

RURAL DEVELOPMENT COMMITTEE

Tuesday 26 June 2001
(*Afternoon*)

Session 1

£5.00

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2001.

Applications for reproduction should be made in writing to the Copyright Unit,
Her Majesty's Stationery Office, St Clements House, 2-16 Colegate, Norwich NR3 1BQ
Fax 01603 723000, which is administering the copyright on behalf of the Scottish Parliamentary Corporate
Body.

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by The
Stationery Office Ltd.

Her Majesty's Stationery Office is independent of and separate from the company now
trading as The Stationery Office Ltd, which is responsible for printing and publishing
Scottish Parliamentary Corporate Body publications.

CONTENTS

Tuesday 26 June 2001

	Col.
SUBORDINATE LEGISLATION.....	2058
“A FORWARD STRATEGY FOR SCOTTISH AGRICULTURE”	2060
SEA CAGE FISH FARMING	2070

RURAL DEVELOPMENT COMMITTEE

17th 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)

*George Lyon (Argyll and Bute) (LD)

*Dr Elaine Murray (Dumfries) (Lab)

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

*Elaine Smith (Coatbridge and Chryston) (Lab)

*attended

CLERK TO THE COMMITTEE

Richard Davies

SENIOR ASSISTANT CLERK

Tracey Haw e

ASSISTANT CLERK

Jake Thomas

Neil Stew art

LOCATION

The Hub

Scottish Parliament

Rural Development Committee

Tuesday 26 June 2001

(Afternoon)

[THE CONVENER *opened the meeting at 14:04*]

The Convener (Alex Johnstone): We have received apologies from Cathy Jamieson. As there are no other apologies, we will continue.

Dr Elaine Murray (Dumfries) (Lab): From last week's meeting, I understood that we would attempt to finish today's agenda before we went to the meeting of the Transport and the Environment Committee. The timetable that has been issued suggests that we are to discuss the agricultural strategy for a whole 40 minutes, even though none of us has had a chance to read it yet, and that we will then come back for 30 minutes to discuss the Protection of Wild Mammals (Scotland) Bill. Last week, we agreed that we would come back only if we had not managed to complete the business.

The Convener: Unfortunately, the time scale has been slightly dictated by the difficulty that members had in getting hold of "A Forward Strategy for Scottish Agriculture". I did not get the document before half-past 10. That has left us with a time problem. I am happy to bring forward any items that we can fit in prior to 3 o'clock, but to bring forward items that will be in private session would complicate the agenda.

The intention is that, immediately after the Transport and the Environment Committee has taken evidence from the minister about sea cage fish farming, we will get the opportunity to discuss what this committee wants to do about that issue. That will then be communicated back to the Transport and the Environment Committee. The hope is that, if the two committees jointly discuss the issue with the minister but separately discuss their conclusions, an agreement can be reached on how the two committees should progress. I hope that we will be able to deal with that in as short an order as possible.

We will adjourn before 3 o'clock, so that we can all be in the coffee lounge behind the chamber in time for the beginning of the Transport and the Environment Committee's discussion of that item. We will have the opportunity to discuss our conclusions on sea cage fish farming immediately afterwards.

Subordinate Legislation

The Convener: Today, we need to deal with five items of subordinate legislation, all of which must be considered under the negative procedure. The Subordinate Legislation Committee has commented only on the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (Scotland) Regulations 2001 (SSI 2001/206). Among the papers that were sent out to members is a copy of that committee's report and the Executive's response.

Do members wish to raise any points about any of the instruments?

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): I want to raise a point about the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (Scotland) Regulations 2001. On compliance costs, the regulatory impact assessment states that the regulations will have greatest impact on livestock farms. Although I do not oppose the instrument, it would be helpful if we could have slightly more specification. I am disappointed that we have been given only a general statement. Would the Executive provide us with the information it has about the impact of the regulations?

The Convener: I understand that the regulations will have greatest impact on livestock farms because they relate specifically to slurry and silage effluence, which are quite specific to livestock farms.

Fergus Ewing: I understand that, but the costs that will be involved should be part of an impact assessment statement. That would allow those who will be affected by the regulations to have some idea of what the costs will be and of how those costs will be made up. Although I recognise that the regulations have the desirable aim of preventing pollution, I would feel far happier if we had a clear indication of their actual impact. Otherwise, frankly, I do not see the point of having regulatory impact assessment statements.

The Convener: The date by which we have to deal with the instrument to which you draw attention makes it impossible for us to do so after the recess. Would you be content if I wrote to the minister on your behalf asking for that additional information?

Fergus Ewing: That would be very helpful. Thank you.

George Lyon (Argyll and Bute) (LD): On the point made by Fergus Ewing, there should be no impact. The new regulations make it easier for farmers to discuss with the Scottish Environment Protection Agency alterations to existing

structures, which the industry is not keen to do at the moment, because it would mean losing the exemption that was created when the original regulations came into force. The new regulations are a very welcome piece of legislation and will encourage farmers to work with SEPA when they have a problem. At the moment, given the way in which the measures operate, the reverse is true.

