "to consider a tie-up scheme"?

The Convener: Or "to consider all options, including a tie-up scheme."

Richard Davies: The text now reads: "to express unanimous deep concern about the present situation, to urge the First Minister and the

Deputy Minister for Rural Development to do all they can to consider all options for sustaining the future of the industry, including a tie-up compensation scheme."

Richard Lochhead: Can we prefix those lines with one line to say that that the committee recognises the short-term crisis facing the industry, due to the current closures of key fishing grounds and the displacement of fishing effort? We have to highlight the urgency.

The Convener: We will highlight the fact that we are discussing the short-term future of the industry. That will, of course, be the subject of the meeting tomorrow.

Moving on, do I understand that the committee does not wish to adjourn to visit Leith? Do I further understand that Richard Lochhead intends to visit Leith to be present at the meeting with the fishermen? Would it be appropriate to ask Richard to return at a future point to give us a report on that meeting?

Mrs Mulligan: I am sure that we will still be here later this evening if he wants to come back then.

The Convener: I am not suggesting that it be today.

Mr Rumbles: Could I ask that Richard Lochhead inform the fishermen when he meets them of the terms of the letter that we have sent to the ministers? It is important that Richard, as a member of the committee, be able to do that.

The Convener: We can ensure that Richard Lochhead has a copy of the rough outline of the letter to be sent to the First Minister today.

Richard Lochhead: The meeting is informal, but I will be happy to convey the committee's best wishes to the fishermen when I speak to them.

The Convener: We would be grateful if you would do that.

Richard Lochhead: We will have to revisit the issue following tomorrow's meeting.

The Convener: That is the case. Once tomorrow's meeting has taken place, the committee may indeed wish to consider the matter again and examine the longer-term future.

If there are no further comments on agenda item 5, we will go back to item 2.

Fergus Ewing: Without wanting to prolong the meeting's proceedings unduly, I have one point to raise, convener. I wish to put on record the fact that I received a message this morning from a haulier based in my constituency. He points out that, because of the tie-up, he is left with four lorries, five employees and no work. I hope that we do not overlook the fact that there are many

people in the rural community other than fishermen and farmers who depend on fishing and farming for their livelihood—I draw particular attention to hauliers. If fishing and farming go, they go too. It is extremely important that, in the context of the two crises that we are facing, we do not omit to consider the plight of all those affected. For the record, that message came from Iain Stewart and Sons of Arisaig.

Mrs Mulligan: I think that we are all aware that many others will be affected by the present situation apart from the fishermen. During question time last Thursday, Elaine Thomson raised the situation that fish processors find themselves in. Those effects on other occupations mean that it is important for the committee to examine the whole issue in a broader context than that of the immediate difficulties being discussed tomorrow. We should examine the future of the Scottish fishing industry. I take on board the points made by Fergus Ewing, but I think that the committee recognises that a lot of people will be affected.

Taking Stock Exercise

The Convener: We now move to item 2. Members will recall that we agreed to hold a taking stock exercise with the Minister for Rural Development. I have already approached the minister to invite him to attend the committee on 20 March. The focus of that meeting will be the minister's broad rural development role. He will probably also want to comment on our recent report on employment patterns in rural Scotland, prior to the full parliamentary debate that we hope to have on that matter. Inevitably, we might want to raise other issues.

I have asked the minister in a separate letter, which should have been copied to members, to give the committee an update at that point on the outbreak of foot-and-mouth disease. We will also have the chance to discuss progress on that matter at that meeting.

In preparation for the taking stock meeting, we have received views from the Scottish Landowners Federation, the National Farmers Union of Scotland and the Convention of Scottish Local Authorities on the Executive document "Rural Scotland: A New Approach". We received a response from the Scottish Crofters Union today, which has been circulated to members by e-mail.

I brought this item on to the agenda today to allow the committee to decide which matters we should focus on in the taking stock exercise so that, if necessary, further briefings may be obtained prior to that meeting. Do members have any comments on what they have received?

14:45

Mr Rumbles: I raised the matter about the vast agenda that we have before us—and everybody has been talking about it. I know that you have brought this matter on to the agenda and it says that we are to consider the views of those organisations in preparation for a meeting with a minister. We have read them all, with the exception of the document from the crofters, which we have just received. Should we read through the documents ourselves, in our own time, to focus questioning of the minister? Once we have questioned the minister, we should have a proper consideration of the issues. We should not spend too much time on this item.

