

STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE

Tuesday 9 September 2008

Session 3

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STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE **15th Meeting 2008, Session 3**

CONVENER

*Keith Brown (Ochil) (SNP)

DEPUTY CONVENER

*Cathie Craigie (Cumbernauld and Kilsyth) (Lab)

COMMITTEE MEMBERS

*Robert Brown (Glasgow) (LD)

*Marlyn Glen (North East Scotland) (Lab)

*Jamie McGrigor (Highlands and Islands) (Con)

*Christina McKelvie (Central Scotland) (SNP)

*Dave Thompson (Highlands and Islands) (SNP)

COMMITTEE SUBSTITUTES

Trish Godman (West Renfrewshire) (Lab)

Alasdair Morgan (South of Scotland) (SNP)

Mike Rumbles (West Aberdeenshire and Kincardine) (LD)

Elizabeth Smith (Mid Scotland and Fife) (Con)

*attended

CLERK TO THE COMMITTEE

Gillian Baxendine

SENIOR ASSISTANT CLERKS

Mary Dinsdale

Jane Sutherland

ASSISTANT CLERK

Catherine Fergusson

LOCATION

Committee Room 5

Scottish Parliament

Standards, Procedures and Public Appointments Committee

Tuesday 9 September 2008

[THE CONVENER *opened the meeting at 14:18*]

Interests

The Convener (Keith Brown): Welcome to the 15th meeting this year of the Standards, Procedures and Public Appointments Committee. As usual, I ask members and the public to switch off their mobile phones and BlackBerrys. We have received no apologies.

I thank Hugh O'Donnell for his contribution to the committee and I welcome Robert Brown to the committee. I invite Robert Brown to declare relevant interests.

Robert Brown (Glasgow) (LD): Thank you for your welcome, convener. I am a member of the Law Society of Scotland and it is probably worth putting on record—although this is not a current interest—my former partnership with Ross Harper and Murphy solicitors in Glasgow and my subsequent consultancy with that firm, which terminated in 2005.

Decision on Taking Business in Private

14:19

The Convener: Do members agree to take in private item 4, because we will be discussing a draft that might not reflect the final view of the committee?

Members *indicated agreement.*

Subordinate Legislation

Public Appointments and Public Bodies etc (Scotland) Act 2003 (Amendment of Specified Authorities) Order 2008 (Draft)

14:19

The Convener: Item 3 is consideration of subordinate legislation on public appointments. Members who have been on the committee for some time will recall our consideration of a report from the Commissioner for Public Appointments in Scotland on appointments to the national park authorities. The Minister for Environment and the commissioner disagreed about the apparent incompatibility of the Public Appointments and Public Bodies etc (Scotland) Act 2003 and the National Parks (Scotland) Act 2000 in relation to local-authority-nominated members of the boards of the Cairngorms National Park Authority and the Loch Lomond and the Trossachs National Park Authority. The committee invited the commissioner and the minister to reach a solution. Copies of the correspondence are attached to committee paper SPPA/S3/08/15/1.

The minister's proposed solution was to remove local authority nominations to national park authority boards from schedule 2 to the 2003 act, thereby removing such appointments from the remit of the Commissioner for Public Appointments in Scotland. At our meeting on 15 January we agreed by division to support the minister's approach. We also agreed that when the instrument that would give effect to the approach was laid before the Parliament we would contribute our views. A draft order has now been laid and a copy has been provided to members. The lead committee for consideration of the draft order is the Local Government and Communities Committee, which will take evidence from the Cabinet Secretary for Finance and Sustainable Growth on Wednesday 24 September.

I invite members' comments on the draft order. Do members think that we should write to the convener of the Local Government and Communities Committee, to draw that committee's attention to our comments? We could inform the committee's deliberations by providing it with copies of the correspondence between this committee, the minister and the commissioner.

Marlyn Glen (North East Scotland) (Lab): Your suggestion that we forward our correspondence to the Local Government and Communities Committee is helpful. If we do so we will help that committee to understand where we were coming from in our discussions.

Cathie Craigie (Cumbernauld and Kilsyth)
(Lab): That is fine by me.

14:21

Meeting continued in private until 17:11.

The Convener: Do we agree to make no comment and to pass copies of correspondence and our deliberations on the matter to the Local Government and Communities Committee?

Members *indicated agreement.*

The Convener: That concludes the public part of the meeting.

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Wednesday 17 September 2008

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