If farmers are worried about an older structure, they tend to be less willing to approach SEPA to say that they would like to do something about the situation. Under the current regulations, farmers are supposed to upgrade or renew their structures completely, top to bottom. The new regulations give them the opportunity to amend their existing structures. That ought to be welcomed by the industry.

The Convener: I am happy with that conclusion but, given Fergus Ewing's concern, I think that it is perfectly reasonable to ask the minister for clarification.

George Lyon: I agree that that is perfectly reasonable, but I think that the answer will be that there will be no impact at all.

The Convener: Are there any further comments relating to the five instruments before us? If members have nothing more to raise, are they content to deal with them together?

Members indicated agreement.

The Convener: If there are no comments on the instruments, I will put the question. Are members content to make no recommendation in the committee's report to Parliament on the five instruments before us: the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (Scotland) Regulations 2001 (SSI 2001/206); the Agricultural Processing and Marketing Grants (Scotland) Regulations 2001 (SSI 2001/220); the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment (No 2) Regulations 2001 (SSI 2001/221); the Suckler Cow Premium (Scotland) Regulations 2001 (SSI 2001/225); and the Agricultural Subsidies (Appeals) (Scotland) Amendment Regulations 2001 (SSI 2001/226)?

Members indicated agreement.

“A Forward Strategy for Scottish Agriculture”

The Convener: We now move to item 2. Members will have received copies this morning of the Scottish Executive document “A Forward Strategy for Scottish Agriculture”. When we discussed the work programme last week, we decided to hold a one-day inquiry into the strategy on 18 September. To give sufficient notice to witnesses, we need to agree today from whom we want to take evidence. Last week, we discussed the proposal that reporters should be appointed to examine the main issues in the strategy, so that they may contribute more effectively to the inquiry. We also agreed that a number of outstanding issues on our agenda should be followed up in the context of consideration of the strategy. Those are listed in paragraph 3 of the paper that was circulated to members earlier.

In the light of the strategy document, which, I hope, we have now all received—

George Lyon: I have not.

The Convener: It should have appeared on your desk today.

George Lyon: It certainly has not.

The Convener: Does anyone else not have a copy of the strategy document? It was quite a chase to get hold of copies, but we have done so.

Fergus Ewing: I had a quick look at the document this morning. Unfortunately, I was not on the radio, discussing the strategy document's contents, as George Lyon was.

George Lyon: I said that I had not received a copy of the document; I did not say that I had not written it—I mean read it.

Alex Fergusson (South of Scotland) (Con): The truth will out.

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): I would like to propose an amendment to the suggested terms of reference for the inquiry on 18 September, I am not sure whether everybody has them in front of them, but they read:

“To identify whether the Scottish Executive's Forward Strategy on Agriculture, published on 26 June 2001, sets out the resources and mechanisms that are necessary to achieve the vision of developing a prosperous farming industry”

and so on. I would like to replace the words from “resources” to “developing” so that the terms of reference would read:

“To identify whether the Scottish Executive's Forward Strategy on Agriculture, published on 26 June 2001, sets

out the vision and commitment that are necessary to develop a prosperous farming industry, sustainable rural communities, and environmental protection and enhancement."

The Convener: I am content with that. I believe that we can deal with resources and mechanisms further down the line.

14:15

Fergus Ewing: We have just heard a verbal amendment to terms of reference that had previously been agreed. Although I have some sympathy with the notion behind the amendment, Mike Rumbles will accept that it is unrealistic to view a strategy purely in terms of its aims and intentions. We must be allowed to consider how that strategy is to be implemented and, indeed, whether it can be implemented. That will logically involve consideration of the resources required—especially as we know that the amount of European Union money that will come to agriculture over the next few years is being cut. This year it has been cut substantially from last year. As the document points out, the cake is decreasing. The minister has said that he expects that the cake will decrease further because of EU enlargement.

For the life of me, I cannot see how we can consider a strategy for agriculture if we are not allowed to consider concomitant resources to implement that strategy. If we are minded to accept Mike Rumbles's amended wording—I accept that he has good intentions—we may prevent ourselves from pursuing certain lines of inquiry. For example, putting the question "How do you think this strategy would be funded?" to witnesses might be out of order if the amended wording is accepted.

I would like us to think further on any suggested change to the terms of reference. I understood that the terms of reference had already been agreed. We should not change them lightly and we certainly should not do so before we have had the chance to consider the document carefully. Members can do that during the recess period. I am extremely reluctant to agree to the amended wording. It would sabotage any proper inquiry.

Mr Rumbles: It is my understanding that we have not agreed the terms of reference for the inquiry.

The Convener: That is correct. What we have is just a suggestion.

Mr Rumbles: Yes, so Fergus is mistaken about that—I will go no further than saying that he is genuinely mistaken. The terms of reference that we have are just a suggestion. Let me quote from the document, which I have had a chance to read. It says:

"the Strategy offers signposts and a commitment from the Executive and agencies".