The Convener: The one issue is that I wrote to the minister for a second time, updating him on our request about foot-and-mouth disease, given that the issue was a developing one. It is extremely likely that we will want to discuss it with the minister when we meet him. We have the opportunity at this point to raise any issues about

the foot-and-mouth outbreak that we may wish the minister to be aware of in advance of the meeting.

Do any members have specific comments on that?

Alex Fergusson: I do.

Elaine Murray and I, living in the south-west of Scotland—sorry, and Cathy Jamieson—have been inundated in the past week with inquiries, comments and heartbreaking stories about foot-and-mouth disease. I am delighted to be able to discuss the matter at today's meeting; the public would have crucified us had it not been on the agenda.

One thing that does not appear to be going as well as it could be is communication from the Scottish Executive rural affairs department—and, to a lesser degree, from local authorities—to the general public, not only the farming fraternity but the many members of rural communities who live in the country in farm cottages or ex-farm houses. They are desperately worried about what they can or should be doing to help, but are finding it difficult to get the information.

I wanted to put that on record. I believe that we, as members, can do a certain amount to alleviate that problem by finding the information out for ourselves and passing it on as best as we can.

Fergus Ewing: I am sure that all members of committee have spent most of their time since last week thinking about, speaking about and dealing with people's concerns about foot-and-mouth disease. I know that Alex Fergusson and Elaine Murray—with constituency interests in areas where there are outbreaks—will have had an especially busy and, I imagine, difficult time.

I will raise, briefly, because we have a long agenda, some points which have been raised with me. Some are of a technical nature so this will give SERAD notice of some specific points that are of general interest.

First, on access restrictions, I believe that the terms of the statutory instrument are such that it is up to local authorities to introduce a regime restricting access, whereas the order in England is of blanket application; in other words, it is not left up to local authorities. I imagine that there are valid reasons for power being devolved to local authorities under this instrument; however, I am not sure what they are. Walkers who have ignored the advice that has been given, to keep away from countryside with livestock, appear to have been told by the police in Perthshire that there is no penalty for doing so. In Fife, they have been given a different message. I am relaying a concern that I heard about today. However, if that is true, I wonder why that should be the case and how it is defensible.

In my constituency, in the Highlands and throughout most of Scotland, the tourism industry is beginning to suffer severe effects, with no income coming in. The busiest time of the year is approaching for leisure-related tourism, involving walkers and climbers, and in the Lochaber area there is grave concern among most tourism-related businesses. Concern has been expressed that skiing appears to be within the rules, but that hillwalking is outwith the rules. Yesterday, on the radio, I heard Cameron McNeish of the Ramblers Association opine on that apparent inconsistency. The SNP takes the position that the chief veterinary officer is the person who gives advice and on whose advice we should rely. I would welcome some clarification at an early stage of what is impermissible and permissible.

In Lochaber, a proposal was discussed last night to seek a partial exemption for Aonach Mor, Aonach Beag and Ben Nevis, whereby strict precautions, including a policy of disinfection, could be implemented to allow access to those hills. Access would be restricted to above the 1,500ft point. Would such an access regime constitute a risk? If not, could it be considered quickly? It would allow some business, at least, to take place in the tourism sector. Nevertheless, I emphasise that the SNP adopts the approach of relying on the advice of the CVO. To do otherwise would be irresponsible.

Over the weekend, concerns were expressed to me that there is a lack of disinfectant or a lack of access to disinfectant, which is the only weapon that can be deployed against the disease. Without it, farmers are defenceless. I hope that the concerns that have been expressed to me are anecdotal. I have been informed that, in the Angus area, supplies of disinfectant became available today, after there had been a shortage. However, reports from Perthshire, the Highlands, the south of Scotland and mid-Renfrewshire suggest that there was a shortage of disinfectant last week, which is extremely serious. I raise the issue in the hope that those concerns will be passed on to the rural affairs department.

This morning, I met Phil Flanders of the Road Haulage Association, who drew to my attention the fact that the members of that association are facing a grave crisis. As Alex Fergusson said last week, our priority is to establish a limited resumption of movement, and we welcome the measures that the minister has introduced. I met the minister briefly this morning, and understand that 34 abattoirs are recognised under the limited movement arrangements. Abattoirs that have hard lairage are the only ones that can be used.

