OFFICIAL REPORT
AITHISG OIFIGEIL

Citizen Participation and Public Petitions Committee

Wednesday 4 June 2025

Session 6

The Scottish Parliament
Pàrlamaid na h-Alba

Wednesday 4 June 2025

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CITIZEN PARTICIPATION AND PUBLIC PETITIONS COMMITTEE

10th Meeting 2025, Session 6

CONVENER

*Jackson Carlaw (Eastwood) (Con)

DEPUTY CONVENER

*David Torrance (Kirkcaldy) (SNP)

COMMITTEE MEMBERS

*Foysol Choudhury (Lothian) (Lab)
*Fergus Ewing (Inverness and Nairn) (SNP)
*Maurice Golden (North East Scotland) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Hazel Johnson (Built Environment Forum Scotland)
Douglas Lumsden (North East Scotland) (Con)
Professor Gordon Masterton (Institution of Civil Engineers, Panel for Historical Engineering Works)
Laura Shanks (Local Authority Building Standards Scotland)
Paul Sweeney (Glasgow) (Lab)
Tess White (North East Scotland) (Con)

CLERK TO THE COMMITTEE

Jyoti Chandola

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Citizen Participation and Public Petitions Committee

Wednesday 4 June 2025

[The Convener opened the meeting at 09:31]

Decision on Taking Business in Private

The Convener (Jackson Carlaw): Good morning and welcome to the 10th meeting in 2025 of the Citizen Participation and Public Petitions Committee.

Item one is the dry decision whether to take in private item 4, which relates to consideration of the evidence heard during item 2. Are members content so to do?

Members *indicated agreement.*

Continued Petitions

Listed Buildings (Demolition) (PE2105)

09:31

The Convener: Our first continued petition is PE2105, which was lodged by Lydia Franklin on behalf of Save Britain's Heritage and calls on the Scottish Parliament to urge the Scottish Government to set a minimum evidence requirement to prevent the unnecessary use of emergency public safety powers to demolish listed buildings.

We last considered the petition at our meeting on 9 October 2024, when we agreed to invite relevant stakeholders to give evidence at a future meeting. I am delighted that the committee will now hear evidence from Hazel Johnson, the director of the Built Environment Forum Scotland, Professor Gordon Masterton, chair of the Institution of Civil Engineers panel for historical engineering works, and Laura Shanks, chair of Local Authority Building Standards Scotland. A warm welcome to you all.

We hope to be joined online by our former committee member and parliamentary colleague, Paul Sweeney MSP, who has taken a particular interest in the proceedings. However, I do not think that we quite have him online as yet.

Professor Masterton would like to say a few words. Feel free, and then we will move to questions, if we may.

Professor Gordon Masterton (Institution of Civil Engineers, Panel for Historical Engineering Works): Thank you, convener. At the outset, I will say that I am representing the Institution of Civil Engineers Scotland region this morning. I am a past president of the Institution of Civil Engineers and of the Institution of Engineers and Shipbuilders in Scotland. However, I am here to represent my own views, which align with ICE Scotland's views.

Again, from the outset, I will say that ICE Scotland agrees with the petition by Save Britain's Heritage that a minimum evidence requirement should be set to prevent the unnecessary use of emergency public safety powers for the demolition of listed buildings, and that it should be mandatory that a properly experienced and qualified engineer, who is registered with the CARE panel—the conservation accreditation register for engineers panel; more of that later—provides an opinion prior to a final decision to demolish.

I would like to cover three points in my opening statement, if that is all right. The first is about why a decision to demolish should be made only if the

case for demolition is supported by a suitably competent and experienced conservation engineer, who also has expert knowledge on whether public safety is at risk.

Secondly, there are further arguments about how the current system is not working well enough in the interests of one of Scotland's most important characteristics—our built heritage, which is part of what enhances our quality of life and appeals to and attracts visitors and tourists.

Thirdly, I hope that some of the history and present activities of CARE, with which I was closely involved during its formation, will be helpful. It is specifically mentioned in the petition as the appropriate body for drawing on expert opinion from qualified engineers who have experience in the sector.

On the first point, the demolition of a listed building should never be off the list of options, but it is a weighty matter that should meet a high bar for evidence-based decision making. The basic principle of listed buildings is that they have already been judged to be of such architectural or cultural significance that their loss would diminish the nation. They

"enrich Scotland's landscape and"

help

"chart ... our history."

They

"help to create Scotland's distinctive character ... are a highly visible and accessible part of our ... heritage ... express Scotland's social and economic past ... span a wide range of uses and periods"

and they

"contribute significantly to our sense of place".

Those are not my words. They are Historic Environment Scotland's justification and background to why it is important to list buildings of special architectural or historic interest. I could not put it better. I fully agree with all those points.

Kenneth Clark, in his significant cultural history, the BBC series "Civilisation", which is from 1969 but is still available online, which is some indication of its importance, drew his evidence of the progress of our civilisation and what constitutes a civilised society from the built environment in our cities, our towns and our buildings—the grand ones and even the not-so-grand ones—just as much as he drew on art, music, literature, philosophy and systems of government.

Buildings are really important. Every listed building sits, by definition, in the pantheon of Scotland's achievements as a civilisation because of the care that has been taken in the listing process. It is only fair and balanced that any decision to delist buildings is taken with the greatest of care, using the highest standard of evidence that can be mustered.

The ultimate delisting is, of course, demolition. The nub of the petition is that Scotland deserves to have the decision to demolish a listed building informed by the careful and experienced opinion of a civil or structural engineer, who is specially accredited as having reached a high level of competence in conservation projects. That competency should also be evidenced by membership of the CARE panel, which is run jointly by ICES and the Institution of Structural Engineers nationally, although there are suitably qualified people in Scotland under the CARE panel scheme.

I do not want to dwell too much on my second point, which is that the current system is not really working for Scotland's reputation or for the sustainability and quality of its built heritage, mainly because I see that the evidence pack contains an excellent submission by the Architectural Heritage Society of Scotland that sets out some high-profile cases in which it believes that the system has failed us, and adds four examples to the five cited by Save Britain's Heritage in the original petition. Every listed building that is lost to the breaker's demolition ball is a diminution of us all, and there have been, I think, too many in recent years.

There seem to be other obstacles to a reasonable resolution. Local authorities seem to be quite reluctant to exercise powers to make buildings safe and then claim the cost back from the building owner, which is understandable for cash-strapped authorities. They might also see that course of action leading to a confrontational legal challenge and be wary of becoming exposed to additional costs and having to call on resources to fight the owner in the courts—indeed, legal processes suck up a huge amount of resources and senior officers' time, which they can ill afford. Although they are technically available to local authorities, those powers to intervene seem to me to be quite empty in practice and pragmatically. They are simply not being used.

There is also a natural reluctance for a local authority officer to gainsay any allegation from an external party or an external body that a building is a risk to public safety. Without access to solid evidence to rebuff such a submission, it is just not credible that an official would take a stance that immediately accrues future responsibility—for them personally and certainly for their employer—for public safety in connection with that building. They are still not in direct control of how that building is managed from that point on. I do not think that it is fair or reasonable for hard-working public servants to take on that burden, especially if

they do not have the specialist technical knowledge to be able to take an informed view on the risk to public safety.

The powers, in my view, are not being taken up. The natural default reaction of any local authority official to a challenge on public safety principles is to concede. That is not a criticism of those individuals; it is human nature and I do not think that we can expect anything more than that. Therefore, having a mandatory opinion through a competent engineer's report on the need or not for demolition would give the local authority the necessary support to make a decision that is genuinely in the public interest, informed by evidence. It really would provide the backbone of evidence to allow the right decision to be taken.

My next point is just for information, as I think that it could be useful. I was nursemaid or midwife to the CARE panel on its formation. I was the ICE representative on what was called the Edinburgh group, convened by Historic Scotland in the early 2000s or so, to explore the case for engineers to set up an accreditation body for heritage-related work that would mirror schemes that were already in place for architects and surveyors. The Edinburgh group prepared an outline model for defining the competency of engineers at that level. It began with the assumption that they would already be chartered engineers—so, beyond the level of the generalist chartered engineer, which is a pretty high bar. The competency would then be assessed rigorously through independent peer review.