It talks about signposts and a commitment, not resources and mechanisms, so it would be a nonsense for us to talk about resources and mechanisms in our inquiry into the strategy. It seems logical to accept the basic tenets of the suggested terms of reference, but to change them so that they refer to vision and commitment. Our inquiry should check whether the strategy is producing vision and commitment.

Alex Fergusson: I am afraid that I have not had the chance to read the document, but does one not measure commitment by the mechanisms and by the use of resources?

Fergus Ewing: Quite.

Alex Fergusson: If you say that you are committed to something, you have to back it up by saying how. Surely you would do that by stating what resources and mechanisms you would put in place.

Mr Rumbles: I understand the logic of that, but no resources have been identified yet, so to set off in that direction with the inquiry just would not work.

Dr Murray: I agree with Mike Rumbles on that. Because of constituency commitments this morning, I have not had the opportunity to read the strategy document but, from what I have heard about it, the strategy is expected to point the direction for agriculture for a number of years. Obviously, the resource commitments will not all be in place at the moment. It would be rather foolish to consider the strategy only in terms of short-term resources, rather than considering the long-term strategy, which is what the document is about.

I also disagree with Fergus Ewing when he says that Mike Rumbles's suggested wording would mean that we could not take evidence on resources. People may well wish to make points about resources. The way in which the terms of reference are worded at the moment limits the inquiry.

The Convener: I am content for the one-day inquiry to consider the aspects that Mike highlighted. I do not see why that should prevent any member who wants to examine resources and mechanisms from doing so.

Richard Lochhead (North-East Scotland) (SNP): I am puzzled, as some of us have not yet received the document. The agenda states:

"The Committee will consider an Executive document *A Forward Strategy for Scottish Agriculture* and will decide the scope of an inquiry."

We have not had time to consider the document,

so why not delay taking a decision? I understand that the Scottish Parliament information centre has arranged a seminar at which the potential scope of any inquiry will be discussed. Why are we putting the cart before the horse? Members received the document only this morning. Some of us do not have it, so we have certainly not had a chance to read it. The agenda states that we are supposed to consider the document before deciding on the scope of our inquiry.

Rhoda Grant (Highlands and Islands) (Lab): Would it cause a problem if we were to put off a decision on the scope of the inquiry until we have had a chance to read the document? We are being asked to suggest people whom the committee should contact, so that they have time to respond. Do we need to have determined the scope of the inquiry before we contact them or could we ask them for their comments on the Executive document?

The Convener: We could agree the formal remit of the inquiry later, but if we want to deal with the matter on 18 September, we have to know whom we want to appear before the committee that day.

George Lyon: We have agreed that we will hold a one-day inquiry on the issue after the recess. Today we need to agree the remit and decide on witnesses. That will give people time to prepare and will allow them to make submissions to the committee if they have concerns about the strategy. I agree with Mike Rumbles: the document is not about resources and mechanisms, but about strategy and the longer-term vision. That should be our focus, too.

The Convener: Would you agree to the inclusion of resources and mechanisms in the inquiry's remit, so that members who want to consider that can do so?

Mr Rumbles: No, convener. I am suggesting that the inquiry should be about vision and commitment. I understand what Fergus Ewing is saying. My intention is not to hold down questioning, but to ensure that we get the inquiry right. The document is about vision and commitment. Our inquiry should be about whether the strategy will develop what the document says it will develop; it should be all-encompassing. I am against including resources in the inquiry's remit, because the document does not discuss resources.

The Convener: This is about finding the right form of words.

Mr Rumbles: To clarify matters, I will read my proposal again. I have already received a request from the official report to do that. I propose that the inquiry's terms of reference should be:

"To identify whether the Scottish Executive's Forward

Strategy on Agriculture, published on 26 June 2001, sets out the vision and commitment that are necessary to develop a prosperous farming industry, sustainable rural communities, and environmental protection and enhancement."

That should be the focus of our inquiry, as it is all-encompassing.

The Convener: It has been suggested that we adjust the proposed wording slightly, replacing "commitment" with "level of commitment".

Mr Rumbles: I do not object to that.

The Convener: Do those terms of reference cover the issues that concern Fergus Ewing?

Fergus Ewing: The inquiry should consider resources. If it does not, it will become slightly divorced from reality. We must deal with the world as it is. The document, in so far as I have had an opportunity to examine it, makes the point that resources from Europe are being reduced. We cannot consider the vision without considering whether there are resources to match it. I would not expect the inquiry to focus too much on resources, but I would expect that to be one of the issues considered. I would like to amend Mike Rumbles's proposal to incorporate a reference to how the vision can be translated into reality and to the necessary resources and mechanisms to achieve that.

George Lyon: Fergus Ewing stated that resources from Europe will decline because of enlargement. That is a supposition, as the matter has still to be decided. No one knows what the result of the negotiations will be. At the moment, the agricultural budget for Europe is set according to the Edinburgh agreement. It will continue to be set at the same level—in euros—as it has been for the past few years. Resources from Europe will become an issue only when the Council of Ministers decides whether the same resources should cover the central and eastern European countries, whether the budget should be increased or whether it should be decreased.

