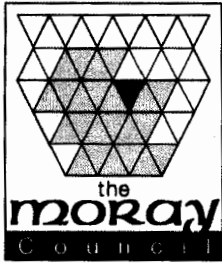


Ack by letter 18/01/05



Donald M Duncan
Director of Educational Services

EDUCATIONAL SERVICES
The Moray Council,
Commerce House Annex,
South Street, Elgin, Moray. IV30 1JE
Tel: (01343) 557148 Fax: (01343) 557151

Nick Fearne, Arts Development Officer
Direct Dial: 01343 557148
e-mail: nick.fearne@moray.gov.uk

Our Ref: NF/CC2

Your Ref:

17th December 2004

Cultural Commission – Phase 2 Response

This is a general response to some of the issues raised in the 62 questions.

I have concerns about 'enshrining' cultural rights and entitlements in law (Q2). If these rights, and nobody yet seems to have suggested what they might be, are enshrined in law how will they be general enough to take account of regional variations in provision, geography, social demographic etc. And if law how would they be monitored? Law also suggests enforcement, which in turn suggests a compulsory element to something we are trying to encourage as part of everyday life.

If we start to try and define 'adequate provision' in a local authority context it will probably be necessary to have a different definition for each authority. The needs of local authorities differ, as does current provision. Whilst LAs receive guidance on policy from the Scottish Executive, local policies and strategies will vary greatly (Q10).

Defining adequate provision and possibly ring-fencing resources runs the risk of this being interpreted as minimum provision, resulting in the opportunity for LAs to only aspire to that minimum or even reduce its current provision to that minimum (Qs 44,45,47).

Nick Fearne
Arts Development Officer