I was vice-president of the ICE at the time; I chaired its structural and buildings board and wrote the paper for the ICE council to establish not only the CARE panel but also, in response to a request from council, the case for any expert panels to evidence specialist skills beyond the broad basic principles of being a chartered engineer. That case was made and was passed by council, and the way was clear for the CARE panel to be set up in and around 2003 or so, so it has been around for quite some time. I approached Ian Hume, who is an engineer who had then recently retired from English Heritage, to be its first chair. The CARE panel now has a little more than 100 members nationwide, including about 10 in Scotland, who are spread among Glasgow, Edinburgh and Inverness.

The question is whether that would be enough to meet the needs of a new system if the petition were to succeed. I think that it initially would be, because it would be a slowish start-up, but more resilience would obviously be desirable. I am convinced that having a mandatory rule of this nature built into legislation would persuade those conservation engineers who already have the experience but have never gotten round to it, or have never needed to get round to it, to subject themselves to a peer review process. It is a tough process, and rightly so. They would be spurred into action by any legislative role that was motivated by the need to address this issue in the national interest. I think that the CARE panel numbers would increase significantly.

09:45

Would it be expensive? An inspection and a report would have to be paid for, but competitive tension would ensure value for money. Also, the costs need to be weighed in the balance with the alternative: the continuation of the current unsatisfactory processes, which benefit mainly developers, some of whom have ulterior motives and are not necessarily working in the national interest, and the slow but steady erosion of significant parts of Scotland's built heritage. By comparison, having an extra stage in the approvals process would be a small price to pay, and it would have the benefit of saving some time for local authority officers. Thank you very much, convener.

The Convener: Thank you. That was all very enlightening and academic, so let me now be pejorative. You referred to Kenneth Clark's television series "Civilisation", which was all very high-falutin'. At the end, you talked about developers who might have ulterior motives. I would say that I have never met a developer who does not have an ulterior motive. And when has a developer ever had a motive in the national interest? I can see that there are architects and others who aspire to create something wonderful, but the developers that I have met are looking for bang for their buck, which is why they are in business.

The impression that many people have is that, although the United States might ring out the old, ring in the new and have a complete lack of sentiment about absolutely anything—one only has to look at New York City to see all the buildings that have been ripped down and replaced with whatever could make the most money—people in this country have an attachment to a number of buildings.

For the sake of argument—I will bring in the other witnesses, too—let me say that there is a sense that developers' interests come first and that, sometimes, our local authorities are inclined to set aside the love of buildings that might have a future purpose within a development because they are keen for the development to proceed, which it does, regardless of the building's worth. Sometimes, it seems that the demolition has happened before anybody has had time to blink. Examples of that come up all the time, depending on which part of the country you live in. If you are

in Glasgow and drive up Sauchiehall Street, you see the old ABC cinema, with its art deco frontage, being hacked to pieces. There are other examples of buildings that were not knocked down. As a boy, I remember looking at the Odeon cinema, with its art deco frontage, on Renfield Street. It is all still there, with all the office buildings and everything built on to the back.

It seems to many people that the safeguards around the assessment of the need for demolition are mysteriously bent in such a way as to make it the quick option for developers to pursue. That is what underpins the petition's aims and the representations of our colleague Paul Sweeney, who has now joined us online. Good morning, Mr Sweeney; I am sure that we will bring you into play in due course.

I do not know how the other witnesses want to respond, but before we get to a detailed question, how would you respond to my pejorative opening gambit?

Hazel Johnson (Built Environment Forum Scotland): There is general support for the principle of having enhanced and accessible guidance, as well as mechanisms that support local authority decision makers to have access to specialist knowledge and expertise.

I will start with the BEFS position that all buildings, regardless of age and cultural significance, require on-going maintenance and repair. We actively campaign for increased recognition of the importance of regular repair and maintenance works, as well as developing the skills and capacities to deliver those effectively, in order to support the productive reuse of vacant buildings. All such work is necessary to create sustainable places and avoid the circumstances that the petitioners are highlighting. Before we get to the point of even talking about demolition—it is not the petition's purpose to discuss this specific point—there is context there that would also merit exploration.

The Convener: Laura, can you go next, as I pointed the finger at local authorities a little bit?

Laura Shanks (Local Authority Building Standards Scotland): Yes. I wonder whether you could afford me a wee bit of time to go through my opening statement, as it might provide some background.

The Convener: Okay, but we do not have a lot of time. Professor Masterton absorbed some of the time that we had with his lengthy remarks.

Laura Shanks: I will rush through it. This is an important and sensitive area. Local authorities recognise the value of Scotland's historic buildings and the desire to see them protected wherever possible, but there are also moments when public safety becomes the overriding concern. The Building (Scotland) Act 2003 gives local authorities a legal duty to act when a building becomes dangerous. In those situations, enforcement under sections 29 and 30 is not optional. It is often the final step and is taken only when earlier efforts to maintain or repair buildings have not worked.

The Convener: Or have not been undertaken.

Laura Shanks: Yes. Between 2016 and mid-2024, councils across Scotland took emergency action on almost 2,500 occasions and issued more than 1,400 dangerous building notices. Less than 10 per cent of those notices involved listed buildings and many of those were saved by repair or partial intervention. However, in some cases, especially when buildings have been damaged by fire or allowed to deteriorate over many years, demolition sadly becomes necessary. Those situations are never straightforward, and local authorities are often working with limited time and information while co-ordinating with other departments, emergency services and sometimes national bodies such as Historic Environment Scotland. The decisions that we make are not taken lightly; they reflect serious structural concerns, risk assessments and a genuine effort to balance safety with conservation.

Each local authority has processes to go through before we even get to the demolition but, as Hazel Johnson touched on, a number of failures in other legislation allow buildings to get to the point at which we have to intervene.

The Convener: How many listed buildings were demolished in Scotland, and what proportion of them were demolished under the dangerous building powers, as opposed to the other, consensual, reasons for demolition?

Laura Shanks: Only a very few. I would need to get the exact facts and figures—we are still working with our colleagues at the Scottish Government building standards division to pull that information together.

The Convener: Does that mean that we do not know?

Laura Shanks: It is within that 10 per cent of the 1,400 dangerous buildings, so those buildings are few and far between.

David Torrance (Kirkcaldy) (SNP): How many specialist conservation engineers are available to undertake short-notice surveys of potentially dangerous buildings in Scotland? Would requiring local authorities to consult such engineers add delay and cost to the dangerous buildings process?

Professor Masterton: There are 10 on the CARE panel in Scotland at the moment, and 100 in the whole of the United Kingdom. The pool

could initially go beyond the border in the early stages. I am also confident that there are about three or four times as many experienced conservation engineers who have not gone to the trouble of being listed on the CARE panel just yet, because it is not mandatory. Initially, English Heritage encouraged the institutions to set it up, because it wanted to make it mandatory for grant-funded projects to have CARE panel engineers only, but that never materialised, so there was never quite the commercial encouragement to build the panel up to be as strong as it could be. I would say that there could comfortably be 50 or 60 engineers working and practising in Scotland who are qualified for the CARE panel, but that will take a little time to get through. If there were legislation that referred to the panel, that would certainly encourage registration.

I hoped that I had covered the cost issue in my opening remarks, as I thought that it would arise. I mentioned that there would have to be an inspection and a report, but I do not think that the cost of that would be a huge burden, given the significance and importance of making the right decision about a listed building.

David Torrance: What role should considerations of cost to the public purse and to building owners play in a decision about the future of dangerous listed buildings, in particular buildings without an obvious future in commercial use?

Professor Masterton: Those decisions have to be taken in the round. Cultural and architectural significance is one element to consider, and public safety—as we have heard—is the highest of the criteria that have to be satisfied. The realistic prospect of being able to retain the building in a way that ensures that it continues to be of cultural and architectural value to Scotland is another aspect to consider.

If any one of those falls short and the cost is too high, a decision would have to be taken in the round, but it needs to be a considered decision, not a snap decision. My worry is that, at present, the decisions on the public safety challenge are becoming snap decisions and are not well-rounded enough in those authorities that do not have the large in-house resources that the bigger cities have. It is less of an issue in the cities, although it is still an issue.