We cannot have an inquiry into something that has not even been decided yet. We have to operate on the basis of what is available at the moment, and currently the budget is fixed. The resources are a side issue at the moment. We need to consider and debate the vision and the longer-term strategy.

Fergus Ewing: I know that George Lyon has not had an opportunity to study the document, so perhaps I can help him out. I have not been able to study the document fully, but I have looked at page 5, which states:

"The level of EU support will fall over time because of the budgetary pressures of EU enlargement".

The minister has already stated that the budgetary

resources will fall. It is fairly reasonable to suggest that we should consider that. Presumably that is why the minister included the statement on page 5 of the document.

I also mentioned that the resources from Europe for agriculture have reduced this year. That information is published in the Scottish budget figures. We are operating within the confines of difficult financial circumstances. All I am arguing is that our inquiry should have regard to the resources that will be available. The priorities may be different than they are at present. I hope that members will agree to my amendment in the spirit of common sense and taking into account the reality, as well as the vision.

Mr Rumbles: Fergus Ewing has gone off at a tangent—it is a red herring. We are considering “A Forward Strategy for Scottish Agriculture”—we are not talking about resources. As I have said before, I am sure that when we come to consider the strategy in September, the convener will not rule out any questions on the matters that Fergus Ewing raises, but I do not understand why Fergus Ewing wants them written into the terms of reference. I hope that we can pull this together and get on with it. I am sure that Fergus Ewing will accept that my proposal is straightforward and logical.

Mrs Margaret Ewing (Moray) (SNP): I am sorry that I missed the earlier discussion—I have a major constituency problem at the moment. Although I do not know the exact wording of the amendment and counter amendment, it seems to me that what the rural community is looking for is not soft words about vision and commitment. The rural community is facing a very hard situation; it is up against the wall. If the Rural Development Committee does not examine resources in some context, it will fail the rural community. Resources and the mechanisms for putting money into and giving assistance to the rural communities will be critical to the work of the Rural Development Committee over the next two years. We have all read reports about what people think about the Scottish Parliament.

When we take evidence on 18 September we should involve the National Farmers Union of Scotland—perhaps we will discuss witnesses later. We would expect the witnesses, whoever they are, to talk about the resources that they envisage as necessary to support our rural communities and to encourage development in the various directions in which the paper suggests.

The Convener: Are we content to agree Mike Rumbles’s proposal, with an amendment to include “level of commitment”?

Mr Rumbles: I am quite happy with “vision and level of commitment”. That is all-inclusive.

The Convener: Are we content with that?

Fergus Ewing: I take it that your interpretation of the phrase includes resources and that no one will dissent from that, convener.

The Convener: It will be minuted as such.

Fergus Ewing: Fine.

The Convener: Is that agreed?

Members indicated agreement.

Rhoda Grant: Are we moving on to discuss suggestions for witnesses now?

The Convener: Yes.

Rhoda Grant: I suggest the Scottish Crofters Union, which is missing from the list.

The Convener: Yes, indeed.

Alex Fergusson: I would like to suggest the Institute of Auctioneers and Appraisers in Scotland.

Dr Murray: The radio debate this morning suggested concerns among people in the organic sector that the implications for that sector had not been made explicit. I wonder whether it would be worth while inviting someone from the organic sector to talk about those concerns.

14:30

Elaine Smith (Coatbridge and Chryston) (Lab): I have only flicked through the document, but a number of pages mention quality of meat and standards. I wonder whether we should hear from the Food Standards Agency Scotland and the Convention of Scottish Local Authorities, which contributed to the document. We should also consider inviting the Scottish Trades Union Congress, because it might want an input to transport and environmental issues.

The Convener: The clerks are noting all of this and it is developing into quite a long list. We will have to decide how to deal with it.

George Lyon: I agree with a good number of the suggestions that have been made, but we will have to be careful about the number of witnesses that we invite. We want to have time for decent questioning, so we will have to prioritise or risk having a huge procession of people going past us. All the people that have been mentioned have a legitimate interest in the issue, but the committee will have to prioritise.

Mrs Ewing: I would like people from the financial sector to be included. That is important, because the way in which the banks have handled the rural community raises many questions. I know that the Royal Bank of Scotland is on the list, but we should hear from more than just one particular

bank.

The Convener: Margaret, do you have the document that others have in front of them? I think that I have a spare copy.

Mrs Ewing: Probably not. I am sorry—I have been dealing with a critical constituency issue and stuff has been zapped around my office all morning.

Richard Lochhead: I would like to suggest the Macaulay Land Use Research Institute. This is an agricultural issue so we should have researchers and academics who can talk about land use.

The Convener: The list is now quite long. I suggest that we ask everyone on the list for a written submission. We would then be left with the problem of deciding, at some point during the recess, whom we want to speak to on the day.

Dr Murray: Asking people to submit written evidence before the end of the recess would allow us to consider the submissions and then decide whom to invite at our next meeting.

The Convener: If I remember correctly, we did something similar last year. We asked for written submissions and informed people that we might wish to see them on a specific date. We confirmed the invitation with two weeks' notice.

