

Consultation Questions

***Local Cultural entitlements***

1. Do you think that developing local cultural entitlements will help to increase participation in cultural activities?	Yes
Additional Comments:	On balance we believe that the development of local cultural entitlement could help increase participation in cultural activities, but, that there are fundamental weaknesses in the

	proposals as well as strengths.
2. If you believe further or alternative measures are necessary, what are they?	Local Authorities should be required to make adequate provision for cultural activities based upon Nationally determined norms and the filling of strategic art form gaps. This legislation is not strong enough to ensure that sufficient priority will be given to cultural entitlement by those Councils which are not already aware of and involved in providing an adequate provision.
3. How do you think the Scottish Executive and local authorities can best utilise the influence and impact of cultural activity?	We do not think cultural activities are there to be utilised for political gain. We believe that the question should be reversed. How can the the Scottish Executive and the local authorities be best utilised to increase the availability and therefore the impact of cultural activity upon the whole of Scotland. Again this will only come from strong leadership and guidance regarding adequate levels of provision and the political will at national and local level to make such provision. This legislation seems to gloss over the need by not being clear enough and strong enough in the direction it gives especially to Local Authorities.
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 Do you think the initial draft guidance under Part 1 of the Culture Bill is clear and helpful?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?	We are disappointed that there is a very strong thrust towards heritage culture that is present in the text and more particularly in the banner heading of the document where the only modern aspect is the Falkirk Wheel and even that is associated with a heritage facility.

### *Creative Scotland*

5. Do you agree that there should be a single national cultural development body?	Yes
Additional Comments:	
6. Do you agree with the remit proposed for Creative Scotland?	No
	We partially agree. However, we feel that the removal of responsibility for National Bodies gives off a message that is contrary to the concept of cultural entitlement for all. If one body is to be responsible why hive off National

Additional Comments:	Bodies to the Executive? What is the political sub-text and does it not put doubts into peoples heads about relative levels of funding for elitist/ populist arts? Is there an Executive hidden agenda which valourises 'high' art over local cultural provision?
Has it the right powers and functions?	No
Additional Comments:	See immediatley preceeding comment.
7. Do you agree that Creative Scotland should work in concert with the Scottish Executive to implement national cultural policy?	Yes
Additional Comments:	Creative Scotland should work in concert with the Scottish Executive to implement national cultural policy. However, it should be explicitly stated that the local authorities also need to be involved in this work if they are expected to be significant agents in the delivery of cultural entitlement. With respect to this relationship we feel that it is invidious that whilst Creative Scotland have to follow instructions from Ministers ,Local Authorities, as the prime delivers of cultural entitlement, are only guided. This undoubtedly will result in Local Authorities being able to ignore the aims of the legislation if they so wish. We are particularly concerned that a local authority will be allowed to be the judge of how successful it has been in delivering cultural entitlements. Not only will it, apparently autonomously, decide on the level of cultural entitlement which is due to its population it will also be judge and jury in how well it has delivered that service. This seems to us to be a complete abrogation of the responsibility of the Scottish Executive in achieving the aims of cultural entitlement which will allow local authorities to continue as well or as badly as they now do.

### ***National Collections***

8. Do you agree that the National Collections should remain as constitutionally separate centres of excellence?	Yes
Additional Comments:	
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?	No Comment
10. What do you think of the name 'National Record of Scotland'?	It sounds a little like a provincial Newspaper. However, it has the virtue of being clear.
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?	No
Additional Comments:	We see no valid operational reason for this to be the case.
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?	No Comment

#### ***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:	We agree to this and would look for the Scottish Executive to seek the return of all Scottish heritage items at present within English Public Museums and Libraries.

#### ***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:	
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?	If it is applicable under "the power to advance well-being" in section 20 of the Local Government in Scotland Act 2003 then this should be allowed rather than drafting specific legislation.

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