

Consultation Questions

Local Cultural entitlements

1. Do you think that developing local cultural entitlements will help to increase participation in cultural activities?	Yes
	It seems highly desirable that local authorities should consult their citizens about cultural provision and thereafter establish and publish what services they are able to offer. In principle

Additional Comments:	this approach should help to increase participation. A framework of national advice on issues of scope and quality will however be needed to promote consistency of provision across what are, after all, relatively small local authorities.
2. If you believe further or alternative measures are necessary, what are they?	Probably no further measures are needed initially. In practice success may depend on achieving a viable balance between central guidance and local independence, and on coping with the apparent paradox of general entitlement without any guarantee of access to particular services. See also response to Q4 below.
3. How do you think the Scottish Executive and local authorities can best utilise the influence and impact of cultural activity?	It is hard to conceive how a government body could, in any desirable way, "utilise" the influence of cultural activity (except possibly in the sphere of education: see response to Q6 below).
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 Do you think the initial draft guidance under Part 1 of the Culture Bill is clear and helpful?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?	The bill should give a clearer definition of what is meant by "cultural provision". The reference, under part 1 para 7 of the Bill, to a miscellany of previous legislation, is far from helpful. The bill should say something about the resourcing and funding of enhanced local provision.

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
	As one of the Scottish Arts Council's Foundation clients with a national profile in education and the literature and languages of Scotland, we assume that the Executive's strategy still underlies this legislation but are keen that several of its valuable emphases should not be lost sight of in the necessarily briefer text of the bill. We suggest that the remit of Creative Scotland should be modified

Additional Comments:	as follows: Part 2, 8 (2) "the arts and culture, including the the arts and culture of Scotland and their international outreach" TM . Part 2, 8 (2) Insert as (c): "of cooperating with educational agencies to ensure that cultural components are incorporated within the curriculum across the ages 3-18." TM Change original (c) to (d) and replace "in particular, the economic", TM by "including the economic" TM
Has it the right powers and functions?	Yes
Additional Comments:	
7. Do you agree that Creative Scotland should work in concert with the Scottish Executive to implement national cultural policy?	Yes
Additional Comments:	But: in Schedule 1 of the bill add to para 16 (1): "These powers do not relate to issues of artistic judgement." TM

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?	Yes
If not, how would you improve them?	
10. What do you think of the name 'National Record of Scotland'?	This singularly vague phrase may be justified as a holding name until the future relationship of the Commission and Historic Scotland is clarified. An explicit title for its present functions would be The National Survey of Scotland's TM Historic Environment.
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:	
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?	
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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:	

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?	They should be given the power in the Bill.

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