George Lyon: We have had some good suggestions but, if we want people to turn up on the day, we will have to take an early decision on invitations, to give people time to adjust their diaries. I suggest that, rather than involving the full committee, the reporters group should consider the list and try to prioritise the names.

Richard Lochhead: I am not sure about requesting written submissions. All people will do is send us copies of the evidence that they submitted during the consultation on the document. That information is already available.

Dr Murray: I presume that the convener meant that we should ask people to comment on the final document, rather than simply rehash their earlier submissions.

The Convener: Indeed.

Alex Fergusson: The list is lengthy, but every suggestion has been valid. I am not against the idea of prioritising the list, but it will be difficult to reduce it greatly. It has worried me from day one that we are talking about an inquiry of only one day—in fact, an inquiry of only three hours. I wonder whether we should consider allowing more time and extending the inquiry into the morning or another afternoon. This important subject is an enormous one to tackle in three hours.

The Convener: Will we accept the recommendations and consider a time scale?

George Lyon: I formally suggest that the reporters group should consider the list. If the group cannot prioritise, it could recommend an extension to the time for seeing witnesses.

Alex Fergusson: I second that.

The Convener: We will initially seek written responses to the document.

Elaine Smith: I mentioned a couple of organisations that did not have input into the consultation but which might wish to comment on the final document.

Fergus Ewing: I agree with George Lyon's and Alex Fergusson's suggestion. Even given a whole day, it would be difficult for all members to question a large list of witnesses effectively. We would need to keep the questions reasonably tight, which will involve some selection.

I would like the committee to ask the Executive who will be on the

"small working group of farming and environmental interests"

to which the news release that accompanies the strategy document refers. That is important for our decision on whom to seek evidence from. That important group will develop the strategy. It would be useful, if possible, to have an idea of the Executive's thinking about whom it will appoint to the group, because the appointees' comments will be relevant.

The Convener: Are members also interested in discussing the issues raised with the Minister for Environment and Rural Development, at the end of the process?

Members indicated agreement.

Mr Rumbles: The minister should be on the list of witnesses.

The Convener: He is not yet on the list. If we must divide the evidence in two, do we want the minister at the end of the process, rather than at the beginning?

Members indicated agreement.

The Convener: The reporters group will consider timetabling.

Alex Fergusson: Who is on the reporters group?

The Convener: The work programme reporters group consists of Fergus Ewing, Elaine Murray, George Lyon and me.

Fergus Ewing: Perhaps we could arrange a meeting of the reporters group before the recess.

The Convener: It was suggested that the reporters be appointed to identify key issues relating to the strategy and to investigate them.

Fergus Ewing: Given that we have not even had a chance to examine the document properly, could not we discuss such issues when the group meets? Does that meet other members' approval?

Members indicated agreement.

Mrs Ewing: We should wish Rhoda Grant a happy birthday.

Mr Rumbles: I suggest that we move item 4 up the agenda and deal with it in the next few minutes, before we break.

The Convener: Are members content to do that?

Members indicated agreement.

14:38

Meeting continued in private.

16:32

On resuming—

Sea Cage Fish Farming

The Convener: We return to agenda item 3 now that we have had the opportunity to listen to and participate in the discussion with the Deputy Minister for Environment and Rural Development at the Transport and the Environment Committee's meeting. We have an opportunity to consider what we heard and how we would like to proceed. There is a range of options and I am keen to hear members' views.

Richard Lochhead: I was very disappointed by the minister's response to what I consider to be the cast-iron case that was put by many members of the two cross-party committees for an independent inquiry into the relationship between sea cage fish farming and the environment. The minister did not appear to have an open mind on the matter. Her arguments against holding an independent inquiry and her defence of the Executive's position were very weak. I do not think that we have to go over the reasons for having an independent inquiry yet again—the arguments still stand. A majority of members on both committees remain in favour of an independent inquiry.

The Rural Development Committee should reiterate its support for an independent inquiry. We might want to complement that suggestion by coming up with an alternative proposal, given that the Executive is refusing to budge.

George Lyon: We should move on. We heard goodness knows how many times that the Executive is not going to carry out an independent inquiry—the minister repeated it until she was blue in the face. The question that faces us is how we should advance the matter to give those who are against the fish farming industry—or who have concerns about it—and the industry a public platform so that a balanced approach can be taken. That is what the parliamentary committee system was set up to achieve and it should be used for that purpose.

If the Rural Development Committee undertakes an inquiry, we will have a chance to engage with an industry that is the lifeblood of much of rural Scotland, particularly in the Highlands and Islands, although it might not be as relevant to other parts of the country. There are fundamental tensions in the industry in relation to how it will develop. We heard a lot about those tensions.

