

Matthews B (Barry)

From: John Cunningham [jcunningham@cne-siar.gov.uk]

Sent: 30 March 2007 11:52

To: Cultural Bill Consultation

Acknowledged: 114
B127795
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Barry,

I attach the agreed response from Comhairle nan Eilean Siar on the draft Culture (Scotland) Bill consultation. The paper is already a matter of public record so there are no restrictions on its use. If you require anything else, please contact me.

Kind regards,

John

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RESPONSES TO:

DRAFT CULTURE (SCOTLAND) BILL: CONSULTATION DOCUMENT

The following questions are laid-out as per the Scottish Executives consultation document:

Local cultural entitlements

1. Do you think that developing local cultural entitlements will help to increase participation in cultural activities?

Recommended response

- *The Outer Hebrides Cultural Strategy is a Community Planning Partnership document and aims to deliver cultural activities and development across departments for a range of benefits. The Outer Hebrides is now participating in the Scottish Executives Cultural Entitlements Pathfinder and aims to develop such entitlements in line with the Outer Hebrides Cultural Strategy. It is anticipated that the development of cultural entitlements will assist in directing limited resources more specifically to activities, events and programmes which will aspire to address issues relating to access and social inclusion and achieve the best outcomes both for the Comhairle and the local community.*
- *The Comhairle delivers cultural activity both directly and through Service Level Agreements with key cultural organisations and community grants to smaller cultural groups. It would be hoped that through more strategic planning and better publicity of services offered as a result of the cultural entitlement development process that this could result in increased participation in cultural activities. However, barriers to access such as transport to events and/or delivering activities in outlying areas would also have to be addressed and again this will not be possible without increased resources*

2. If you believe further or alternative measures are necessary, what are they?

Recommended response

- *Documenting Cultural Entitlements, perhaps using a 'Balanced Scorecard' method to ensure rounded provision, will assist Local Authorities to deliver the full range of cultural opportunities.*
- *At present, provision can be ad hoc or demand led, reflecting popular demand or cost / ease of provision. Provision of the full range of cultural opportunities will be challenging and expensive, particularly in the island situation where some consumers have to make a round trip of 70 miles or over, across land and sea, to participate in a cultural event. Physical access to cultural opportunities is the problem in island communities. Regardless of the level of deprivation in Scotland's urban centres, consumers are never more than a few miles away by an excellent public transport system from major cultural opportunities. Unless the proposed Cultural Entitlements are accompanied by the resources which will make access to cultural opportunities possible in the rural context, Cultural Entitlements will have little impact.*

3. How do you think the Scottish Executive and local authorities can best utilise the influence and impact of cultural activity?

Recommended response

- *Through its Outer Hebrides Culture Strategy and 'Creating Communities of the Future' regeneration strategy, Comhairle nan Eilean Siar recognises the potential of culture as a regenerative driver. Access to cultural activities promotes a sense of well-being, particularly in rural communities, and can help build community confidence to the point where communities are equipped and able to deliver cultural activities and facilities by their own hand. This is already happening in the Outer Hebrides.*
- *Development of Cultural Planning and Cultural Entitlements will help promote the positive benefits of exposure to culture and will allow Local Authorities to strategically assess their current cultural landscape and focus resource and effort on key cultural areas.*

4. Do you think the initial draft guidance under this Part of the Culture Bill is clear and helpful? Is there anything else it should contain?

Recommended response

- *The draft guidance seems broadly helpful although it contains some redundant references. For example, reference is made to the Community Regeneration Fund which is based on the flawed Scottish Indices of Multiple Deprivation which can only measure concentrations of deprivation. Rural communities are also affected by significant deprivation but that deprivation is dispersed, largely due to historic land ownership patterns. Since the SIMD are unable to measure this sort of deprivation, the Scottish islands do not figure in the Indices and are therefore excluded from the benefits of the Community Regeneration Fund.*
- *Comhairle nan Eilean Siar, along with some other Local Authorities, is currently participating in a Scottish Executive 'Pathfinder' dealing with Cultural Entitlements. In that respect, the definitions of Cultural Planning and Cultural Entitlements contained in the draft guidance may be premature and may have prejudice to the outcome of this Pathfinder.*