Hazel Johnson: We support the view that specialist knowledge must feed into the decisions. In some cases, a lack of access to conservation-accredited engineers and specialists could lead to an approach in which more general practitioners become more involved in decision making. It stands to reason that, without specialist knowledge of listed and traditionally constructed buildings, there may well be a more risk-averse approach, with recommendation of demolition without an understanding of the safety issues at play and the potential for restoration.

Specialists in historic buildings, including conservation engineers and building control surveyors, have a deeper understanding of the safety complexities and, crucially, the practical opportunities for refurbishment.

I will touch briefly on the financial viability of restoration and maintenance, which we believe needs to be considered with fresh eyes in 2025, through the lens of the climate emergency that has been declared and the value of embodied carbon. In looking at the two key arguments for retention and refurbishment of buildings over their demolition, the retention of heritage value and the lower level of embodied greenhouse gas emissions produced by retaining buildings are already considered as part of the decision-making process.

Laura Shanks: On bringing in specialist engineers, every local authority, regardless of size, has internal processes and procedures that we can go through. Smaller local authorities tend to employ the services of external structural engineers, who will come in. As Gordon Masterton said, a lot of them have a great deal of conservation experience around listed buildings—the issue is just that they have potentially never gone down the pathway of registration.

If we were to go down that path, and if there were only 10 such individuals available for all 32 local authorities in Scotland and we had to wait on someone being available, that could lead to significant delays in respect of a local authority's legal obligation to protect the public. That is the ultimate consideration. Under the local authority building standards, demolition is our last resort. We will take every other step to try to work with owners, but we have to take into account that sometimes, unfortunately, owners do not take ownership of, and maintain, their buildings. That is why the buildings deteriorate so much that they get to the point at which we have to step in.

We have looked into cases in which we have taken specialist advice from engineers, as has been described, where the time allows that to happen, but that should not be the fall-back position. At the end of the day, however, it comes back to the issue of ensuring public safety. That is all that we, as a local authority, are legally obliged to do.

10:00

Maurice Golden (North East Scotland) (Con): I think that we all want to avoid the type of situation that we see today, walking down Princes Street, in which a lot of our heritage has been

destroyed because the council of the day wanted progress. The same happened with the royal arch in Dundee, which has sadly been lost.

A specific example, which leads on to my question, is Castleroy house in Broughty Ferry in Dundee. It was built by one of the jute barons in 1867 and had 100 rooms and 365 windows—one for every day of the year. Sadly, after world war two, it was demolished—those involved did not try to recover very much, but if you visit Dundee, you can see the gatehouse, which is still standing and is usefully deployed for housing.

The issue with Castleroy house was that it was allowed to deteriorate. Are there any early interventions that could be deployed in such cases? If there are, who would do that, and how would it work?

Professor Masterton: I think that there are opportunities there. Scotland's architectural past is full of very interesting buildings and structures that are no longer with us because they have deteriorated—some of them accidentally, through fire and things like that—and we had to lose them.

The buildings at risk register is probably the best indicator of an early warning of potential loss of significance. That is maintained through Historic Environment Scotland, but, as far as I am aware, there is a very limited budget—if any—for doing something to intervene for those buildings at risk, and therein lies the challenge.

The first step is being aware of just how big a problem that is. The buildings at risk register is probably the best reference point for that. The next step is to decide whether, as a nation, we want to be more proactive in rescuing those buildings at risk. That will require finding some money, somehow or other, to enable us to do so.

Hazel Johnson made a very good point about the criteria for net zero buildings and for getting to a situation in which our built environment is far less energy intensive than it currently is. There is a very good case for retaining existing structures with external shells such as solid stone buildings, which are pretty robust. To replace them with something equivalent would be very expensive in terms of carbon, never mind money. The best choice nowadays, in considering reuse for any building, is to retain the building and adapt it, rather than demolish it and start again. That should be the first option, whether the building is listed or not.

An example is the old Royal infirmary of Edinburgh building that is now the Edinburgh Futures Institute. When that building was stripped back, it was found that most of the timber inside it was rotten—it was far worse than it had been thought to be. That could have been a case for proceeding with demolition and starting again with something else, but, thankfully, the University of Edinburgh did not do that. The building was thoroughly refurbished, and the timber was renewed or refurbished. It is now a functioning building that reflects the original appearance of the Edinburgh royal infirmary from the outside, and preserving it in that way has done a fantastic job for the city of Edinburgh.

Maurice Golden: Yes—it is a fantastic space; I enjoyed lecturing there just a few months ago. It is very modern inside.

Professor Masterton: It is.

Maurice Golden: Do any of the other witnesses want to come in? I see that Hazel Johnson wants to come in.

Hazel Johnson: I want to highlight just a few statistics. There are currently upwards of 47,600 listed buildings on the HES register. When the buildings at risk register was paused, it had 2,214 buildings on it—I am checking my notes; I have written that down. Historically, 22 per cent of buildings that have been on the buildings at risk register have been demolished, which suggests, statistically, that there are currently around 500 buildings at risk of demolition in Scotland.

The buildings at risk register presents opportunities to recognise buildings at risk, but BEFS believes that we need more than just a list of those buildings. There needs to be an action plan with regard to—as has been mentioned—what might be possible and what might be needed.

BEFS has long advocated for the right skills in the right place at the right time, especially as policies and legislation are put in place through the proposed heat in buildings bill. We have talked about the skills that will be required to deliver that. I do not want to focus too much on investment, but modest investment in specialist training and skills is needed now to avoid even bigger costs to the public purse arising from those buildings in the future in relation to heritage and climate.

I will use retrofit as an example. With retrofit, including of our existing building stock, the skills gap will become more and more apparent, as is currently the case with conservation restoration and maintenance. As part of that, therefore, training and accreditation will be essential. We emphasise, however, the need to ensure that undue burdens are not placed on already stretched local authorities. Without longer-term investment in local authority planning and built environment specialisms, we do not envisage a situation any time soon in which each local authority has, or is required to have, such specialisms in-house.

One way to look at that might involve the provision of a shared resource. The recently launched national Scottish Building Standards Hub, which provides expertise at a regional level, could be repurposed to deal with cases of potential demolition for those local authorities that do not have access to the specialisms that are required to inform decisions. However, to avoid getting to that point in the first place, we need wider recognition of the importance of the skills that are required for appropriate repair and maintenance of all buildings that are traditionally constructed, including listed buildings.

Maurice Golden: Perhaps I can ask Laura Shanks to follow on from Hazel Johnson's point. There is the initial question of early intervention, but, in addition to that, how consistent is the approach of local authorities to the area more generally?

Laura Shanks: As we have said, building standards is the last line of defence, and the key priority is public safety. There is planning legislation that can provide a way to look at early intervention in that context, and we have spoken about the register.

Hazel Johnson made a good point about the Scottish Building Standards Hub. We have worked closely with the Scottish Government's building standards division to set that up and the next step is to develop the new structural hub section that will provide smaller local authorities with somewhere to go for additional guidance and structural support in key areas.

As I said, there are multiple areas of failure in different bits of legislation before an issue moves to consideration under building standards. As I keep repeating, building standards is the last line of defence that is there to protect the public.

Maurice Golden: We often hear that planning departments in local authorities are struggling with staff recruitment and retention. What is the picture with regard to building standards?

Laura Shanks: Again, Local Authority Building Standards Scotland, the Scottish Building Standards Hub and the building standards division all work closely together. We have introduced a modern apprenticeship programme; 26 members of staff are being put through our training programme; and we have an ambassadors network to bring in people working in trades, for example, to enable them to retrain and to move into building standards work.

One of the Scottish Building Standards Hub's key areas of focus is to provide us with learning and development opportunities. Because the three organisations all work closely together, we are investing heavily in implementing building standards as a whole. A lot of that has come out of Grenfell and a number of things like that, and we need to continuously refresh that investment in the services. So yes, we are investing heavily in that at the moment.

The Convener: We will leave the aspiring Professor Golden and his lecturing and move to Fergus Ewing.

Fergus Ewing (Inverness and Nairn) (SNP): Good morning, panel, and thank you for your most illuminating evidence.

Yesterday, I read an excellent article in *The Herald* by Stephen Jardine, the president of the Cockburn Association. He quoted from Lord Cockburn, who in 1849 wrote to the then Lord Provost of Edinburgh, stating:

> "Edinburgh is not exempt from the doom that makes everything spoilable."