Nonetheless, there is still great pressure on the road hauliers. It would be useful to hear from the RHA on how we might ensure that the practical

arrangements for transporting livestock to and from abattoirs can be conducted with the absolute minimum of risk. I became aware this morning that the RHA has considerable expertise and knowledge in that field, and there are other complex issues that it would be useful for us to hear about from the RHA. We might have the opportunity for some informal discussion on those issues next Tuesday or on another occasion.

I am sorry to have been so long-winded. I hope that that is uncharacteristic.

Mr Stone: I will be a wee bit more brief.

Fergus Ewing goes a good way towards the goal, but he does not go quite far enough. I take this opportunity to say that, if foot-and-mouth disease appeared in the Highlands, there would be no more hauliers and tourism would be fatally damaged.

I associate myself with the action that was taken by the Highland Council in putting down mats at the exit and entry routes to the Highland area. I have been taken aback by the way in which the police force and other organisations have not been as supportive as one would like. The action that was taken by the Highland Council followed advice from the authorities in Cornwall and the same action is being taken in Argyll and in Orkney and Shetland.

If the disease gets into the Highlands, we will have had it. It will be great if we can keep it out. We should go further—I am still surprised that people who land at Inverness and Wick airports are not going through a foot-bath; they certainly would if they entered the Republic of Ireland.

Highland Council is paying for its action at a cost of about £25,000 a day from its own budget—*[Interruption.]* Sorry—I am being corrected. For the record, I believe that the amount is £25,000 a week. I believe that the council has a case for claiming compensation from the Scottish Executive. The cost per week of £25,000 is as nothing in comparison with the costs that will arise if the virus gets into the Highlands. It is a drop in the ocean in comparison with the cost of destroying and burning animals and compensating farmers. There is an argument to be had about that. I am very proud of the Highland Council—I think that it has done a good job.

Mr Rumbles: As Fergus Ewing said, I would not like the committee to add to the confusion that might already exist. As far as I understand the position, the Minister for Rural Development came before the Parliament last Wednesday to explain the countryside ban on the movement of livestock. That was straightforward, and people know that the ban is in place.

The minister also indicated that he was giving

local authorities throughout Scotland emergency powers. We had ample opportunity during that extended debate to question him on those issues. He made it absolutely clear that responsibility would be devolved to local councils. I understand that, so far, Dumfries and Galloway Council is the only council in Scotland to use those emergency powers. The confusion about the emergency powers between Perthshire and Tayside and the advice that has been given should not have arisen. We should not add to that confusion—the minister's announcement in Parliament last Wednesday was quite clear.

I want to pursue another point that Fergus Ewing quite rightly highlighted on the concern that arose last week about disinfectant. Like me, many members of the committee will have—rightly—been constantly badgered by farmers about the lack of disinfectant. That was the most important issue at the time and members will recall that it was raised with the First Minister during First Minister's question time on Thursday, when he said that the No 1 priority was for disinfectant to become available. As far as I understand, that has happened. I want to ensure that what we say in the committee does not add to the confusion.

Rhoda Grant: I share many of the concerns that have been expressed. During the weekend, I was in Uist, where cars and people were being disinfected as they came off the ferry. I understand that that also happened at the airport and I am a little concerned that it is not happening at other airports, such as Wick and Inverness, although I dare say that it will happen at those places.

One of the concerns that crofters in Uist expressed to me was to do with road haulage; it might be interesting to get a written submission from road hauliers about the matter. Crofters buy in feedstuff, because they do not have feedstuff on Uist to feed their stock. They are concerned about products such as baled hay, which cannot be disinfected and is not covered in any way. They were concerned that the same lorry that brought their hay could have been at different farms on the mainland, where it could have picked up the virus. Strong concern was voiced about that and we should seek information from the hauliers about the steps that they are taking. As Fergus Ewing said, hauliers have expertise in the matter and sending out information to people might help to allay fears.

The crofters said that taking in concentrates and so on was fine; such products are packaged and can be disinfected. However, crofters who take in unpackaged products that cannot be disinfected could feed the virus to their stock, irrespective of the other measures that are being taken. We must get information about that issue and ensure that it is distributed.

The Western Isles Council, the Highland Council, Argyll and Bute Council and all the councils that have taken steps to protect their areas must be supported.