It seems to me that the Executive's strategy will not be on the stocks until next spring. The minister was talking about putting the working group

together in six months' time. That group will try to bring together some of the initial consultations that are to take place. Therefore, there is an excellent opportunity for the Rural Development Committee to proceed with its own inquiry. We must wait for the result of the Transport and the Environment Committee's deliberations, because that committee has an obvious role to play in relation to sea cage fish farming. We must hold joint discussions with that committee before we make a decision on the way forward. However, I would fully support a proposal for the Rural Development Committee, either alone or in conjunction with the Transport and the Environment Committee, to get involved in an inquiry later this year. Much will depend on our work load and on what happens with the Protection of Wild Mammals (Scotland) Bill, which we might have to deal with.

In principle, we should try to set up a committee inquiry. We should consult the Transport and the Environment Committee on the time scale and remit of an inquiry, and on whether the inquiry should be conducted jointly, or whether the Rural Development Committee should act as the lead committee. I propose that we should not take a decision until we have had those discussions with the Transport and the Environment Committee.

Dr Murray: I agree. The Executive has made clear its position on a public inquiry. It will make no difference to the Executive's position if the Rural Development Committee and the Transport and the Environment Committee continue to nag it. We should move forward and consider how we can contribute positively to the debate. That debate will be difficult—I am clear that the views on each side of the argument are very different and that it will be difficult to reconcile those views.

There are two possible routes. The first is the review of regulation. The minister said that a consultation document was to be issued within the next couple of weeks. We might want to take time to examine that consultation document. We might also want to examine how that consultation has been conducted and who has been involved in it. I am aware that some people felt that their views were not sought on the Salmon Conservation (Scotland) Act 2001; we should ensure that their views are sought on this consultation. The second route is the development of the strategy, in which there will be important roles for the Rural Development Committee and the Transport and the Environment Committee.

Fergus Ewing: I, too, was disappointed by the minister's responses. I felt that she was unable to say why she would welcome a parliamentary inquiry while rejecting an independent inquiry.

There are a number of reasons why an independent inquiry would be a more appropriate exercise. First, the industry, the petitioners and

environmental pressure groups all want an independent inquiry—everybody wants one. Secondly, the issues that are involved are technical. I do not think that any MSP would claim to be an expert in this area. Thirdly, the Executive is not seen to be impartial, and impartiality is important. Fourthly, an independent inquiry could be convened with more speed than a parliamentary inquiry. Members have already conceded that the timetabling of a parliamentary inquiry could be affected and delayed by the other business that we must consider.

Finally, an independent inquiry would allay the concerns that have existed for a long time. Without an independent inquiry, those concerns will persist and we will have claim and counter-claim in the press for the indefinite future. The fact that the minister has turned against an independent inquiry does not alter those arguments one whit, but we can see that members of the Executive parties have turned their faces against an independent inquiry now that the minister has made her decision, therefore I entirely—

George Lyon: On a point of order.

Fergus Ewing: I believe that that is factually accurate. If any members of the Executive parties do not agree with the minister I am happy for them to give their opinion.

George Lyon: I was not on the committee when the recommendation was made, and I never publicly supported an independent inquiry. Okay?

Fergus Ewing: Okay. All I am saying is that if there are any members who support an independent—

George Lyon: Direct your remarks to those members to whom you think they are relevant, Mr Ewing.

Fergus Ewing: I will conclude my remarks. I do not wish to get into a slanging match with any member, but I invite any member who believes that there should be an independent inquiry to say so. If there are none, we will assume that members believe a parliamentary inquiry should be convened. If a parliamentary inquiry is held, I hope that it will address the concerns of the industry, not just the concerns of the petitioners. In other words, it should be a balanced, complete, thorough and lengthy inquiry.

I hope that the decision to hold an inquiry—which I hope we will make today—will not be overturned at a future date because nobody in the Executive wants an open inquiry. I fear that an inquiry will raise issues about the incompetence and negligence of the Executive in relation to the salmon farming industry over virtually that Executive's whole existence. I say that from some—

Dr Murray: The Executive has existed for only two years.

Fergus Ewing: Happily, it has been a short period, but the Executive has displayed serious negligence and incompetence, which has affected and impaired the potential of that important industry.

The Convener: We are in serious danger of blaming the Tories now.

Mr Rumbles: Would I do that, convener? If Fergus Ewing will forgive me, we are used to outrageous statements, but I would like to put the record straight. I did not launch into a slanging match with Fergus Ewing, despite the outrageous allegations that he made about Executive-supporting members of the committee. I for one have always supported an independent inquiry into the fish-farming industry. It serves no purpose for Fergus Ewing to continue to slag off—if I may use such a phrase—colleagues on the committee. It does him no service, and it brings the committee into disrepute. I urge him to resist, while he is on the committee, expressing sensationalist remarks, which he is aiming at the newspapers. It is most inappropriate, coming as it does from the deputy convener.

If I may address the issue—

Richard Lochhead: Because you do not want a slanging match.

Mr Rumbles: Fergus Ewing had his say, and I am having mine. The actions of the committee have been vindicated. I remember the discussion clearly, and after the committee received the response from the minister—which we all thought was disappointing—it decided that there was no purpose in calling the minister. However, we agreed to wait for the Transport and the Environment Committee to conclude its investigations, and it decided to call the minister.

