

Consultation Questions

*Local Cultural entitlements*

1. Do you think that developing local cultural entitlements will help to increase participation in cultural activities?	Yes
	Scottish Borders Council believes that the process outlined in the draft guidance for developing entitlements is a positive one. . Scottish Borders Council is of the view that the

Additional Comments:	concept of "entitlements"™ taken in isolation will not necessarily increase the levels of enjoyment and participation in cultural activities. In addition to financial resources we believe that structures are needed which include national bodies, the Executive and local authorities to ensure a co-ordinated, long-term, integrated approach to achieving increased participation and delivery of entitlements.
2. If you believe further or alternative measures are necessary, what are they?	Scottish Borders Council has concerns that the aspirations and expectations of community planning partners and local communities will be raised and that local authorities will not be supported with the additional level of financial resources required to effectively meet the cultural planning requirements and level of cultural entitlement provision set out in the guidance. The Executive should make additional funding available to local authorities to support the cultural planning process and the delivery of cultural entitlements. Scottish Borders Council also believes that there is a need to end short term ring-fenced funding for Creative Links and Cultural Co-ordinators and transfer funds directly from the Executive to Local Government to take these programmes forward. The Council is of the view that the draft Bill and Guidance could be strengthened to ensure Community Planning partners fully embrace cultural planning as a key component of the broader community planning agenda. The Executive should strengthen the Guidance and Bill to ensure all Community Planning partners fully embrace cultural planning as part of the broader community planning agenda by publishing information on their respective contributions to the provision of cultural services.
3. How do you think the Scottish Executive and local authorities can best utilise the influence and impact of cultural activity?	The Executive should provide new and additional resources particularly for investment in:- <ul style="list-style-type: none"> <li>• local cultural infrastructure including venues and cultural development staff</li> <li>• grant schemes to build the voluntary cultural sector</li> <li>• new and existing technologies which affect all aspects of our cultural lives</li> <li>• developing and nurturing cultural talent through the curriculum and through an escalator model for young people moving from school to work, and through growth in resources for Creative Links and Cultural Co-ordinator teams established to support the delivery of cultural planning outcomes for all</li> </ul>

	age groups within geographical communities and communities of interest. â€œ developing the skillsets to enable staff with cultural expertise to work across the public sector including for example, working in Health, Social Justice, Community Safety, and Regeneration.
4. Do you think the initial draft guidance under Part 1 of the Culture Bill is clear and helpful? Is there anything else it should contain?	No
Is there anything else it should contain?	Scottish Borders Council believes that there is a need for verification of efficiency and output achievement, as has been piloted by SLIC through its â€œPublic Library Quality Improvement Matrixâ€ (PQLIM), is being investigated by the SMC and where good examples of practice are already extent in the HMle process. Scottish Borders Council has piloted the PQLIM and supports that initiative and similarly based assessment mechanisms.

### *Creative Scotland*

5. Do you agree that there should be a single national cultural development body?	Yes
Additional Comments:	Scottish Borders Council agrees that there should be a national cultural development body. However, the Bill clearly recognises the role and range of cultural provision which local authorities deliver, yet the functions of Creative Scotland do not appear to reflect this. Creative Scotland is responsible for â€œcreation and excellenceâ€ in arts and culture, but links to agencies and local authorities, who are developing and delivering entitlements, are not clear.
6. Do you agree with the remit proposed for Creative Scotland?	No
Additional Comments:	Creative Scotland appears to have an over-arching cultural advisory role with no clarification as to the role of existing independent advisory bodies, such as SMC and SLIC. There is no formal forum between them and Creative Scotland. This could be addressed by the creation of a National Cultural Forum, which draws its membership from the range of stakeholders, advisory agencies, NDPBs and local authorities. This Forum would give local

	<p>authorities a role in cultural policy development and could provide a mechanism for advocating and supporting culture within the community planning process.</p>
Has it the right powers and functions?	No
Additional Comments:	<p>Creative Scotland has a significant funding role through voted and lottery funds. We share the concern of other bodies that the focus of funding is currently on the individual creator and does not support sustained national delivery programmes which are "encouraging participation in art and culture". For instance, investment in national reading promotions run by libraries across Scotland is diminishing whilst the evidence of their impact increases with each promotion. The Consultation document recognises that the Scottish Arts Council and Scottish Screen "are currently involved with" the support and development of the creative industries. The Bill indicates that Creative Scotland will have an economic development role for the creative industries. One of the four main responsibilities of Creative Scotland will be to "help and support the success of the creative industries." The lead national economic development agency is currently Scottish Enterprise and, in Scottish Borders, Scottish Enterprise Borders. The Executive should ensure that new resources are made available and that current resources are transferred from Scottish Enterprise to Creative Scotland where the economic development role for creative industries including the screen industries will be one of their four main responsibilities. The Executive and Creative Scotland should recognise, through funding, the important role that local screen partnerships can and do perform in maximising the economic impact of the Screen Industries in Scotland.</p>
7. Do you agree that Creative Scotland should work in concert with the Scottish Executive to implement national cultural policy?	Yes
	<p>WE refer you to our reply to question 5. We believe that a wider engagement of partners is necessary. This could be addressed by the creation of a National Cultural Forum, which draws its membership from the range of stakeholders, advisory agencies, NDPBs and local authorities. This Forum would give local</p>