Dr Murray: I feel almost envious of Highland Council's still being able to take steps to keep out the disease; obviously, we are not in that happy position in Dumfries and Galloway. I note what Jamie Stone said about the effect on the Highlands, but there is no reason to suspect that the situation will be any different in the south of Scotland, where we are just as dependent on farming and tourism. The disease has been discovered in the south of Scotland, so there are no mitigating circumstances for us.

Dumfries and Galloway Council is doing an excellent job in its reaction to the situation. For the sake of the other local authorities, I hope that the disease does not spread, but I am sure that if other authorities are in the unfortunate position of having foot-and-mouth disease in their area, they could learn much from what Dumfries and Galloway Council has done.

15:00

I understand that Dumfries and Galloway Council was concerned last week about disinfection, but that those concerns have been overcome. There seems to be sufficient disinfectant at the moment.

As far as communication is concerned, Dumfries and Galloway Council has a good website, which is regularly updated. It gives people information about what events have been cancelled, the various steps that are being taken and what disinfectants can be used. That council is getting a lot of information out to people. To be honest, the council's website is possibly better than the Ministry of Agriculture, Fisheries and Food's site.

My only slight concern—some people have said to me that they have not had information—is that a lot of the information is delivered electronically. That information is very good for those who know how to access it, but I wonder whether those who are less able to use electronic means of communication are getting the same information as quickly and as accurately as those who use the various websites.

Cathy Jamieson: I want to respond briefly to a couple of the points that Elaine Murray raised. Obviously, the area that I represent is close to Dumfries and Galloway and the south-west of Scotland. I know that East Ayrshire Council, which has some farms that are reported to be under close observation, has been taking steps to co-ordinate information as well as it can.

Although I have sometimes fallen out with the

National Farmers Union, and in the past I have not always been the NFU's favourite person, I commend the NFU on the public information that it has put out locally through its radio broadcasts. That information has gone a considerable way towards explaining what damage can be caused by foot and mouth and has also advised on the precautionary measures that can be taken.

That situation is an example of how everybody in the process can work together to overcome the problem—which is the lesson that we must all learn. We must do what we can to ensure that the public gets the message that the matter is serious. All the precautions that are being suggested must be adopted; it would be irresponsible for anybody to ignore them in any situation.

Alex Fergusson: I want to make two brief points, arising from our discussion—in which, I must say, every point has been valid and apt. However, it is worth pointing out that Dumfries and Galloway Council approached the Executive for support so that it could, in effect, seal itself off. That was not to stop the disease coming in but to prevent it from spreading—to Carrick, Cumnock and Doon Valley, for instance. They tried, Cathy.

The problem is that six major agencies—including the NFU, I must say—have suggested that sealing off the area will not do any good. I take the opposite view. Under the circumstances, anything is better than nothing. If something is felt to have an effect, it should be done. I applaud Highland Council; unfortunately, in the south-west we have available neither the overdraft facilities nor the funding. We could not seal off the area without the Executive's help—which, sadly, was not forthcoming.

The other thing to say—which I say only to lay down a marker, because we may need to come back to the matter, although I hope not—is that a serious welfare problem is stacking up. Vast numbers of stock, particularly from hill farms, are over-wintered on lower-ground farms. Those return usually during March and early April, which will not happen this year. Vast numbers of store cattle are at this time of year sold and moved off hill farms—largely from the west coast to the east coast. That is not going to happen this year. Huge welfare problems are storing up for all the stock that must be retained on the farms. People are reluctant to buy extra fodder because of the risk of buying in the disease. I say that not to be alarmist, but merely to lay down a marker. We may have to come back later to that issue. I hope not, but we might have to do so, so we should be aware of it.

Mr Rumbles: I would like to add something to the very good point that Alex Fergusson made. There is another issue, which is not so much about stacking up and retaining livestock on farms. On Sunday, Aberdeenshire was the first area to

move stock to slaughterhouses. I have been approached by a number of farmers in Aberdeenshire, many of whom had stock outwith their farms when they were caught by the movement restrictions.

I would like the minister to address this point, and I mention it for inclusion in the *Official Report*. The lambing season is approaching; lambs are out and cows are calving. Stock is being lost because the animals are not in the right place. Many farmers in Aberdeenshire are asking why they cannot—in a one-off movement—move the animals that are outwith the farms back to the safety of their farms. They must visit the animals twice a day and they risk spreading the disease through moving backwards and forwards across the countryside. To date, that issue has not been raised; therefore, I want to highlight it now. It is not about only the stacking up of livestock on farms, but about the welfare of animals that are caught outwith farms.