While I am disappointed, I am not surprised by the response from the minister, who does not want to conduct an inquiry, as has been made clear. That is up to the Executive. We are a parliamentary committee, and the question for us is; do we want to conduct our own inquiry? As many people have pointed out, it is essential that people on all sides of the industry—for example environmentalists, who want to force change on the industry, and the industry itself, which feels under attack and wants a platform to defend itself—have a proper platform. The public platform that is available to them is the Rural Development Committee, either acting alone, or in conjunction with the Transport and the Environment Committee.

I echo Elaine Murray's comment. As it is obvious that some members of the Transport and the

Environment Committee have a different perspective on the issue than some members of this committee, I would be very wary of having a joint committee inquiry unless we explicitly agreed its terms of reference. I do not want that issue to be left until later. If we are going to have a joint committee inquiry, it is even more important to get its terms of reference right.

16:45

Alex Fergusson: I am not going to slag anyone off—I hope—but I want to express my disappointment at the Executive's reaction to the request for a public inquiry. I will briefly explain why. When the Parliament was established, great play was made of the importance of the committees. It is, to a degree, a slap in the face that the Executive has turned down a unanimous request from two committees. It devalues the role of the committees, which is a great pity, and does not make for positive public relations for the Parliament as it seeks to assert itself in the new Scotland—if I can put it that way. That is a shame, and needs to be put on the record.

I accept the fact that we will not get an Executive inquiry, which also saddens me. One of the reasons why the committee did not want to undertake the inquiry was because we felt that we could not resource it properly. That remains a concern if we seek to undertake the inquiry ourselves.

Although we should have a joint committee inquiry, I entirely agree with Mike Rumbles that there are different viewpoints on both committees. However, I think that we can do it, because the Transport and the Environment Committee can examine the environmental aspects and we can examine the socio-economic aspects. As Mike Rumbles rightly said, who does what will have to be clearly decided, but as long as that happens, I do not see why we should not have a joint inquiry. There is a need for it. However, I am sorry to say that I think that we will have difficulty in resourcing it with the resources that are available to the committee.

Mrs Ewing: I supported the concept of a public inquiry, and I endorse the points that other members have made. If a public inquiry has been totally ruled out, the way forward is an inquiry that involves the two committees. However, as I said, this afternoon's meeting was more of an evidence-giving session than a decision-taking meeting. My fear is that, because many of the issues that have been raised today are highly technical and require great expertise, I for one would not feel competent to make judgments on some of them. Perhaps it is unusual for an MSP to be so modest, but I feel that we are getting into a very dangerous area.

I mean no disrespect to our current advisers and clerks, but I wonder whether there is any facility for committees to appoint specialist advisers in such circumstances.

The Convener: Yes. There is no problem with doing that.

Mrs Ewing: In that case, we should consider the possibility of appointing specialist advisers to help us with the industrial and environmental aspects of the matter and thus ensure that all sides of the argument are heard properly. That would mean that we would be adequately briefed when we came to take evidence from organisations.

The Convener: All members except Rhoda Grant and I have had our say.

Mrs Ewing: I know that Rhoda Grant has been doing a report on the issue.

The Convener: The committee has believed for some time that an inquiry into sea cage fish farming is necessary. We have heard the minister, and there is a long-standing agreement between the Transport and the Environment Committee and this committee that the issue must be investigated. It appears that we have no alternative but to go ahead and undertake the inquiry ourselves. However, it would be sensible to enter into an arrangement with the Transport and the Environment Committee so that we could divide the responsibility for specific aspects of the inquiry roughly along the lines that were described by Alex Fergusson and Mike Rumbles. Such a division of responsibility would have to be hammered out formally.

Margaret Ewing suggested that an adviser would be needed. I agree that an adviser would be an essential element of any detailed inquiry that was conducted jointly by the committees, but I suspect that there might be complications about a joint adviser. We might have to research that.

Would members be content if I communicate to Andy Kerr the committee's desire to become involved with the Transport and the Environment Committee in an inquiry? Should we raise with him the matter of dividing responsibilities between the committees and the need for an adviser, so that we can take advice on how our aims might be achieved in the shortest possible time scale?

Mr Rumbles: It is not only the division of responsibilities that is important—the inquiry's terms of reference are important, too.

The Convener: Yes. We should discuss the division of responsibilities and the inquiry's terms of reference.

Rhoda Grant: I agree with Mike Rumbles that the terms of reference need to be set down clearly, but I am a wee bit concerned about a

division of responsibilities. We must get all sides working together to have a sustainable industry. If one committee is seen to be backing one side of an argument and another committee is seen to be backing another side, we will get nowhere. Two committees will be pitted against each other. There must be a joint inquiry, but we must ensure that we get some consensus.

The Convener: A completely joint inquiry is very difficult. I am told that aspects of the standing orders make it difficult. Each committee can appoint a reporter to the other committee.

George Lyon: Is there any mechanism that allows the appointment of a committee to carry out a specific inquiry, with the membership of both committees being drawn on?

Rhoda Grant: You mean a reporters inquiry.