Creative Scotland

5. Do you agree that there should be a single national cultural development body?

Recommended response

- *The development of a single national cultural development body is a positive step and should ensure a shared strategic vision across cultural development sectors. The loss of funding responsibility for the National Companies will free up capacity within the former Scottish Arts Council to become involved in wider creative work. However, the SAC should still have involvement in drawing up the remits of such national companies given their responsibilities with regards to the 'escalator model' of succession planning and creative development.*

6. Do you agree with the remit proposed for Creative Scotland? Has it the right powers and functions?

Recommended response

- *There is no substantive reference to Gaelic in the document and this is hopefully an oversight rather than a slight to the language. According to the former Minister for Gaelic, Alasdair Morrison, "Gaelic is a precious jewel in the heart and soul of Scotland. Gaelic is national, European and International. It is fundamental to Scotland, it is not on the periphery or on the fringes." These words were spoken by Alasdair Morrison in March 2000 in the first Gaelic debate in the Scottish Parliament for 300 years.*
- *Gaelic is the nation's oldest living language and continues to play a fundamental part in Scottish life. Place names, family names and personal names all reflect its presence throughout the country. Many of our national symbols – tartan and the kilt, bagpipes, whisky, even the symbol of Scottish sovereignty itself, the Stone of Destiny – derive from Gaelic Scotland. So much of Scotland's great literature, from poetry to folklore and folk literature to song, so much of its music, and so much of its distinctive but indefinable social characteristics all derive from Gaelic Scotland, producing artists and performers of international renown. Gaelic culture reflects two thousand years of evolving tradition and Gaelic arts activity is lively, highly innovative and has significant international appeal.*
- *The Scottish Executive has shown its positive commitment with the enactment of the Gaelic Language (Scotland) Act in February 2006 and the establishment of Bòrd na Gàidhlig. Comhairle nan Eilean Siar recognises the valuable support given to Gaelic in the past few years and hopes that further assistance will be given to the language by ensuring that there should be a Gaelic speaking member on the new Board of Creative Scotland to ensure that Gaelic is officially represented on the new body. Creative Scotland should take cognisance of the Gaelic dimension to Scotland by ensuring that policy documents emanating from Creative Scotland should contain a Gaelic strand reflecting the needs and aspirations of the Gaelic Community.*
- *In the context of local authorities developing cultural entitlements, Creative Scotland needs to be open to two way dialogue with local authorities and their respective communities. The need to consider the requirement to develop funding streams in line with the demonstrated needs of local communities and work closely with local authorities on a similar level to the Arts Council of England's Local Area Agreements.*
- *Creative Scotland cannot "encourage greater access to, and enjoyment of, the arts and culture", particularly in the rural context, without associated resources.*
- *In addition, ensuring representation on Creative Scotland's relevant committees from outlying rural areas such as the Outer Hebrides will be essential to ensure that the specific needs of such communities, which are remote from central belt policy makers, are taken into consideration.*
- *The economic development role of the Creative Industries is something that has long been recognised by Comhairle nan Eilean Siar who deploy specific resources in that area. It would be helpful to have more clarity with regards to how Creative Scotland will interact with national and local agencies already working in economic development such as the Comhairle and HIE Innse Gall. In particular, areas covered by the Outer Hebrides Creative Industries Strategy: skills development, premises, business support (finance and advice for start-up and growth), quality assurance (particularly for the craft sector).*
- *Creative Scotland should not focus on the creative industries per se but have a specific focus (in its early stages at least) on those areas where Scotland has particular strengths or which are particular high value areas. This would mitigate against potential diffusion of effort and maximise economic impact.*

- *A further important area that Creative Scotland could impact on is supporting business growth and development among arts and cultural organisations which would traditionally be largely grant-funded or within the voluntary sector.*
 - *The delivery of wider policy objectives, particularly in the area of regeneration and capacity building, has again been long recognised by Comhairle nan Eilean Siar and its Community Planning Partners and Creative Scotland's commitment in this regard is welcomed.*
7. Do you agree that Creative Scotland should work in concert with the Scottish Executive to implement national cultural policy?