That sums it up, really. Mr Jardine also alluded to the Cockburn Association's work over the years to protect the Meadows from a motorway, for example, and George Street from a horrible high-rise hotel and to deal with other things that almost everyone would agree would have been disastrous mistakes.

On the one hand, we have a clear consensus that the best buildings must be preserved, but what I have not seen—and maybe this is my lack of scholarship or industry in examining all the papers, but certainly having noted the petitioner's own submissions—is a distinction between those buildings that are A-listed, or of national importance; B-listed, or of regional importance; and C-listed, or of local importance. I raise that because, although Professor Masterton's argument is strong in theory, the fact is that, as Laura Shanks has pointed out, councils have to deal with real risks to human safety. I understand that—it is a matter of absolute practicality. Nobody can gainsay it, and it is a difficult duty to discharge.

However, to follow the lead of my convener and play devil's advocate, I am concerned that decisions have been made over the years to list buildings that seemed to many to be, at best, dubious candidates, shall we say; I am thinking of two gasworks, for example. A different example was the old distiller-manager's house in the distillery of Balmenach in my constituency. Just a nondescript square building, it was going to hold up the redevelopment of the distillery, where many people lived in tied housing and where, because the roads were so narrow and not built for pantechnicons, lorries had to reverse 200 yards in icy conditions in winter, threatening the safety of children. That redevelopment was held up because Cairngorm planners saw fit to try to thwart the whole thing, until the then chief planner,

Jim Mackinnon, happily had a word in somebody's ear, and it was all sorted out very quickly.

I make the point just to set the scene. Many people feel that the listing of mediocre or nondescript buildings creates a barrier to progress. Nobody wants anything to happen to the Wallace monument or any of our fine castles. For the past 12 to 14 years, I have been overseeing a committee for the transformation of Inverness castle from a court to an international visitor attraction—and perhaps I can prolong the advertorial by saying that it will be open later this year, and you will be able to get your tickets online quite soon. It is grade-A listed inside and out, so we have had to work with HES every step of the way in what has been a very fruitful relationship.

Do you think that the whole system has been brought into question by ordinary folk in Scotland thinking, "What on earth are you listing a gasworks for?"

Professor Masterton: It is an interesting question. With any assessment of architectural and cultural significance, there will be differences of opinion, I suppose, because it is not a precise science in which, if you do these sums, you will get a definition of A, B or C. There will be shades of opinion in that selection. We have set up bodies, which have expertise that is the best that we can offer to make those calls for classes A, B and C.

The gradation in listings might provide an opportunity for a phased approach to change. For example, the really important ones are grade A and B buildings, and there is just a very small group of those in Scotland as a whole. If we at least started with those graded A and B, that would be a step forward from where we are at the moment in getting over the hurdle of meeting the required standard of evidence for demolition.

10:15

Fergus Ewing: I understand. I am interested to hear what Hazel Johnson and Laura Shanks have to say in answer to that question, but I will put my last question now and they can perhaps answer both at the same time.

The Convener: As long as it is not another question on behalf of the Inverness tourist board.

Fergus Ewing: Perish the thought that I would stoop so low as to abuse the Parliament's time.

My other point is a more practical one. This might be more for a local authority spokesperson to answer, but in the practical application of the process, is a distinction made so that a higher standard of care, rigour and diligence is required for grade A buildings than for grade B ones, and do grade Cs not require quite the same rigorous standard of diligence when it comes to the quality of expert advice that has to be given before a demolition order can be made? Putting it bluntly, is it easier to get on with quickly demolishing a grade C building than it is with a grade B building, or are they all treated the same way? I do not know the answer to that, because it did not really sing out from the petitioner's submission.

Laura Shanks: No, all buildings are treated exactly the same. If we are looking at buildings that come under sections 29 and 30 of the Building (Scotland) Act 2003 to consider whether they are dangerous to the public, the fact is that, regardless of their status, public safety comes first. The grade has no bearing on our decisions at all—decisions are made to protect the public.

Fergus Ewing: I guess that the question should also apply where there is no risk to safety. In those situations, should there be a gradation of standard?

Laura Shanks: Whenever we take action under the act, we will always go in to remove the immediate danger and secure a building, whether that danger be chimneys, slates or whatever. Then, generally, we will put Heras fencing around it. That gives us time to work with the building owners, our planning colleagues and Historic Environment Scotland and to bring in structural engineers and so on, under section 30 of the act. We will also try to engage, and we will go through all the steps and the processes for each area as we need to.

Hazel Johnson: I recognise that this is a complex issue, with the dynamics spanning from the need to safeguard public safety to the need to recognise and preserve the valuable and unique nature of Scotland's places.

Historic Environment Scotland's guidance on demolition sets out three key questions that need to be considered in any case for any building. Is the building no longer of special interest? Is the building incapable of meaningful repair? Is the demolition of the building essential to delivering significant benefits to economic growth and the wider community, alongside the safety considerations? The same goes for every building.

Foysol Choudhury (Lothian) (Lab): Maurice Golden has already asked the question that I was going to ask, so you have already touched on that particular issue.

Quite a lot of historical buildings are connected with Scottish history. Do you have any data on buildings that have been lying empty for a very long time and which have not been touched, or for which there is no plan for any future works? What is the longest time that a building has lain empty? Do you have any data on that?

Hazel Johnson: There is data out there. Referring back to the buildings at risk register is probably a good place to find a general list of the buildings at risk. I am sure that local authorities have similar lists, too, but I would not be able to give you a specific example of one.

Laura Shanks: Local authority departments have lists that they use to engage with potential future owners in order to restore buildings.

Just for your understanding, I know from speaking to my local authority colleagues that we first engaged with some of these buildings 10 to 15 years ago. Resolving those cases has been an on-going process for 10 to 15 years.

Foysol Choudhury: Do you have any examples of such buildings?

Laura Shanks: I cannot really go into details. One of the most prominent ones is probably the Station hotel in Ayr.

The Convener: We have to be careful, as that involves an active case. We cannot really discuss it.

Laura Shanks: Yes, all right. We can perhaps come back to you if you would like us to provide any further details.

The Convener: No problem. Thank you very much.

Paul Sweeney has been much concerned with the petition's progress, and he has been with us online this morning. I will use my discretion to invite him in and see whether he would like to put any questions to you.

Welcome, Mr Sweeney—the floor is yours.

Paul Sweeney (Glasgow) (Lab): I appreciate the opportunity to join you this morning. It has been very interesting to hear panel members discuss how the quality standard of decision making around dangerous buildings could be improved.

I wonder whether the requirement for CARE accreditation could be stipulated in the context of a section 29 or 30 order. I am conscious of what the City of Edinburgh Council representative said about building standards, which was that action is usually taken immediately to remove any immediate public risk; a cordon is set up; and then there is, in most cases, a bit of a cooling-off period. Given that that is the point at which a more considered assessment can be made, might that also provide an opportunity to stipulate that bringing in CARE-accredited structural engineers in listed building cases—which, as has been discussed, are relatively few in number—would be an appropriate and proportionate measure? Indeed, the cost of doing so could be recovered from the owner if it incurs an extra fee for the council.

Laura Shanks: Yes, you are generally correct. When we are first called out, we go out and remove the immediate danger, although, a lot of the time, we need to take into account where the buildings are. For example, if the building is in a busy high street and we have to put up Heras fencing and shut roads, it will affect businesses and people going about their daily lives. Sometimes, we have to evacuate residents. We have to take all of that into consideration, but we do seek to remove the immediate potential danger and put up some Heras fencing, which allows us to engage with the building owners.

It is worth pointing out that it is very difficult for us to engage with building owners because, a lot of the time, they live abroad. Therefore, in a number of cases, the local authority has no way of recovering the money. That said, we generally go through those processes, which allow us to take the necessary steps to get the building cases moving.

I do not know whether that answers your question, Paul.

Paul Sweeney: It helps me get an indication that there is some cooling-off period, which might provide an opportunity to enhance the legislation. It is not as if you move in with a bulldozer and completely level a building in 24 or 48 hours or whatever. That would happen only in very rare and exceptional cases.

Laura Shanks: Yes, that would be very rare. A lot of the buildings with section 30 notices can sit there for many years while we engage with owners. You talked about CARE-accredited structural engineers; I know that some local authorities have engaged with them. I would not say that that sort of thing should necessarily be included in legislation, because the number of such cases is limited.

