

ENVIRONMENT AND RURAL DEVELOPMENT COMMITTEE

Tuesday 10 June 2003
(*Afternoon*)

Session 2

£5.00

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CONTENTS

Tuesday 10 June 2003

| | Col. |
|------------------------------|-------------|
| INTERESTS | 2 |
| CONVENER | 3 |
| DEPUTY CONVENER | 3 |
| LEGACY PAPERS | 4 |

ENVIRONMENT AND RURAL DEVELOPMENT COMMITTEE

1st Meeting 2003, Session 2

OLDEST COMMITTEE MEMBER

*Maureen Macmillan (Highlands and Islands) (Lab)

COMMITTEE MEMBERS

*Sarah Boyack (Edinburgh Central) (Lab)

Roseanna Cunningham (Perth) (SNP)

*Mr Rob Gibson (Highlands and Islands) (SNP)

*Karen Gillon (Clydesdale) (Lab)

*Alex Johnstone (North East Scotland) (Con)

*Mr Alasdair Morrison (Western Isles) (Lab)

*Nora Radcliffe (Gordon) (LD)

*Eleanor Scott (Highlands and Islands) (Green)

*attended

CLERK TO THE COMMITTEE

Tracey Haw e

SENIOR ASSISTANT CLERK

Mark Brough

ASSISTANT CLERK

Catherine Johnstone

LOCATION

Committee Room 1

Scottish Parliament

Environment and Rural Development Committee

Tuesday 10 June 2003

(Afternoon)

[THE OLDEST COMMITTEE MEMBER *opened the meeting at 13:00*]

Maureen Macmillan (Oldest Committee Member): Ladies and gentlemen, I am sure that you will be surprised to learn that I am the oldest committee member; I therefore have the privilege of taking the chair. I welcome members to the first meeting of the Environment and Rural Development Committee, which is a new committee that combines two subject areas that were dealt with previously by separate committees. I also welcome the members of the public and the press who are present—some of them are familiar faces.

Interests

Maureen Macmillan: My first task is to ask members to declare their interests. I do not have any relevant interests to declare.

Mr Alasdair Morrison (Western Isles) (Lab): My only possible relevant interest is that I am a member of the Scottish Crofters Union, which is now the Scottish Crofting Foundation.

Nora Radcliffe (Gordon) (LD): I have no relevant interests.

Alex Johnstone (North East Scotland) (Con): I declare that, as my entry in the register of members' interests states, I am a landowner and a farmer. For clarification, I specify that I am a dairy and cereal farmer. I also declare my membership of the National Farmers Union of Scotland and the Scottish Landowners Federation. Should other minor interests become relevant, I will declare them before we discuss the issue.

Eleanor Scott (Highlands and Islands) (Green): I am not sure that I have any relevant interests. I am a member of a couple of environmental organisations, such as WWF and Friends of the Earth Scotland, but that is all. I have no commercial interests.

Mr Rob Gibson (Highlands and Islands) (SNP): I think that the only interest that I have to declare is that I am a member of the Scottish Crofting Foundation. However, if other relevant interests crop up, I will declare them before we debate the issue.

Sarah Boyack (Edinburgh Central) (Lab): I declare two interests, both of which are in the formal register of members' interests: I am an individual member of Friends of the Earth Scotland and a chartered member of the Royal Town Planning Institute.

Karen Gillon (Clydesdale) (Lab): I have no registrable interests to declare.

Convener

Maureen Macmillan: My second duty is to invite the committee to choose a convener. The Parliament has agreed that members of the Labour party are eligible for nomination as convener of the committee. I therefore seek the nomination of a member of that party.

Mr Morrison: I nominate Sarah Boyack.

Maureen Macmillan: Only one nomination has been received.

Sarah Boyack was chosen as convener.

Maureen Macmillan: I congratulate Sarah Boyack on her appointment. Before I vacate the chair, I point out that we have received apologies from Roseanna Cunningham.

The Convener (Sarah Boyack): I thank colleagues for not creating any last-minute surprises and for electing me as the convener. I look forward to the task. If members have read the induction pack, they will be aware of the huge work load in front of us—we had better get on with it.