Additional Comments:	authorities a role in cultural policy development and could provide a mechanism for advocating and supporting culture within the community planning process. An inclusive "cultural forum" or a similar mechanism to ensure holistic support to the sector's ambitions is required.
----------------------	---

### ***National Collections***

8. Do you agree that the National Collections should remain as constitutionally separate centres of excellence?	Yes
Additional Comments:	Scottish Borders Council supports the continued existence of the National Collections as separate centres of excellence. In conformity with the Transforming Public Services agenda, however, the Council would support moves to seek efficiencies in the administrative support required by the National Collections through the sharing of resources and expertise.
9. Do you think the powers and functions proposed for the Collections in the draft Bill are right?	No
If not, how would you improve them?	Scottish Borders Council recognises that the National Collections have a unique role and expertise in preserving Scotland's cultural assets and supporting collections of national significance. Their advice in these areas is valuable. However, a new function for the National Collections proposed in the Bill is "to provide advice and assistance as it considers appropriate". The Council proposes that the wording for this function across all the National Collections should read "to provide advice and assistance as considered appropriate to its functions and expertise". This would recognise the expertise which can be shared by the appropriate communities. Any lack of clarity as to their primary purpose and the role of the strategic advisory bodies would also be resolved.
10. What do you think of the name 'National Record of Scotland'?	The Executive should identify a more appropriate title, which reduces confusion and better conveys the functions of the proposed "National Record of Scotland".
11. Do you agree that the Faculty of Advocates	

should be able to contribute to the board of the National Library by having at least one representative?	Yes
Additional Comments:	Scottish Borders Council welcomes the proposal to update the governance of National Library of Scotland. A reserved place on the Board of Trustees for the Faculty of Advocates reflects their historic role in the establishment of NLS, but this must be in line with modern governance requirements. It may be possible to further strengthen the Boards of the Cultural Bodies by including representation from the appropriate strategic advisory bodies, such as CoSLA and SLIC where these bodies are representative of their appropriate communities.
12. Do you agree that the Collections have the appropriate powers to obtain, loan and dispose of objects for or from their collections?	Yes
If not, what would you change?	

***Dealing with tainted cultural objects***

13. Do you agree that an offence similar to that in the 2003 Act should be introduced in Scotland?	Yes
Additional Comments:	Scottish Borders Council agrees that an offence similar to that in the Dealing in Cultural Objects (Offences) Act 2003 should be introduced in Scotland.

***Powers of local authorities to broadcast information***

14. Do you agree local authorities should have a general power to broadcast information about their activities?	Yes
Additional Comments:	Scottish Borders Council believes that Local Authorities in Scotland should have the power to broadcast information about their activities and the Executive should provide resources to explore the potential of new media technologies for broadcasting in local authority areas and to enable Local Authorities to ensure that the content and quality of broadcasts is of the highest level.

15. Do you think it is necessary to give authorities this power in this Bill, or should local authorities be left to rely on 'the power to advance well-being' in section 20 of the Local Government in Scotland Act 2003?

Scottish Borders Council believes that Section 20 of the Local Government Scotland Act 2003 is not sufficient in this regard.

***PLEASE NOTE: THE ABOVE MESSAGE WAS RECEIVED FROM THE INTERNET.***

***On entering the GSI, this email was scanned for viruses by the Government Secure Intranet (GSI) virus scanning service supplied exclusively by Cable & Wireless in partnership with MessageLabs. In case of problems, please call your organisational IT Helpdesk.***

***The MessageLabs Anti Virus Service is the first managed service to achieve the CSIA Claims Tested Mark (CCTM Certificate Number 2006/04/0007), the UK Government quality mark initiative for information security products and services. For more information about this please visit [www.cctmark.gov.uk](http://www.cctmark.gov.uk)***