From what our colleagues at the building standards division have advised, it might involve taking steps such as strengthening our guidance and our enforcement handbook in local authorities or raising more awareness through LABSS and different things, instead of going down that route. If we did so, there would be concerns that certain buildings would just come to a halt, which, for us, is really not in the public's best interest.

Hazel Johnson: This is tangentially related, in that it is a bit of a case study on the timeframes that are sometimes involved from the point at which a building becomes empty and redundant.

It feels a little mean to pick on one example and not others, but Perth city hall was a category B-listed building, not subject to emergency powers

but in very poor condition. From my understanding—if I have my dates right—it was first empty in 2005; the first listed building consent for demolition was put in around 2011 or 2012; marketing happened during the 21-day appeal period and the demolition was not approved; proposals for redesign went out around 2017; and in 2024, it opened as the Perth museum, which now houses the stone of destiny. Those are the timeframes for how long the process can take—sometimes it is not quick. As you have said, so many different moving parts are involved.

Paul Sweeney: That is an interesting case. Another case that I have noted, which might be of particular interest to Mr Ewing, is the Secretary of State for Scotland v Highland Council—the so-called Achintore case—involving Fort William primary school, in which the council attempted to defend its proposed demolition of a B-listed school building. It constituted a prima facie offence under legislation equivalent to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997; the case predated it, but the test was broadly similar to the test available for offences under section 8 of the 1997 act, and the Secretary of State for Scotland at the time succeeded in obtaining an interdict to prevent demolition, providing evidence that remedial works were in fact possible. Now that Highland Council, ironically, uses the building as offices following a full refurbishment in 2018, that case perhaps illustrates that the key here is having a sort of umpire of expertise, if you like, at the heart of decision making so that the case can turn on those judgments.

On Professor Masterton's earlier point, if the CARE register were to be enhanced in statute, not only would it provide a powerful incentive for conservation accreditation for structural engineers in Scotland and a higher standard of assessment for the engineers making those decisions; the list of people who would seek to get accredited would probably grow, if that became a legislative check in both the 2003 act under sections 29 and 30 as well as a potential enhancement to the enforcement powers in the 1997 act. Do the witnesses agree that that is likely? There are cases where one person's engineer makes a fatal decision about the building and another engineer disputes it. If they are brought in, accredited conservation engineers more often than not tend to find the solution, when other engineers have doomed the building.

The Convener: We are a little short of time, so I ask that you try to be concise in responding.

Professor Masterton: I support exactly what Paul Sweeney has said, as it reflects what I said, too. The current cadre of 10 CARE panel engineers in Scotland would grow rapidly if a legislative adjustment made the mandatory role something that was felt to be important. There are plenty of other engineers who could be qualified through the process, but so far they have decided not to go through it, because they do not have to; they have enough work with what they do, and their reputation stands. However, the CARE panel would benefit from a fairly rapid incentive to growth, and I am pretty confident that it would then meet the needs in relation to what is required in Scotland.

Paul Sweeney: Renfrewshire Council has submitted written correspondence to the committee, highlighting some of the difficulties with enforcing the powers in the 1997 act. I have had similar correspondence from Glasgow City Council, which said:

> "We note that although the Planning Authorities (in Scotland) have powers to act where a designated heritage asset has deteriorated to the extent that its preservation may be at risk - in practice such powers are rarely utilised due to the significant cost, complexity and uncertain outcomes in light of constrained resources and significant competing demands",

such as using a compulsory purchase order to obtain a building.

One of the absurdities of the current legislation is the compensation requirements if the building has received consent for restoration, even though it is derelict. There is a rarely-used provision under section 45 of the 1997 act that directs minimum compensation to offset cases where the building has deteriorated, and the cost of restoration can be recouped, but it has only ever been used once in the act's history.

On that basis, do the witnesses agree that, after more than a quarter of a century, the legislation is ripe for legislative review, and that the committee could perhaps consider in its recommendations asking the Government to undertake a review of the 1997 act and how effective its provisions are in that regard?

10:30

Professor Masterton: In a word, yes.

The Convener: There we are. Thank you, Mr Sweeney. Your contribution and some of the others that we have heard along the way perhaps play into what I might pose as the final question.

The Scottish Government has committed to updating guidance on how local authorities deal with dangerous listed buildings, including undertaking research to inform that work. Is there any point that you might want to volunteer in conclusion, additional to anything that we have discussed, that you would like to see reflected or included in that fresh guidance?

Professor Masterton: That is good to hear. I would only offer the support of the Institution of Civil Engineers and, I am sure, the Institution of Structural Engineers in providing input into that guidance. The cadre of CARE panel engineers, not just in Scotland but nationally, would also be a good sounding board for anything that is under development at the moment. I am sure that the profession of chartered engineers in Scotland and the Institution of Civil Engineers would be very happy to help and support. Thank you.

The Convener: Do our other two witnesses have anything by way of a final thought?

Hazel Johnson: I just wanted to add that understanding how traditionally constructed buildings function and how to respond to interventions requires skills and training, and that needs to be accessible alongside the guidance.

Laura Shanks: We have already been working with the Scottish Government in developing and producing that guidance and we will continue to do so.

The Convener: Thank you all very much for what has been a very interesting conversation. We have had the opportunity to consider the petition on a number of occasions, and it does come to mind sometimes in the period between our considerations. When a building that is under threat materialises in the national infrastructural consciousness, one immediately thinks of the provisions that we have been discussing.

We will consider the evidence that we have heard at a future date, and thank you all for your participation. I suspend the meeting briefly.

10:32

Meeting suspended.

10:33

On resuming—

Gender-based Violence (Education) (PE1934)

The Convener: We continue with PE1934, which was lodged by Craig Scoular on behalf of Greenfaulds high school rights and equalities committee and calls on the Scottish Parliament to urge the Scottish Government to work with Education Scotland to develop an educational resource on gender-based violence for all year groups in high school. The resource should include education on the causes of gender-based violence to ensure that young people leave school with the tools to help create a safer society for women.

We last considered the petition at our meeting on 9 October 2024 and, at the time, we agreed to write to the Cabinet Secretary for Education and Skills. The cabinet secretary's response states that the Scottish Government is committed to the commissioning of an independent review on the gender-based violence in schools framework before the end of this parliamentary session, with the aim of establishing positive practice and further areas for improvement. The submission notes, however, that schools will require time to implement the framework before the review takes place.

The cabinet secretary's response also highlights the relationships and behaviour in schools action plan, published in August 2024, which includes an action to

"Empower staff through provision of ... professional learning to support relationships and behaviour approaches and practice and to respond to emerging trends in behaviour."

As part of that work, Education Scotland ran an information session on the framework for school staff last September, and it will use the feedback from that session to determine whether there are any areas where more bespoke training might be helpful.

In light of the cabinet secretary's response and the aims of the petition being progressed, I wonder whether colleagues have any suggestions for action.

David Torrance: I wonder whether, in light of the cabinet secretary's response, the committee would consider closing the petition under rule 15.7 of standing orders, on the basis that the Scottish Government has committed to commissioning an independent review of the national gender-based violence in school framework; published in 2024 the relationships and behaviour in schools action plan, which covers emerging areas of concern, including gender-based violence; and, in 2023, revised and consulted on statutory teaching guidance, which includes a section on consent and healthy relationships.

In closing the petition, the committee might highlight to the petitioner that a new petition can be lodged in the next parliamentary session if the Scottish Government's work in this area does not progress as it has said.

Fergus Ewing: I agree, and following what Mr Torrance said at the end of his remarks, I make the point that, if the petition had been brought at the beginning of this parliamentary session, I very much doubt that we would be closing it today. It is only because there is relatively little time left, and because the Scottish Government has given specific undertakings to carry out work that perhaps could not reasonably be expected to be done between now and the end of this

parliamentary session, that it would seem that the petitioner is not losing anything by the petition being closed today. I just wanted to emphasise to the petitioner that the approach is dictated by the parliamentary schedule, rather than the merits of the issue, which is, of course, extremely serious.

The Convener: As Mr Torrance has said, the issues could be brought back in the next parliamentary session if progress fails to be made.

Mr Torrance has made a proposal. Is the committee content to proceed on that basis?