George Lyon: Could such a mechanism be used in this case?

Rhoda Grant: We used it for the homing pigeon petition.

Richard Davies (Clerk): I have a paper that was circulated with the supplementary papers on Friday. The paper was considered by the committee in May and was presented by the four reporters from the Transport and the Environment Committee and the Rural Development Committee. They reported on the initial request. In the paper, the option for a limited parliamentary inquiry was discussed and various rules were outlined in paragraphs 42 to 46.

George Lyon: What does the paper say?

Richard Davies: The paper says that if both committees have a strong interest in pursuing the inquiry, the standing orders provide that we should ask the Parliamentary Bureau to designate a lead committee. Alternatively, we can seek the approval of the Parliamentary Bureau to consider the matter jointly.

George Lyon: There will need to be discussions with the convener of the Transport and the Environment Committee before we can come to a final decision.

The Convener: Members of the committee have broadly backed a range of possibilities in principle and we will open discussions with Andy Kerr.

A recess is approaching and, unusually, there is an opportunity to deal with the majority—if not all—of the committee through correspondence rather than to appoint reporters and simply bounce ideas off a limited number of people. Proposals will therefore be sent to members for their responses on how we ought to proceed.

Are members content to deal with the matter by correspondence?

Mr Rumbles: I have one caveat. Members will be taking breaks and if there are deadlines for responses, I am concerned that requiring responses within three days—

The Convener: We will avoid that.

Are members content to proceed on that basis?

Members *indicated agreement.*

Mrs Ewing: Will that have any knock-on effect on our work programme for the autumn?

The Convener: We have discussed the matter as one of our long-standing priorities prior to this meeting, so I hope that time will be made available. There is a danger that we will find that we have more responsibilities—

Fergus Ewing: We have considered our timetable to the end of this year. Is it the case that the inquiry—unless we alter the proposals that we considered last week—will not take place until next year? Should we ensure that an inquiry should take place much earlier? We would not be allowed, for example, input to the water environment bill, which the minister seemed to think was important.

George Lyon: I recall from the reporters' discussion that there was time at least to make a start before the end of the year. There is a big decision about stage 2 of the bill.

The Convener: It is very difficult to project what will happen.

George Lyon: We cannot therefore make a final decision until later.

Alex Fergusson: I think that there is an added argument for a stage 1 debate.

The Convener: Not that we do not have more important things to do.

Meeting closed at 16:55.

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice at the Document Supply Centre.

No proofs of the *Official Report* can be supplied. Members who want to suggest corrections for the archive edition should mark them clearly in the daily edition, and send it to the Official Report, 375 High Street, Edinburgh EH99 1SP. Suggested corrections in any other form cannot be accepted.

The deadline for corrections to this edition is:

Friday 6 July 2001

Members who want reprints of their speeches (within one month of the date of publication) may obtain request forms and further details from the Central Distribution Office, the Document Supply Centre or the Official Report.

PRICES AND SUBSCRIPTION RATES

DAILY EDITIONS

Single copies: £5

Meetings of the Parliament annual subscriptions: £500

The archive edition of the *Official Report* of meetings of the Parliament, written answers and public meetings of committees will be published on CD-ROM.

WHAT'S HAPPENING IN THE SCOTTISH PARLIAMENT, compiled by the Scottish Parliament Information Centre, contains details of past and forthcoming business and of the work of committees and gives general information on legislation and other parliamentary activity.

Single copies: £3.75

Special issue price: £5

Annual subscriptions: £150.00

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

Single copies: £3.75

Annual subscriptions: £150.00

Standing orders will be accepted at the Document Supply Centre.

Published in Edinburgh by The Stationery Office Limited and available from:

The Stationery Office Bookshop
71 Lothian Road
Edinburgh EH3 9AZ
0131 228 4181 Fax 0131 622 7017

The Stationery Office Bookshops at:
123 Kingsway, London WC2B 6PQ
Tel 020 7242 6393 Fax 020 7242 6394
68-69 Bull Street, Birmingham B4 6AD
Tel 0121 236 9696 Fax 0121 236 9699
33 Wine Street, Bristol BS1 2BQ
Tel 01179 264306 Fax 01179 294515
9-21 Princess Street, Manchester M60 8AS
Tel 0161 834 7201 Fax 0161 833 0634
16 Arthur Street, Belfast BT1 4GD
Tel 028 9023 8451 Fax 028 9023 5401
The Stationery Office Oriel Bookshop,
18-19 High Street, Cardiff CF1 2BZ
Tel 029 2039 5548 Fax 029 2038 4347

The Stationery Office Scottish Parliament Documentation
Helpline may be able to assist with additional information
on publications of or about the Scottish Parliament,
their availability and cost:

Telephone orders and inquiries
0870 606 5566

Fax orders
0870 606 5588

The Scottish Parliament Shop
George IV Bridge
EH99 1SP
Telephone orders 0131 348 5412

sp.info@scottish.parliament.uk

www.scottish.parliament.uk

Accredited Agents
(see Yellow Pages)

and through good booksellers