

# **EDUCATION, CULTURE & SPORT COMMITTEE**

Tuesday 12 November 2002  
(*Afternoon*)

Session 1

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### **EDUCATION, CULTURE AND SPORT COMMITTEE**

#### **29<sup>th</sup> Meeting 2002, Session 1**

#### **CONVENER**

\*Karen Gillon (Clydesdale) (Lab)

#### **DEPUTY CONVENER**

\*Cathy Peattie (Falkirk East) (Lab)

#### **COMMITTEE MEMBERS**

\*Jackie Baillie (Dumbarton) (Lab)

\*Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD)

\*Irene McGugan (North-East Scotland) (SNP)

\*Mr Brian Monteith (Mid Scotland and Fife) (Con)

\*Michael Russell (South of Scotland) (SNP)

#### **COMMITTEE SUBSTITUTES**

Murdo Fraser (Mid Scotland and Fife) (Con)

Marilyn Livingstone (Kirkcaldy) (Lab)

Fiona McLeod (West of Scotland) (SNP)

\*attended

#### **CLERK TO THE COMMITTEE**

Martin Verity

#### **SENIOR ASSISTANT CLERK**

Susan Duffy

#### **ASSISTANT CLERK**

Ian Cowan

#### **LOCATION**

Committee Room 3



## Scottish Parliament

### Education, Culture & Sport Committee

*Tuesday 12 November 2002*

*(Afternoon)*

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

**The Convener (Karen Gillon):** I call the meeting to order. No apologies have been received. I remind members that we are in public session, and I ask that all mobile telephones and pagers be switched off. Thank you.

### Items in Private

**The Convener:** Under item 1 on the agenda, I ask members to consider whether they wish to take items 3, 4 and 5 in private. The items are consideration of a draft bill and two draft reports. We have agreed to handle such items in private previously. Does the committee agree to take those items in private?

**Members** *indicated agreement.*

## Public Appointments and Public Bodies etc (Scotland) Bill

**The Convener:** Members will be aware that the Local Government Committee is to begin stage 2 of the Public Appointments and Public Bodies etc (Scotland) Bill at the beginning of December. The Education, Culture and Sport Committee took the clear position that it wanted further changes to be made to the bill and I would like members' views on whether there would be merit in our lodging two probing amendments.

**Jackie Baillie (Dumbarton) (Lab):** The comments that the Deputy Minister for Finance and Public Services made in the stage 1 debate were helpful, but the committee's position is clear. We should lodge probing amendments as a way of establishing what the Executive intends to do to replace the Historic Buildings Council for Scotland and the Ancient Monuments Board for Scotland. The committee took the clear view that robust successor arrangements need to be made. We believe that there are no such arrangements at present.

**Michael Russell (South of Scotland) (SNP):** It is clear that the vast majority of members of the committee are in favour of moving the Executive on from its insubstantial position of having no clear idea which bodies will provide an independent voice within the heritage structure and take on the scrutiny role of the Historic Buildings Council and the Ancient Monuments Board. We want to know which organisations will replace the existing bodies and to be reassured that they have the independence and scrutiny role that we seek for them. During the stage 1 consideration of the bill, those worries became greater and we developed concerns about Historic Scotland.

I favour proceeding as the convener has suggested. I agree with Jackie Baillie that the amendments that we lodge should be probing amendments. If the Executive is able to reassure the committee, we will not press those amendments. However, amendments should always be framed in such a way that they can be agreed to if no progress is made. We must lodge robust amendments.

Members will have seen an e-mail that Councillor Pat Chalmers has sent about this matter and that gave the regrettable impression that only two members of the committee were responsible for the initiative that we are taking. It is extremely important that all members present confirm that they have taken part in discussions about this issue and support what the committee is doing. That will give the amendments strength from across all parties.

**The Convener:** I have not received the e-mail to which Michael Russell refers, but my colleague, Jackie Baillie, showed it to me at lunch time. Neither Jackie nor I has spoken to Patricia Chalmers about any amendments that the committee may lodge; it would not have been our intention to do so. If members agree that I should lodge the amendments, I will do so in my capacity as convener, on a cross-party basis.

We will need to give the clerks guidance on the drafting of the amendments. The policy intentions that we hope to achieve are important. I suggest that we propose the deletion of references in the bill to the abolition of the Ancient Monuments Board for Scotland and the Historic Buildings Council for Scotland. We should also lodge any further amendments that are necessary as a consequence of those changes.

If members support the policy intentions that I have outlined, I will need them to approve minor changes to the text of the amendments that are made during the drafting process, so that I can lodge them sooner rather than later. I will circulate the amendments, as I would like all members of the committee to sign them before they are lodged.

**Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD):** For form's sake, I confirm that I support the comments of both Jackie Baillie and Michael Russell. The committee is working on cross-party lines to achieve a purpose that all its members have agreed.

**The Convener:** Absolutely.

We should pursue another issue that we raised in our stage 1 report. I would like to ask the Minister for Tourism, Culture and Sport what progress has been made in the light of our recommendation that the role, purpose and function of Historic Scotland be reviewed. Do members agree that I should write to the minister on those lines?

**Members indicated agreement.**

**Michael Russell:** I concur with everything that the convener said. The purpose of the amendments and the technical detail of how to achieve our policy intention are exactly as she described. If no adequate successor arrangements are made, we propose to remove from the bill all references to the abolition of the Historic Buildings Council and the Ancient Monuments Board.

I have absolute confidence in the convener's discretion in these matters. I hope that, when the meeting takes place at which our amendments will be debated, it will be attended both by the convener and by other members of the committee, to indicate that our amendments have cross-party support.

**The Convener:** Do members agree to my recommendations?

**Members indicated agreement.**

14:09

*Meeting continued in private until 14:57.*

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