The Convener: I agree with Mike Rumbles. That issue was raised with me quite often over the weekend. The solution might be for the minister—at his earliest possible convenience, as I know that there is enormous pressure on him—to consider the Scottish Executive rural affairs department's capacity to extend the licensing scheme for the movement of livestock to places other than abattoirs. I would not like the scheme to be disrupted by that change, but that change will be necessary as soon as it can practically be managed.

Are there any further comments on the foot-and-mouth crisis?

Members indicated disagreement.

The Convener: Information from a number of organisations and individuals has been circulated to members, which those people would like to be addressed. It has been suggested that we might take the opportunity next Tuesday afternoon—if the committee agrees—to organise an informal briefing session. One organisation and one individual are listed in the e-mail that has been circulated. Fergus Ewing has also suggested that we include the Road Haulage Association in that briefing, if it is practical to do so.

Mr Rumbles: Some of us travelled here only this morning and have not read the e-mail that you mentioned.

The Convener: Richard Davies is currently highlighting the organisations. The Edinburgh Centre for Rural Research has asked to brief us specifically on foot-and-mouth disease. The other gentleman represents the Scottish Beef Council, which wants to address the committee. I propose that we invite those organisations to address the committee at an informal meeting next Tuesday.

Fergus Ewing has suggested that we also include the Road Haulage Association in that meeting.

Alex Fergusson: The gist of much of what was in the Sunday press was to ask whether the wholesale slaughter and destruction policy is necessary. I am of the view that it is; however, others will not be so convinced. This might be a good opportunity to bring somebody in to advise us on that. Is the Edinburgh Centre for Rural Research capable of answering that question?

The Convener: That might be possible. We will address that issue.

Alex Fergusson: It might be a good opportunity to address the question. I am in no doubt that the scheme is absolutely essential, but others will need reassurance.

The Convener: We will approach the Edinburgh Centre for Rural Research and ensure that we hear from somebody who can explain that. Let us move back briefly. We started from a different position to get to the subject of foot-and-mouth disease.

It would be useful to meet briefly in private—prior to our meeting with the minister on 20 March—to agree which members will pursue which lines of questioning. We will indicate roughly to the minister the issues that we intend to pursue. We could meet at 1.30, for a 2 o'clock start. I have been informed that some party groups meet at lunchtime on Tuesdays. The alternative is to split the difference and go for 1.45, with the public meeting starting at 2.15. Would that suit members better?

Members indicated agreement.

The Convener: Okay. We shall meet at 1.45, with a formal start at 2.15 on that day. If anybody would like to intimate to me lines of questioning that they think we should pursue, I will be delighted to receive e-mails about that.

Petitions

The Convener: We move briskly on to consideration of petitions, which appeared on last week's agenda, but was deferred because representation on the committee was rather weak as a result of the bad weather. The papers concerning the petitions are among last week's committee papers. All members should have copies.

The first petition is petition PE272 from the National Farmers Union of Scotland. It requests amendments to the Diseases of Fish (Control) Regulations 1994 regarding the treatment of infectious salmon anaemia. The petitioners request that amendments be made to provide compensation for slaughtered stock; rights of appeal against slaughter or containment orders; and the right to access the information on which those orders are based. The committee first considered the petition on 31 October 2000. At that point, the committee requested further information from the Executive and from the NFUS. That information has been circulated to members. Do members feel that they now have enough information to express a view on the petition?

Mr Rumbles: There is enough information here, but some of it is contradictory.

Fergus Ewing: Which bits contradict which other bits?

Mr Rumbles: Let me give an example. On the right of access to information, the petitioners state:

"The Scottish Executive refuses to disclose to affected fish farmers the scientific data, findings and expert opinions on which the Slaughter and Containment Orders are based."

However, the evidence from the Scottish Executive says that quite the opposite is true. It states:

"Whenever a company is served with a disease control notice confirming or suspecting the presence of ISA information about the results leading to the decision is provided in writing."

That is just one example of the NFUS saying one thing and the Executive saying the opposite.

Rhoda Grant: The way that the Executive has dealt with ISA has changed a lot over time. Maybe there was an initial problem when ISA was first spotted in fish farms, but the Executive has moved a long way towards addressing the concerns of the fish farming industry. Some of the points in the petition might refer to incidents that happened some time ago, rather than to the current situation, which is quite different. That might account for the conflicting evidence and information.