Members *indicated agreement.*

Homeless Temporary Accommodation (Scottish Government Funding) (PE1946)

The Convener: PE1946, which was lodged by Sean Clerkin, calls on the Scottish Parliament to urge the Scottish Government to use general taxation to pay for all charges for homeless temporary accommodation, including writing off the £33.3 million debt owed by homeless people for temporary accommodation to local authorities.

We last considered the petition on 13 November 2024, when we agreed to write to the Association of Local Authority Chief Housing Officers and to the Scottish Government. We asked the Scottish Government for an update on the work undertaken by the housing affordability working group, and its submission states:

"the group has explored the underlying meaning of affordability and its different uses within housing debates, policy and practice. The group has not been asked to find solutions to housing affordability problems, nor has it been asked to focus specifically on homeless households. Rather, members have worked together to agree a shared understanding of what housing affordability is and how it should be measured, in order to support a range of policy and sector requirements across relevant areas."

That might not have been everybody's expectation, but there we are.

That report's recommendations were expected before the summer recess in 2024. However, the Scottish Government's submission states that reaching consensus between stakeholders has—and I quote—"taken time".

In response, the petitioner states that

"The ... exercise is yet another working group going nowhere",

and, in his submission, he reiterates the increasing numbers of people in temporary accommodation and states:

"General Taxation should be used to pay for the costs of temporary accommodation".

In its response to the committee, the Association of Local Authority Chief Housing Officers shares its view that it does

"not think that there is any case for the Scottish Government to take on the cost of funding temporary accommodation or to write off existing arrears."

However, the submission highlights a number of areas where there is a lack of clear data to inform any work that could be undertaken in that area, and it explains that

"Most of those in temporary accommodation are eligible for housing benefit",

which

"In most cases ... will cover the full cost to the resident with a deduction for heating or 'board' where this is included in the rent charge."

Finally, the submission notes that

"Councils ... take a proportionate approach to collecting any arrears that do arise",

including debt write-off, when that is the most appropriate approach. The association also suggests

"targeted funding to support the acquisition of additional ... temporary accommodation to support councils to meet their statutory obligations and provide the quality of temporary accommodation that homeless applicants are entitled to expect",

and calls for

"a more consistent approach to accounting for the cost of temporary accommodation to improve transparency around charges and value for money."

Do we have any suggestions as to how we might proceed? Mr Torrance, do you want to comment? There is a case for writing to the Minister for Housing, I think.

David Torrance: Yes, there is. I would ask the committee to write to the Minister for Housing to ask why the publication of the report on the definition of housing affordability has been subject to such significant delay and when it will be published; to highlight the written submission from the Association of Local Authority Chief Housing Officers; to ask why there continues to be significant uncertainty on the issue, particularly in relation to data gathering; to ask whether it will work with local authorities and stakeholders to create a consistent approach to monitoring the cost of temporary accommodation to improve transparency on charges and value for money; and to ask whether it has considered targeted funding to support the acquisition of temporary accommodation.

The Convener: Are members content? For the Scottish Government to have said that it expected to produce a report before the summer recess last year but to then say that it has taken a bit of time to drive some consensus as we head into the summer recess of 2025 does not inspire one to the view that there is any pressing urgency being

given to producing the required information to help the issue to progress.

Fergus Ewing: I agree with Mr Torrance and you, convener, that this has taken far too long. I am reminded that the petition was lodged in 2022 and that it has been considered several times since. The delay in itself is not acceptable, so Mr Torrance is quite right to say that we should not close it but should press the minister further. I also want to remark on the submission that the committee has just received from a body whose existence I must admit that I was hitherto unaware of—every day is a school day. The organisation is called the Association of Local Authority Chief Housing Officers, or ALACHO. Its submission, from April this year, points out quite extraordinary things. For example, its most recent survey showed that charges vary from £69 to £358 a week. How on earth is that the case?

ALACHO also points out that, as you have said, convener, in many cases, housing benefit is applicable. However, in some cases, it is not applicable, where claims are late or where somebody's circumstances change. Hidden behind these statements are probably lots of human tragedies—for example, someone might not submit a document because they did not know that they had to or there was some bureaucratic foul-up. As MSPs, we deal with that kind of thing day and daily. I would be grateful if the Minister for Housing could specifically address each of the points that were raised by ALACHO in its submission of April this year, because it raises an alarming complexity and illogicality, under which I suspect lie a lot of human tragedies.

The Convener: Can we incorporate the suggestions made in the ALACHO dispatch in our submission to the minister? Are we agreed?

David Torrance: Indeed.

Foysol Choudhury: May I—

The Convener: Oh, I am sorry, Mr Choudhury—I do apologise.

Foysol Choudhury: It is no problem. Several of my constituents have written to me about the length of time that they have been staying in temporary accommodation. I am sure that they have been writing to all of us. Can we also invite the minister to the committee, because it is an on-going and big issue.

The Convener: That is an option that we could perhaps explore but, as you know, Mr Choudhury, there are fewer weeks left in the parliamentary session than there are items of business to deal with. Therefore, maybe we could write in the first instance and see what the quality of the response is, before we commit to further action.

Fergus Ewing: We could come back to that suggestion, though, if we do not get a satisfactory answer—

The Convener: Yes, we can, absolutely. That would be a perfectly reasonable response.

Fergus Ewing: —because we have not had a satisfactory response over three years now.

Foysol Choudhury: Yes, and there is a housing emergency.

The Convener: Not that that is unique.

Foysol Choudhury: No, but it is something that should be prioritised.

The Convener: Can we reserve that option and seek an expedited response?

Fergus Ewing: I entirely agree. You are absolutely right but, at the same time, and as must be said openly, we cannot let ministers off the hook simply because they can run the clock down. If that were the case, they could get away with doing nothing for every petition in every parliamentary session.

Foysol Choudhury: I was just trying to save the time.

The Convener: It is a badge of honour of this committee that we do not let ministers off the hook.

Fergus Ewing: Indeed.

The Convener: If we can proceed on that basis, I would be grateful.

Raw Sewage Discharge (PE1988)

10:45

The Convener: PE1988, which was lodged by Sue Wallis, calls on the Scottish Parliament to urge the Scottish Government to review the process for allowing raw sewage discharge from homes into coastal waters, to provide additional funding to the Scottish Environment Protection Agency for enforcement and to introduce legislation to ban households from discharging raw sewage. We last considered the petition at our meeting on 30 October 2024, when we agreed to write to the Scottish Government. Its response states that water, waste water and drainage policy consultation is being used to inform its policy development process throughout 2025.

We asked the Scottish Government about SEPA's purpose to improve the health and wellbeing of people in Scotland, as set out in the Regulatory Reform (Scotland) Act 2014. The response states that the general purpose provides for a clear hierarchy that acknowledges the three elements of sustainable development, but that

primacy is to be given to protecting and improving the environment. The Scottish Government states that it is content that SEPA has sufficient resources to apply its approach to regulation and principles across all its functions, as well as its enforcement policy.

The petitioner's written submission shares her understanding that SEPA has the powers to prosecute for unrepaired pipes but has not done so because of concern that it will become too expensive to pursue. Under the current approach of contacting home owners about changing outfall pipe systems, she points out that there is no follow-up action to check that the required work has been done. The petitioner calls for a review of how SEPA staff monitor direct outfall pipes for homes in Scotland and believes that the Scottish Government should ask SEPA to explain why there have been no prosecutions arising from raw sewage discharges from broken outfall pipes.

Do any members wish to comment in the light of the Scottish Government's response and/or the petitioner's response?

Fergus Ewing: I suggest that, in light of the responses from the Scottish Government and from SEPA, we close the petition under rule 15.7 of standing orders, given that SEPA has moved to restrict its compliance and enforcement activity to specific targeted campaigns. SEPA stated in its service statement that the time spent handling queries and investigations is disproportionate to the very low risk of harm that the issue presents to the water environment, which negatively impacts on SEPA's ability to focus on the most significant environmental harms that face it. The Scottish Government has supported SEPA's position on the matter and is content that SEPA has sufficient resources to apply its approach to regulation and principles.

The Convener: Are committee members content to accept that proposal?