Deputy Convener

The Convener: The next agenda item is to select our deputy convener. The Parliament has agreed that members of the Scottish Green Party are eligible for nomination as deputy convener of the committee. Do we have a nomination?

Eleanor Scott: That narrows down the choice.

The Convener: Yes. Can we have a formal nomination?

Mr Gibson: I propose Eleanor Scott.

The Convener: There are no other nominations.

Eleanor Scott was chosen as deputy convener.

The Convener: Excellent. We have dealt with our first key issues.

Legacy Papers

The Convener: Today's meeting will not be particularly long. The key item is setting ourselves up for the future. Members have the legacy papers from the Transport and the Environment Committee, for the relevant environment issues, and from the Rural Development Committee. The committees have made several recommendations or have left unfinished business for us to view. The legacy papers are there to advise us on outstanding work that the committees thought should be picked up. Both committees make helpful comments about procedures and methods of working, from which we can learn.

Let us begin with the key issues that were highlighted by the Rural Development Committee, the first of which is the inquiry into integrated rural development. The committee has left a recommendation that we adopt its report and seek time for a committee debate in the chamber. It has also left a recommendation on the Scottish fishing industry, suggesting that we adopt its report, which was completed near to the end of the previous session, and pursue issues as we see appropriate. We are waiting for a response from the Executive.

Petition PE449, from the Scottish Gamekeepers Association, seeks an investigation into the impact of predatory birds on wild birds, fish stocks and reared game birds. The Rural Development Committee referred the petition back to the Public Petitions Committee, suggesting that it be considered by the relevant successor committee in the new session. That petition may ping its way back to us.

Another issue is the future of the Scottish Agricultural College. Near the end of the previous session, the Rural Development Committee took evidence on the proposed restructuring of the college and the outgoing convener produced a detailed letter highlighting the committee's comments, which has been circulated to members along with copies of several letters from the minister to the college. There is quite a bit of on-going correspondence. We have also received a formal request from the board of the SAC to come here and give evidence to us, preferably before the recess. I have also received two requests from other members, who are not on the committee, that we look into the issue further.

Finally, the legacy paper from the Rural Development Committee mentions the common agricultural policy mid-term review and the Scottish forestry industry, with the comment that that committee was not able to conduct scrutiny of those issues. It is suggested that the new committee should examine them.

The Transport and the Environment Committee legacy paper refers to several outstanding petitions. Petition PE517, on the Seafield waste water treatment plant, was considered by the Transport and the Environment Committee near the end of the previous session and was referred back to the Public Petitions Committee with the recommendation that it be considered by the relevant successor committee. That one might come back to us. Petitions PE462, PE463 and PE464 are all about Scottish Natural Heritage's consultation procedures relating to the designation of sites of special scientific interest. Those petitions were referred back to the Public Petitions Committee, but they will probably come back to us in relation to the proposed nature conservation bill. As we will be the lead committee on that bill, I suggest that we wrap it all up together at that point. We will also have to consider petition PE377, on the Carntyne incinerator in Glasgow. The Transport and the Environment Committee recommended that we pursue the Executive responses that were sought by that committee regarding its work on polluting activities in built-up areas.

The national waste plan was left with the comment that the Transport and the Environment Committee was unable to scrutinise implementation of the plan before dissolution. It is suggested that we look at that.

The legacy papers contain quite a lot of comments about how we might improve our scrutiny of European issues. There are some particularly helpful suggestions from the Rural Development Committee about the process that it went through. As an ex-member of the European and External Relations Committee, I think that we should get on the front foot and look at issues as they begin to go through Europe, rather than wait until the crisis hits us.

That is a brief summary of the issues, although we all probably have other issues to raise. I open the floor for other members' comments.

Alex Johnstone: I support your remarks on the European and External Affairs Committee's work on European documents and their relevance to this committee. We could call on the European and External Affairs Committee to do rather more work for us in future, to ensure that we understand better what is going on in Europe.

In the same vein, we have a challenge ahead of us in developing our understanding of the budget. It was always a serious problem for the Rural Development Committee to get a grip on what it was possible to change within the budget and what could be manipulated, given that so much of the Scottish Executive Environment and Rural Affairs Department's budget is almost set in tablets of stone from the European Union. It would

be an interesting process to understand the budget in light of the mid-term review that is taking place.