Fergus Ewing: At first sight, there seems to be a parallel between this petition on the slaughter of salmon and the issue that we were looking at just a moment ago—foot-and-mouth disease. Compensation is paid for cattle that have been proved to have been infected with foot-and-mouth disease, but there is no compensation payable as of right for salmon that are destroyed, only a small proportion of which might be infected with ISA. That parallel raises wider questions about differences in treatment between farming on the one hand, and fishing and fish farming on the other. Of course, those issues are currently being considered.

I want to make two points. It is important to recognise that, of the farmed salmon that are slaughtered, only a tiny proportion are infected by ISA. The petitioners say that 99 per cent of the salmon that have been destroyed have been ISA-free. I do not know whether that figure is correct, but it is accepted that only a tiny proportion of the fish has the disease. Therefore, the vast majority of the salmon that have been slaughtered have been free of the disease. That is a genuine problem for Scottish salmon farmers. Further work needs to be done on that to see whether we can learn lessons, especially from Norway, about the policy that determines whether all the fish must be slaughtered.

My second point is practical. The Executive's response points out that

"Ministers have made available £9 million (for a three-year period) to assist those businesses directly affected by the disease"

and that that has

"led to the ISA Restart Scheme, administered by Highlands and Islands Enterprise and which to date has assisted 15 fish farming businesses to the value of £2.1 million."

Plainly, there is £6.9 million left in that fund. I am interested in knowing whether the petitioners consider that the remaining fund would go some or all of the way towards meeting their problems. I would like to know that as a matter of fact before the committee comes to conclusions on the petition. I would also like to know whether it is possible to bring forward that £6.9 million, which has already been earmarked, to meet what might be a short-term crisis.

15:15

The weakness of the Government scheme always seems to me to have been that it provides compensation for those whom the main Government party used to call the bosses, rather than for the workers in the fish farms. I would be interested to know whether any compensation is finding its way to people who have lost their jobs in fish farms throughout Scotland. If they have not

received any part of the money, I would like to know why that is the case and whether the Executive has any plans to consider amending that aspect of its scheme.

Mrs Mulligan: Fergus Ewing raised the point about people who work in the fish farms benefiting. Is not the intention to direct the money at restart to ensure that jobs are retained, rather than at compensation to the owners, which would create the possibility that those who were employed on the farms—as opposed to those who owned them—would receive nothing? Is not that the difference between the two schemes?

Rhoda Grant: I am quite horrified by the parallel that Fergus Ewing has made between ISA and foot-and-mouth disease. They are not similar. When ISA breaks out, the salmon cages are fallowed. That means that the fish are slaughtered, but they can be marketed. Fish farmers can sell those fish because they do not damage human health. The only fish that are not sold are those that have obvious signs of ISA and would not be attractive to sell.

To say that farmers who have to burn their animals, with no chance of marketing any part of those animals, are in the same situation is totally wrong.

Fergus Ewing: On a point of order. Rhoda Grant is expressing her view. That is her right. I did not suggest that the situation is similar. I compared the two situations, but at no point did I suggest that they were similar. I hope that Rhoda Grant will accept that point.

Rhoda Grant: I am glad that Fergus Ewing has clarified that. There is certainly no similarity. To make such a connection is highly emotive at this time. We need to work towards examining the classification of ISA under EU regulations. If the disease is endemic to the fish population—as some are saying—we should consider reclassifying it and managing it in the way that Norway has done.

At the moment, the classification of ISA means that it must be controlled and eradicated when it appears on fish farms. That is an option, but we have had information about schemes for restocking and restarting. Culling fish does not have the same financial problems as other culls, because the culled fish can be sold. I do not feel that we should act on the petition.

Dr Murray: I was going to object to the same statements to which Rhoda Grant objected. In the case of foot-and-mouth disease, even animals that may be infected, but have not been proved to be infected, are destroyed. Not only are all the animals destroyed and cannot be marketed, but the farmer cannot farm for some time thereafter. The situation is really different. Like Rhoda Grant,

I object to a parallel being drawn between ISA and foot and mouth.

The Convener: More than one opinion has been expressed, including the view that some of the evidence that has been presented to us has been contradictory. Rhoda Grant has suggested that she is not inclined to accept the petition. I am concerned at this point to hear members' final views, and to decide whether we have enough information to make a decision on the petition. We will consider either what Rhoda has proposed or, given that the evidence has been contradictory, that we require to hear from officials before we make our decision.