Members *indicated agreement.*

Parking Charges (Community Healthcare Staff) (PE2041)

The Convener: PE2041, which was lodged by John Ronald, calls on the Scottish Parliament to urge the Scottish Government to encourage local authorities to exempt staff working at community healthcare facilities who do not have access to free on-site staff parking from on-street parking charges and to allow them to care for vulnerable and sick people in our country without it costing them thousands of pounds per year.

We last considered the petition at our meeting on 9 October 2024, when we agreed to write to NHS regional health boards. We have received responses from 11 boards, and three boards have not responded. As we have learned from the evidence that was received previously, the NHS terms and conditions of service stipulate that parking charges that are incurred as a result of attendance at an employee's normal place of work will not be reimbursed. Many of the responses that we have received from NHS regional boards have recognised that limitation. However, most board responses highlight that there is already free parking for staff across board premises. In some cases, that extends to patients and visitors. If they are limited, parking spaces are allocated on a first-come, first-served basis.

Respondents reiterate that, as per the NHS terms and conditions of service, where staff travel as part of their duties and have to pay public parking charges, they can reclaim those costs through expense claim processes, with the caveat that no parking offences have been committed.

That seems to address the issue of the petition directly.

David Torrance: As the issue that the petition raises has been addressed, perhaps we could consider closing it under rule 15.7 of standing orders, on the basis that parking charges that are incurred by NHS staff in the course of their duties can generally be claimed back from employers, provided that they do not relate to a parking offence.

Maurice Golden: I agree with Mr Torrance, but I put on the record that NHS 24 staff who use Greenmarket car park in Dundee have been in touch with me to say that they are paying up to £100 per month to park there in the course of their duties. I appreciate that the vast majority of healthcare staff are covered, as has been outlined, but I wanted to put that on the record.

The Convener: Thank you. Mr Ewing, do you want to come in?

Fergus Ewing: I think that, for the reasons that Mr Torrance suggested, and the effluxion of time in this parliamentary session, we are not going to get much more, if any, progress at all on the petition. However, I note that the petitioner, Mr Ronald, has pointed out that some district nurses and community health staff who have to repeatedly drive from place to place during the day may face multiple parking charges, which they do not necessarily get back. There seems to be a grey area with regard to who is and who is not reimbursed. As Mr Golden said, for those who are not reimbursed, the charges are massive.

As a final point, I note that, although the powers that be are anti-car—it is the zeitgeist—the car is, for many people, the only way in which they can travel. For example, you cannot get to the Queen Elizabeth hospital except by car. I know from

someone who works intermittently at the QE—although it is not in my constituency—that some nurses have to drive there and get a car parking space at 6 am in order to be able to start their shift two hours later.

I make those points simply because there are a lot of underlying issues hidden away, and I am quite sure that the petitioner and others will come back in the next parliamentary session. I do not think that we have really bottomed out the issue, which is that many people are having to pay an awful lot of money in their daily lives because of the politically correct attitude of our times.

The Convener: In closing the petition, therefore, would the committee, in the time that is left to us, like to write to the Scottish Government, illustrating the work that we have undertaken and noting that we have identified inconsistencies? We could note that, although the broad statement that charges can be recovered will indeed allow some people to be recompensed, others are escaping through the net. That is unreasonable, and it would perhaps be useful for the Scottish Government to be aware of that. If possible, if nothing further happens, the petition might resurface in the next parliamentary session, which would present the opportunity to do a bit more work on it at that time.

Fergus Ewing: Sure. It will not be the managers, the chief executive and the board members, but the porters, the auxiliaries and the district nurses—the ordinary staff—who get stung.

The Convener: Yes—that is probably absolutely correct. We are reluctantly having to move in this direction, but having brought the work together through the health boards, I think that it would be useful to make the Scottish Government and the minister aware of that fact.

Energy Infrastructure Projects (Public Consultation) (PE2095)

The Convener: PE2095 seeks to improve the public consultation processes for energy infrastructure projects. The petition calls on the Scottish Parliament to urge the Scottish Government to review and seek to update section 3.2 of the energy consents unit's "Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989" document to address the concerns of communities about the lack of meaningful, responsible and robust voluntary and pre-application consultation by transmission operators on energy infrastructure projects, and to explore all available levers to strengthen community liaison and public participation for the lifecycle of energy infrastructure projects.

We last considered the petition on 11 September 2024, when we agreed to write to the Acting Minister for Climate Action, the Office of Gas and Electricity Markets and the National Energy System Operator.

I should have said that the petition was lodged by Margaret Smith, who I understand is with us in the public gallery.

In its response, Ofgem underlines that planning consultation does not lie within its remit. Development of the options, scope, design, planning and delivery of projects are the responsibility of the relevant transmission owner, NESO and other relevant authorities, prior to Ofgem's final decision on cost efficiency. However, Ofgem's expectation is for transmission owners to engage effectively with local communities, and it states that stakeholders who are interested in infrastructure projects are welcome to submit responses to any relevant Ofgem consultations on efficient funding for transmission projects.

The response from NESO indicates that it balances any proposed new network infrastructure against four high-level objectives, one of which is the impact on communities. While NESO puts forward a recommendation, it is the responsibility of the transmission operator, at the next stage of project development, to decide on potential route corridors and types of infrastructure to use. NESO's expectation is that operators will consult with local communities and planning authorities on the proposals.

The response from the Acting Minister for Climate Action highlights that a joint review that was undertaken by the UK and Scottish Governments has concluded, with a consultation expected to launch. He states that proposals include a statutory pre-application community and stakeholder engagement process, which would apply to all transmission infrastructure projects. That consultation was launched, and has closed, since the minister's response was sent in October last year, so it is now historical.

The minister also refers to some additional Scottish Government work on developing guidance for pre-application engagement with communities. The minister says that the Government aims to engage with communities on their views before the guidance is finalised. At the time of the minister's response, which was whenever, that work had just started.

We are joined by two of our parliamentary colleagues: Tess White, who is a veteran of the committee in the early months of this parliamentary session, and Douglas Lumsden. I know that you would both like to say a few words to the committee, which would be gratefully

received, although it is not a speech to the chamber. Have you tossed a coin as to which of the two of you feels that they would like to speak first?

You have nominated yourself, Ms White.

Tess White (North East Scotland) (Con): Fine—I will go first, convener.

I thank the committee for its consideration of the petition. The petitioner, Tracey Smith, is with us.

As campaigners across the north-east fight tooth and nail to prevent a vast network of super pylons, battery farms and substations from vandalising our countryside, the petition remains vitally important. The community engagement by the monopoly transmission operator, Scottish and Southern Electricity Networks, has been nothing short of disgraceful, especially when the cost to life, land and location for my constituents is so high.

There are huge fears over the loss of productive farmland and farmers' livelihoods, plunging property values and the impact of transmission infrastructure on long-term health, and massive frustration and anger over SSEN's unwillingness to explore undergrounding or offshoring.

Meanwhile, the energy consents unit has given the green light to 236 separate applications for major electricity schemes across Scotland since May 2022, while only eight have been rejected. Scottish National Party minister Gillian Martin has met with SSEN 16 times, but has refused point blank to meet with campaigners.

We still do not know what action the SNP Government will take now that the consultation for reforming the consenting process has ended. In fact, since the petition was lodged, even the right to a public local inquiry and local democratic input is under renewed threat, against a backdrop of the SNP and Labour working hand in glove to strip communities from Kintore to Tealing of their democratic rights. Constituents in the north of Scotland feel that they are bearing the brunt of transmission infrastructure projects and that there is a deeply unjust transition.

As the committee considers the next steps, I urge members to address the wrecking ball that the SNP Government is taking to local democracy in the name of net zero.

The Convener: Thank you, Ms White. You referred to the petitioner as Tracey White; I note that the petition has been lodged by Margaret Tracey White, but I take it that Tracey White is the petitioner's given name, so I am delighted that Tracey White is with us in the gallery today.

Mr Lumsden, would you like to say a few words?

Douglas Lumsden (North East Scotland) (Con): Just to correct you there, convener, it is Tracey Smith. [*Laughter*.]

The Convener: It is Tracey Smith; you are correcting my correction. That is rarely necessary, Mr Lumsden, but I am very grateful to you for your support and assistance in my senility. Anyhow, please proceed.

Douglas Lumsden: I am happy to help in any way that I can, convener. I thank you, and the committee, for giving me the opportunity to speak to the petition today.