I wish to mention something that was said in relation to the SAC. There is a great deal of concern in the north-east and south-west of Scotland about the future of the SAC. I am keen to support the idea that Bill McKelvey or others from the SAC be allowed to give evidence to support the position that they have taken, which many members of this Parliament find difficult to understand. Who knows? We may be informed by his visit, or we may get the opportunity to make the comments that many of us want to make.

I would like to flag up a subject that was not covered in the paper. There has been a lot of publicity about water and the cost of its provision in Scotland. That may fall within the remit of this committee, but it may also fall within the responsibility of the Enterprise and Culture Committee, given that the cost of water has a major impact on business costs and the economy. Could that matter be investigated to see whether it would be more appropriate for this committee or the Enterprise and Culture Committee to deal with it in future?

Having said all that, we can rely heavily on the information that has been given to us in the two legacy papers. Given that two broad remits have been put together on this committee, my only concern is that we are able to maintain an appropriate balance between the two responsibilities and effectively merge them into one.

The Convener: Thanks.

I should have said that we have had a lot of correspondence in the past couple of days. Lots of organisations want us to discuss various issues. The Federation of Small Businesses was one of the groups that flagged up water costs. There is a lot of correspondence that we need to absorb over the next couple of weeks as we move towards our next meeting, but that issue is clearly something for us to examine.

Mr Morrison: I have a comment on striking a balance between the legislative programme and the work that we could be initiating or responding to. You said that outside organisations are already queuing up to have their say on various issues. In relation to what Alex Johnstone said about water, I sincerely hope that it is the Enterprise and Culture Committee that has to deal with that matter, given our inheritance and the proposed legislation.

This is a question for the clerks more than for the convener: as far as the legislative programme is concerned, when will we have an idea of the timing and introduction of bills? When does our programme of engagement in the process begin?

The Convener: I am told by the clerk that she has a meeting planned for Friday to discuss that issue with the Executive. From what our induction paper says, we can confidently expect that eight bills will come to this committee. As you pointed out, the challenge is at what point those bills will come to the committee. By our next meeting, which I hope will be on 25 June, I hope that we will have been able to reflect on that. There are all the interests that we bring, there are the legacy paper issues, there are other groups that may put things on our agenda, and then there is the legislative programme. One of our biggest challenges will be managing our time as effectively as possible.

One point that I noted is that we do not have responsibility for planning issues. The Communities Committee will confidently be able to take on a lot of those. However, I noted on the environment side that a lot of the petitions that the Transport and the Environment Committee received related to planning matters. I am sure that the gap will be filled by others, but that point is worth noting.

Mr Morrison: It is absolutely essential to have, at the earliest date, a clear programme from the Executive's perspective before we can start planning meaningfully. We need to know exactly where we stand in relation to new legislation and amendments to existing legislation.

The Convener: Are there any other comments?

13:15

Maureen Macmillan (Highlands and Islands) (Lab): I hear what you say about the fact that most of the petitions that went to the Transport and the Environment Committee concerned planning, but a lot of them had an environmental dimension to them. People usually objected to the planning because it created some sort of environmental hazard, as they saw it. I am therefore concerned about the number of petitions that we can expect to come to the committee and I am aware of the amount of legislation that we will have to consider.

Because I have come from the previous Transport and the Environment Committee, I am keen that the work we left be finished, particularly the work on the Seaford waste water plant. Perhaps we will have to be selective in deciding what we take on from the previous committees.

With regard to the work that the Rural Development Committee did on predators on game birds, the Transport and the Environment Committee has already done a report on that issue. We should consider that when we decide whether it is necessary to revisit the issue.

Nora Radcliffe: Given that the committee will have one more meeting before the summer break,

I am concerned about whether we can do justice to any inquiry into what is happening with the Scottish Agricultural College. Do members think that we can do anything sensible in one meeting? If we are to make any comments or recommendations, the college will want to know about those before we all disappear for two months in the summer.

The Convener: As I understand it, the college is going to make a decision in mid-July, so if we want to have any influence on that decision, we would have to make our comments at our next meeting.

Nora Radcliffe: I wonder whether one meeting will give us sufficient time for taking and considering evidence and coming up with anything very sound.

