

Supplement to Minutes  
of a meeting of  
Council in Perth on  
3rd July, 1991.

*not circularised  
to Council*

Fully detailed record of the discussion of S.S.P.D.C. matters

Initiating discussion of SSPDC, matters the Chairman explained that Mr. Swinton had expressed extreme concern regarding a number of points, particularly with regard to the conduct and the Minutes of the SSPDC meeting held on 13th June, 1991. In view of the gravity of these matters the Chairman had invited those SPTA-nominated Members of SSPDC who are not also Members of SPTA Council (Messrs. Adam Anderson, David Peebles and Gordon Smillie), together with Mr. Mike Robertson (Managing Director of Nickerson Seeds Ltd. and a co-opted Member of SSPDC) to attend today's meeting. He regretted that Messrs. Smillie and Swinton were unable to attend today but he hoped and urged that a full and frank discussion of the various matters at issue would ensue.

The Secretary explained that in the short time since he had received voluminous paperwork from Mr. Swinton he had been unable to complete his scrutiny of it for confidential material. Accordingly, a pre-circularisation of information to Council Members had not been prepared. Briefly he listed the initial concerns as being circularisation of a Paper with the SSPDC Minutes which did not show alterations before presentation or the amendments made during discussion; the Minutes did not record those amendments or the dissent voiced during that discussion and inaccurately recorded that the Paper had been agreed. The Chairman asked the SSPDC Members present if they were happy with the conduct and direction of SSPDC and invited their comments.

In reply, Mr. Fenton (Vice Chairman SSPDC) held that the Minutes were a true record. He stated the reported request "let's get on with it" had been made after about 30 minutes discussion (Mr. Anderson thought possibly longer). He confirmed "Sales Manager" in Para. 2 of the Paper should read "Administrative Manager" and that "one year" in the last paragraph should read "trial period of 6 months". He also explained the term "Sales Office" simply described the place where sales made by Members of S.E. Growers are recorded and had been changed to Administrative Office. Under pressure, however, Mr. Fenton conceded that the Minutes were not accurate.

The Chairman voiced his personal concern that, as both Secretary of S.E. Growers and Chief Executive of SSPDC, Mr. Bethel should not recommend the secondment of Mr. Arbuckle from SSPDC to S.E. Growers. Mr. Fenton explained that about 80% of Mr. Arbuckle's time is already devoted to S.E. Growers matters. Mr. Brass asked why Mr. Arbuckle had been employed by SSPDC and what his Job Description is. The Chairman pointed out that the SSPDC Annual Report and Accounts described Mr. Arbuckle as "Market Development Assistant".

In their replies to the Chair, Mr. Mike Robertson stated he was not happy at the way SSPDC Money is being spent; Mr. Anderson speaking as a "new boy" had been happy with previous Minutes but was very disturbed with the most recent Minutes over which he had registered a strong complaint and which he does not accept; Mr. Peebles stated these latest Minutes are misleading "by omission" - he supports both S.E. Growers and the SSPDC but urged that current differences should not be allowed to prevent the Industry from maintaining the single united face it shows to the rest of the world. The Chairman interjected his personal view that it is the SSPDC itself that is causing division.

Mr./

Mr. Mike Robertson also pointed out that in the nine functions allocated by Sch.1 of the Order setting up the SSPDC, eight of them commence with the word "Promoting" and none of them contain the word "control". For his own part the Chairman pointed out that every nominated Member of the present SSPD Council appointed by the Secretary of State is also a Member of S.E. Growers. In terms of Item 12 of Sch. 2 of that same Order, therefore, it appears that only Dr. Bruce (Special Appointee) and the Trade Union representative, James Blake, are able to decide SSPDC's dealings with S.E. Growers.

In his reply to the Chair Mr. James Robertson stated the Minutes are inaccurate. What was agreed was not that Mr. Arbuckle will be seconded to, but that the cost of his time will be recovered from, S.E. Growers.

Speaking "from the outside, looking in", Mr. Hollywood viewed the SSPDC as merely redistributing shares of a declining market, instead of working to develop the industry. Mr. McKenzie (a Board Member of S.E. Growers)'s view was that the Chairmanship of the SSPDC is wrong, neither a farmer (albeit retired) or a merchant being capable of being truly independent at all times (this view being supported by several others present). He felt effort should be directed towards securing a replacement for the present Chairman of SSPDC. Mr. Lindsay's view was that it was apparent that S.E. Growers needed a Sales Recording Assistant, perhaps on a part-time basis, and that such a post should be filled after due advertisement.