Recommended response

- *To be effective in the artistic context, Creative Scotland must retain objectivity and the perception of politicisation should be avoided. While informal commitments not to use Ministerial powers to "intervene in the decisions of Creative Scotland that are essentially about artistic judgement" are welcome, the level of protection for Creative Scotland from political interference or influence does not seem sufficient. Perception is everything in the cultural context and any suggestion that Creative Scotland is not fully independent from political considerations will have a negative impact on the agency's credibility.*

National Collections

8. Do you agree that the National Collections should remain as constitutionally separate centres of excellence?

Recommended response

- *The relevance of the National Collections to cultural life in the Outer Hebrides is limited. Our concern would be to bring culture to the people rather than to bring the people to culture.*
9. Do you think the powers and functions proposed for the Collections in the draft Bill are right? If not, how would you improve them?

Recommended response

- *The new role for the National Collections to offer advice to local museums, galleries and libraries is welcomed. In the absence of repatriation of artefacts, any moves to facilitate the sharing of national expertise and decentralise the exhibiting of nationally significant objects is also welcomed.*
- *The work of the Comann Eachdraidh (local historical societies) is becoming increasingly important to island communities and we would like to see legal provision for support of these voluntary organisations by the National Collections, in terms of advice on maintenance and exhibition of archives. For many rural communities, their local Comann Eachdraidh is the museum and, to their credit, several voluntary Comann Eachdraidh are developed to the stage where they are classified as Registered Museums.*

10. What do you think of the name 'National Record of Scotland'?

Recommended response

- *While the name, Royal Commission on the Ancient and Historical Monuments of Scotland, is cumbersome and archaic, it at least conveys the impression that the agency deals with the historic built environment. The proposed name, National Record of Scotland, breaks the link with the built environment and gives the impression that the agency will have a role similar to that of the Registrar General of Scotland. A more appropriate name might be Historic Environment Agency, carefully noting the potential for confusion with the current Historic Environment Advisory Council for 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?

Recommended response

- *Representation of the Faculty of Advocates on the Board of the National Library is not a matter of pressing significance for cultural life in the Outer Hebrides. We would rather see legal provision which might facilitate the repatriation of key artefacts to their host community, for example, the Lewis Chessmen – found in Lewis but displayed in the National Museum and inaccessible to the community for which they have most relevance.*

12. Do you agree that the Collections have the appropriate powers to obtain, loan and dispose of objects for or from their collections? If not, what would you change?

Recommended response

- *Repatriation of local artefacts is the key priority for the Outer Hebrides in terms of the National Collections. Legal provision which facilitates and encourages repatriation or, at least, decentralised display across Scotland should be introduced. Again, there are concerns about the robustness of the National Collections' defence against inappropriate Ministerial interference (noted in 7 above in respect of Creative Scotland).*

Dealing in tainted cultural objects

13. Do you agree that an offence similar to that in the 2003 Act should be introduced in Scotland?

Recommended response

- *The Comhairle supports the introduction of this legislation. The absence of a criminal offence is making Scotland a safe haven for cultural criminals.*

Powers for local authorities to broadcast information

14. Do you agree local authorities should have a general power to broadcast information about their activities?

Recommended response

- *The Comhairle supports the introduction of this legislation. All legitimate means to promote culture should be utilised. In addition to mainstream television and radio, there should be provision for a Culture TV Broadband Internet channel. Due to their high level of Broadband coverage, necessary to promote inclusion in the rural context, the Outer Hebrides are well advanced in the area of Broadband TV. The provision of a bilingual Broadband TV channel, promoting local culture and the work of the Comainn Eachdraidh, is a logical next step and should be supported with central resources.*

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?

Recommended response

- *Specific powers will encourage greater uptake of promotion by broadcasting. Comhairle nan Eilean Siar is currently encouraging community groups to submit footage of local community events for inclusion in the new HebridesTV Broadband Internet channel. The more active role the Local Authority can take, in terms of promoting its own cultural activities, the better.*