Mr Rumbles: I think that it would be worth while having the petitioners and officials together in the same room at the same time, so that we can ask them specific questions about who was right and who was wrong. Notwithstanding the other issues, we are considering the petitioner's three proposals

"To introduce a scheme to pay compensation ... To confer a right of appeal"

when ISA is identified, and

"To confer a right ... to secure full access to the scientific data"

and evidence. We should concentrate on those three specifics.

The Convener: Mike Rumbles is suggesting that we need to have the petitioner and officials before us before we can make a final decision on the petition. Do members agree with that course of action?

Members indicated agreement.

The Convener: We also have a number of other petitions before us, also under item 3, relating to the Protection of Wild Mammals (Scotland) Bill. The then Rural Affairs Committee considered the group of petitions at its meeting of 5 September last year, when we agreed to consider them again, when we had considered all the other evidence on the bill. The committee has now completed its stage 1 inquiry and will be reporting on its conclusions. I have brought the petitions back to the committee for further consideration, as we said we would last September.

Two groups of petitions are before us. The smaller group comprises PE211 and PE215, which ask simply that the bill does not proceed. That is a matter for Parliament as a whole. Does the committee agree to note those two petitions and to refer to them in our stage 1 report?

Members indicated agreement.

The Convener: The larger group of petitions, as well as 31 letters, share the theme of asking for more research on the bill's effects. Since those petitions were first lodged, we have gathered a

great deal of evidence, including additional work on the economic impact of the bill, should it be enacted.

If the committee agrees that we now have sufficient evidence to enable us to report to Parliament on the general principles of the Protection of Wild Mammals (Scotland) Bill, it would be appropriate simply to note the petitions and to accept that no further action is needed. Do members agree?

Mr Rumbles: I certainly agree but, as a matter of information, if we simply note the petitions, does that mean that somebody will write back to the petitioners to tell them why we have noted the petitions—that is, that we have received all the extra information.

The Convener: Yes—there will be a response.

Alex Fergusson: I am not absolutely convinced that we have enough information on the economic impact of the bill, but I believe that we have got enough information to allow us to proceed with a stage 1 report on the bill's general principles. I do not wish to pursue the matter further.

I share Mike Rumbles's view, in that I hope that that the petitioners are contacted with the committee's decision, and that the petitions have not merely gone into a dustbin, with the petitioners being told no more about the matter.

Dr Murray: I see that one of the petitions has come from my constituency, and relates in particular to sending terriers below ground to flush out foxes, and to the prohibition of hunting rabbits with more than one dog. Mike Watson, should the bill progress beyond stage 1, has indicated his willingness to accept amendments on those matters.

The Convener: Are members content to note the petitions at this stage?

Members indicated agreement.

Subordinate Legislation

The Convener: Item 4 on the agenda, which is also deferred from last week's meeting, is on subordinate legislation. Ten instruments regarding environmentally sensitive areas are listed on the agenda. I suggest that we deal with the instruments together, unless any member has a specific objection to doing so.

The instruments were laid on the 6 February 2001. We have been designated as lead committee on them. We are required to report on the instruments by 19 March 2001. The Subordinate Legislation Committee considered them on 13 February and has made no comments on them. The instruments were circulated to members of the committee on 14 February. Rhoda Grant had some questions, which have now, I understand, been answered to her satisfaction. The clerk has received no comments from other members. I invite Rhoda to comment on the answers that she received.

Rhoda Grant: My question was about consultation, and that fact that that the Scottish Crofters Union had not been consulted about the orders that are applicable to crofting counties. I also wanted to know what impact there would be on people who are already signed up to the schemes that are involved. The answer that came back was that extensive consultation meetings had been carried out locally and with the relevant bodies. The Executive said that it would consult the Crofters Union in future. With that, and as long as such steps are implemented, I am quite satisfied.

The Convener: The orders were laid under the negative procedure, which means that Parliament has the power to annul them within 40 days, excluding recess. The time limit for parliamentary action therefore expires on 22 March. Are members content with the instruments?

Members indicated agreement.

The Convener: I presume, therefore, that the committee does not wish to make any comments on the instruments in its report to Parliament?

Members indicated agreement.

The Convener: That concludes item 4. We have dealt already with item 5, and we agreed at the beginning of the meeting to discuss item 6 and subsequent items in private.

15:26

Meeting continued in private until 16:25.

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