The Convener: There are two and a half weeks left before the summer recess.

Nora Radcliffe: Do we need two meetings?

The Convener: We can consider that. The provisional date of 25 June has been set for our next meeting. I would hope that we could have a clear steer on the issue at that meeting so that, over the summer, the clerks could help us to do some of the background policy preparation on what the Executive is going to propose.

The eight bills that we have identified—aquaculture, freshwater fisheries, sea fisheries, crofting reform, protection of animals, strategic environmental assessment, nature conservation and water services—will all involve significant work because they are significant pieces of legislation. It would therefore be helpful for us to know when the Executive will lodge those bills.

The legacy paper mentions that there is always a slippage issue with Executive bills and that might give us some scope for planning our own work. It would help even if we just had a ranked order of when the bills were going to come up.

At a brief meeting with the clerks this week, we talked about the possibility of having an away day, which could take place towards the end of the summer recess. That would gear us all up and allow us a bit of space to sit down and discuss the issues and take control of the committee's agenda for the autumn. We therefore have to pin down a date when we can all attend that away day, and we have to make the most effective use of the time before the recess.

I am not sure that it will be possible to have two meetings. If we could get a written submission from the SAC in advance of our meeting on 25 June, that would at least give us a written statement that members could question, along with all the previous correspondence from other MSPs and interested parties. That would mean that we were not starting from scratch at the

meeting. We will see what we can do to make that meeting as meaningful as possible. Would that be a good way forward?

Nora Radcliffe: Yes.

You mentioned that we are planning to have an away day to discuss the programme. The previous Transport and the Environment Committee held a useful day when the members considered the European Union and how it works. That was useful background and helped members to get a handle on how we can be influential in the consideration of European matters.

The Convener: Nora Radcliffe's comments on the European issue and Alex Johnstone's comments on the budget are all about big process issues. If we get our heads around those issues, we will be a lot more effective.

There is some substantial legislation coming out of Europe on issues such as environmental liability. Those issues could have huge implications for our patch, so it would be worth spending a bit of time on that during our away day in addition to getting some kind of agenda in order.

Mr Gibson: You said that we would have to find chamber time for a debate on integrated rural development. Does the committee have to provide any further input on that so that such a debate could take place?

The Convener: We would have to make a bid for a debate, but it is up to us to decide which of the recommendations from the previous committees we want to accept in full, which we do not have time for and which we might want to implement in a different way. That is our agenda and it is up to us how we take it forward. Integrated rural development is a substantial subject that the Rural Development Committee recommended should go back to the chamber, but we have to decide what our views are on the report that we have inherited. It is really up to this committee to decide how to proceed with the issues that we have picked up from the legacy papers.

Mr Gibson: And the order in which we do so.

The Convener: That is right. It is also up to us to decide what priority we attach to those issues. We are airing those matters today and we will need to make decisions at our next meeting about whether we want to make a bid to the Conveners Group for a debate. If we want to do that, we will need to decide what the debate is to be on, what our arguments are and what we want to get out of the debate.

Mr Gibson: In that respect, I should flag up the national waste plan, as a substantial amount of work has been done on that.

Karen Gillon: Having listened to the comments around the table, I can see integrated rural development being squeezed very quickly into a corner as we deal with all the legislation that arises. A general overview of how we develop our rural economy could be lost in that process, and it is important that the committee does not lose that perspective.

It would be useful to clear the final meeting of term as far as possible if we are to do justice to consideration of the Scottish Agricultural College's situation. We should not ask for evidence only from the college; we should find out whether there are any other individuals or agencies that should be coming to speak to us. Perhaps Alex Johnstone knows of people from the north-east or the south-west whom it would be appropriate for us to call as witnesses. It would be wrong of us to hear views on the board's decision from only one perspective.

Alex Johnstone: There are interest groups.

Karen Gillon: We should have a fairly hefty evidence session at the last meeting of term and make that the focus of the meeting. When we have had time to consider all the information before us and all the reports that we already have, we should have an away day at which we can sit down and develop a programme for the coming year. We cannot do much else on 25 June if we are to do justice to the SAC. I would be inclined to leave all the other issues for the away day, when we can focus on the next term, and to deal with the SAC on 25 June.