Recalling inaccuracies in earlier SSPDC Minutes, the Chairman suggested that perhaps all SSPDC Minutes should be independently prepared in future. While Mr. Fenton felt this could be considered, it may not prove feasible. Tape recording, for example, has potential shortcomings. Continuing replies to the Chair, Mr. Maxwell was happy with most of the points covered so far while Mr. Doig, agreeing with Mr. Hollywood's assessment, felt firmly that S.E. Growers must be separated away from SSPDC, since neither can succeed until this has been effected. Mr. Whitehead also shared his view, while Mr. James Robertson felt the current situation was a "half way house" to such total separation. Mr. Smith spoke in support of Mr. McKenzie's view that efforts should be directed towards replacement of the present Chairman of SSPDC.

The Chairman drew attention to the SSPDC Annual Report and Accounts recently submitted to Ministers. Although this includes his own name (as a Member of SSPD Council during the period covered) the Accounts differed in some respects (e.g. Chairman's Honorarium, recoveries due) from the drafts submitted to him for approval. Mr. Peebles added that he has queried parts of the Accounts, but had been informed by the Chief Executive that since Mr. Peebles had not been a Member of SSPD Council during the period covered by the Accounts, Mr. Peebles could not require changes to be made. (This is not supported by subsequent information from the Auditors that these Accounts must be approved by the present Council.)

Mr. Peebles pointed out that it is SSPD Council's responsibility to control its Chairman and Chief Executive, a view supported by Mr. Anderson with the proviso that this is less easy for the "new boys". Agreeing in his turn Mr. Melrose felt the current problems are primarily evidence of frustration, the remedy for which is in SSPD Council's own hands. That Council must exercise its full control, not allowing itself to be controlled, the Chief Executive being the servant not the master of that Council. Mr. Hollywood fully agreed with this view and regarded SSPDC as continuing to drift away from Development/Promotion into commercialism.

Mr./

Mr. Mike Robertson asked in what direction is SSPDC going. Mr. Fenton assured him that promotion is still continuing but, in Mr. Mike Robertson's view, this was not being done at all well. Mr. Fenton also referred to S.E. Growers' 60% share of Scottish seed acreage but the Chairman refuted this as a myth based on inaccurate and misleading figures compiled to defeat the call for a poll of all levy-payers. Mr. Hollywood also referred to reports of levy-payers being refused entry to S.E. Growers, but he was assured by Mr. McKenzie that the very few refusals involved had been for excellent reasons with which all present would have agreed. Mr. Anderson stated he had found the ambience of SSPDC meetings to be excellent. In reply to Mr. James Robertson, Mr. McKenzie now felt (with the benefit of hindsight) that the post of Administration Manager for S.E. Growers should have been advertised.

Following the Secretary's brief summary of the discussions so far Mr. Peebles asked him if, in his professional view, the SSPDC is acting illegally. In reply, Mr. Hunter explained he had seen a letter from Solicitors to Mr. Bethel setting out their legal opinion on powers provided under the Statutory Order which set up the SSPDC. Mr. Hunter does not agree entirely with that opinion and feels that closer scrutiny may show those powers to have been exceeded.

Mr. Hollywood expressed concern that the proposed staff changes showed the loss of two-thirds of SSPDC staff at once. Mr. Anderson pointed out that the proposal regarding Veronica Magennis had not been approved by the meeting, the Minutes being inaccurate in this respect also.

Mr. Doig asked where SPTA can go from here. Discussion accepted that SPTA nominees act as individuals, not delegates. It was agreed SPTA should write to SSPDC to recommend that SSPDC concentrate on its Development/Promotional function, that S.E. Growers should be totally separated from SSPDC as soon as practically possible and to ask how SSPDC foresees its timetable (the letter being jointly composed by the Secretariat and Office Bearers and copied to each member of SPTA Council).

Mr. Melrose voiced his views on the present situation and Mr. McKenzie repeated and supported Mr. Peebles' plea to maintain a united industry face. Mr. Hollywood added that NASPM's perception of SSPDC was very similar to SPTA's view. Mr. Lindsay regarded SSPDC's response on the virus problem to have been rather weak, while Mr. McKenzie complimented the Chairman and Secretary on their handling of both the Virus and Fraud problems. The Chairman explained that any credit in this respect was entirely due to Mr. Colin Ley's assistance.