Mr Gibson: I would be happier if we had the opportunity to get some idea of members' views on the order of things before we leave for the recess. Although I realise that the SAC is a major issue, the timetabling of what we do is equally important, if not more so.

The Convener: If we are to make an impact on the SAC, that must be done at our last meeting before the recess. It would be sensible to give the clerks some idea of at least the first couple of things that we might be interested in doing. It is difficult to tell which bill in the legislative programme will come first or whether anyone will be ready right at the start of the next term to come before the committee. It would therefore be worth deciding on one or two subjects that we want to pursue at the start of the next term without prejudging what we might discuss at an away day. Ranking our priorities and deciding how we are going to manage ourselves will be important.

That would be a sensible way to proceed, as it would allow us to pick up a couple of the outstanding issues, such as integrated rural development and the waste strategy, for early discussions. We do not need to deal with those

issues for all time, but I suggest that members reflect on whether there are one or two issues that we might want to focus on at the next meeting. We can then develop a sensible agenda for the away day. We can give the clerks ideas at the next meeting, and members should think about what they want to discuss at the away day. Topics could include the legislative programme and its timing, the European and External Relations Committee, how we interact with Europe on European Union issues and a checklist of what is coming next, and budget issues.

Both legacy papers make interesting recommendations. The Transport and the Environment Committee suggested taking the interesting approach of looking not simply at the whole budget but at specific organisations and tracking the budget through, which would be quite effective. On the rural development side, Alex Johnstone has pointed out that it is difficult to work out what we will be able to shift from year to year. We already have some fairly substantive issues to deal with. The key point is how we manage time and ensure that we deal with issues.

None of us has mentioned subordinate legislation, of which we are likely to have to deal with a sizeable amount. That work is difficult to programme—it hits our desks and we must deal with it within 40 days, so we will not be totally in control of our destiny. However, if we can set some priorities that will give us a good start.

It has been suggested to me that we have a brief pre-meeting before our next meeting on 25 June, so that we can receive a briefing from the Scottish Parliament information centre on what is available for us and on research that we may want to commission over the summer. It would be useful for us to consider that informally. We can then have a substantive discussion of the Scottish Agricultural College. We are likely to spend one meeting on that issue, so we must work between now and 25 June to double-check with local members whom we need to invite to give evidence, picking up on the suggestion that Karen Gillon made.

We should ask all those whom we invite to submit written evidence and ensure that we have copies of the work that the Rural Development Committee did and of the evidence that it took, so that we do not totally reinvent the wheel. To get the most out of the meeting, we must have a structured agenda. We will have only one go at the subject, so some preparation will be required during the next couple of weeks.

I thank members for their attendance. The proposed date for our next meeting is the morning of Wednesday 25 June. We will e-mail members the time of the meeting as soon as it is confirmed, so that they may enter it in their diaries.

Mr Gibson: Can we claim that time as suitable for the committee's meetings on a regular basis? I am interested to hear what members have to say about that in relation to their other work. However, Wednesday morning sounds like a good time to me.

Alex Johnstone: From past experience of the work load of the Rural Development Committee, I know that Tuesday afternoon is a good time to meet, as meetings can then be endless—they can go on for as long as is necessary.

The Convener: The time available will be filled by the work that we have to do. I am conscious that many members of the committee travel substantial distances to get here, so we must use our common sense. One or two members are on two committees, so the situation is not entirely within our control. In my view, we must get through our business in the time that is allocated to us. I note that both the Transport and the Environment Committee and the Rural Development Committee started by meeting fortnightly, but ended up meeting weekly. I can see where we are headed.

Maureen Macmillan: Because my former colleague Rhoda Grant was a member of the Rural Development Committee, I am very conscious of the fact that it sometimes met for hours. We should set a deadline for our meetings, so that we do not find ourselves sitting here at 7 o'clock at night, as sometimes happened in the Rural Development Committee. We should decide to finish at 5, half past 5 or whatever time the committee feels is appropriate.

The Convener: Absolutely. I have read the guide for new conveners, which suggests steps such as timetabling of agenda items. I will definitely employ such measures to ensure that we get through our business. We will have to wait to find out our eventual slot, but our next meeting will definitely be on Wednesday 25 June. I will see all members then.

Meeting closed at 13:28.

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