11:00

The petition is of huge importance to not just the north-east but the whole of Scotland. In the rush to net zero, our electricity system is changing, in relation to not just offshore and onshore wind but the associated network infrastructure, whether that is pylons, substations or even the dreaded solar battery storage that we see appearing all over the country. A lot of that is appearing without much thought as to capacity and what we need, and little in the way of regulation.

In all those developments, the local communities seem to be ignored. It does not seem to matter how many objections there are to a proposal; there is a feeling that, if the Government wants something to happen, it is going to happen anyway. That is turning the consultation process into a tick-box exercise, especially when we consider the amount of effort and time that our communities have to put into responding to such consultations.

We are moving to a position in which communities think, "Why should we bother?" That happened at the Net Zero, Energy and Transport Committee. When we put out a call for views on the proposed changes to the consenting process that were mentioned earlier, the community groups that we went to responded by saying that they were not going to waste their time, as they would just be ignored, as they always are.

Looking at the specifics of the petition involving SSEN, I think that part of the problem is that there is so much work planned that people are genuinely confused as to whether or not it affects them. The campaign groups have been doing an excellent job of finding their own money to compete with companies that have very deep pockets; we really are going down the road of a David-versus-Goliath situation.

We need meaningful consultation, and the Government needs to start listening to communities. The Government will claim, no doubt, that the pre-application changes that are being proposed, which were mentioned earlier, will

fix everything, but the truth is that most developers are undertaking such pre-consultation anyway, as per the "Good Practice Guidance".

I note that the minister's May 2024 response to the petition states that new pre-application guidance for electricity lines would be brought forward. It is interesting to hear that that process is only just starting now.

The key change that is being proposed is the removal of the automatic public inquiry, so we are now in a position in which we are weakening, rather than improving, the consultation process. Changes to that guidance are urgently required, and I urge the committee to keep the petition open to try to force the Government to come forward with new guidance, because it is sorely needed.

The Convener: Thank you, both. Would anyone else like to comment?

Maurice Golden: It might be helpful to set out the context for all that before we actually look at the petition. I want to clarify one point. Tess White said that the consultation was disgraceful, but Douglas Lumsden suggested that the relevant organisations were undertaking pre-application consultation anyway, which would be good practice. Was Mr Lumsden referring to other organisations? If an organisation is undertaking good practice, that would strike me as not being disgraceful—does that make sense?

The Convener: You can put that in the form of a statement rather than a question, because our colleagues are not here to act as witnesses.

Maurice Golden: Okay, sorry.

Tess White: I am happy to speak to that, convener. I am happy to elaborate—

The Convener: No, no—it is okay. I am sure that you are, but that would lead us down the route of goodness-knows-what precedent; I would have every MSP turning up at the committee.

Maurice Golden: Quite. With regard to the context for all this, all Scottish Conservatives, in the 2021 manifesto, wanted to showcase Scotland as world leading in tackling climate change, so candidates were very much standing on the agenda of tackling the issue of net zero and being ambitious in doing so.

I appreciate that communities are up in arms regarding the infrastructure. There was a very simple way in which we could have avoided building the infrastructure, and that was by not building the generation at a point where we need to transmit electricity via said infrastructure. That happened under 14 years of UK Conservative Government.

There are ways to unpick that, but it is much more difficult, with regard to the context of the petition, to do it from this point. Nevertheless, there are possible follow-ups with regard to the Scottish Government aspect, which is only a part of the entire project. One would be to ask the Scottish Government what action it will take, now that the consultation on reforming consenting processes in Scotland has closed, specifically with regard to implementing the proposal for a statutory pre-application community engagement process, and what mechanisms it will put in place to strengthen community participation for the life cycle of energy infrastructure projects beyond the pre-application stage.

The Convener: As there are no further thoughts, are we content to agree with Mr Golden?

Members *indicated agreement.*

The Convener: We are, so thank you very much. We will keep the petition open and progress on that basis.

Mobile Phones in Schools (PE2106)

The Convener: PE2106, lodged by Adam Csenki, calls on the Scottish Parliament to urge the Scottish Government to update the guidance on mobile phones in schools to require all schools to prohibit the use of mobile phones during the school day, including at interval and lunchtime.

We last considered the petition on 25 September 2024, when we agreed to write to a number of folk. In her response to the committee, the Cabinet Secretary for Education and Skills states that the mobile phone guidance for Scottish schools, which was published last August, takes a balanced approach and that, while recognising the challenges that mobiles create in many classrooms, the guidance acknowledges that mobile devices can be powerful tools to enhance learning, teaching, communication and social experience. They might also remove barriers to learning for some pupils, and they can be used to access some school services, such as ordering school meals. The Cabinet Secretary for Education and Skills reiterates that decisions on the restriction or limitation of mobile phones should be for headteachers.

On similar grounds of flexibility and balance, the responses received from the Educational Institute of Scotland, the Association of Heads and Deputes in Scotland and School Leaders Scotland indicate that restrictions should be a matter for schools and that they do not support a national ban.

In his recent submission, the petitioner argues that Scottish schools that allow pupils unrestricted access to smartphones could be in breach of the duties that they are supposed to uphold under the United Nations Convention on the Rights of the

Child, primarily in relation to protecting children from information and material that is injurious to their wellbeing. The petitioner gives a series of examples of children being exposed to harmful content while at school.

Do members have any comments or suggestions for action?

David Torrance: In light of the information that the committee has received, we should consider closing the petition under rule 15.7 of standing orders, on the basis that the Scottish Government and the majority of organisations that we surveyed do not support a blanket ban on the use of mobile phones in schools, and that schools and education authorities have the flexibility to restrict mobile phone use, including by imposing a full ban, based on local circumstances.

The Convener: In view of the correspondence that we have had, that recommendation seems sound, and we support it.

Members *indicated agreement.*

Schools (Prescribed Learning Hours) (PE2103)

The Convener: PE2103, which was lodged by Dr Julie Badcock, was last considered on 9 October 2024, when we agreed to write to the Cabinet Secretary for Education and Skills. The response highlights the decision to freeze learning hours across Scotland and the agreement of Falkirk Council to withdraw its proposal to reduce learning hours in the area for the financial year 2025-26. The response states that the Scottish ministers will work with local Government on proposals to establish a statutory minimum number of learning hours and to understand the definition of a learning hour and the impact of that ambition on councils that currently provide a lower number of learning hours.

Do members have any suggestions for how to act?

David Torrance: Will the committee consider closing the petition under rule 15.7 of standing orders, on the basis that the Scottish Government will work with local government on proposals to establish a statutory minimum number of learning hours and has frozen learning hours across schools in Scotland?

The Convener: In light of the evidence from the Scottish Government, are members content with the proposed course of action?

Members *indicated agreement.*

New Petitions

11:09

The Convener: That brings us to item 3, which is consideration of new petitions. As always, in advance of this item, because people might be joining us to see how their petitions are being considered, I say that we do two things before we bring a petition to the committee for consideration. One is that we seek information from the Scottish Parliament information centre—SPICe—and the other is that we ask the Scottish Government for an initial view. People ask us why we do those two things and we do them because, when the committee considered a petition in the past, they were the first two things that we decided to do and all that it did was delay our consideration of the petition. What we do now allows us to expedite our process.

Schools (Commencement and Deferred Entry) (PE2142)

The Convener: Our first new petition is PE2142, lodged by Andrew Stuart, which calls on the Scottish Parliament to urge the Scottish Government to review the policy on school commencement and deferred school entry in Scotland and seek to reverse the potential harms that are caused by existing processes that have resulted in 19-month school year groups.

In additional written submissions, the petitioner details his personal experience. He also highlights the potential negative effects on children's performance of the "relative age effect"—a phenomenon that has primarily been studied in sport—according to which the date of birth could be linked to the degree of success. In the petitioner's view, some groups of children might be disadvantaged, as their parents are less likely to know about, or indeed to choose, the deferment option.

The SPICe briefing notes that, under the Education (Scotland) Act 1980, it is local authorities that determine a school commencement date. Although, in principle, local authorities have flexibility in when to set those dates, there seems to be a high level of consistency across Scotland. The act also stipulates that parents have a duty to ensure that their child receives education that is suitable to the age, ability and aptitude of the child. Parents can choose not to send their child to school if they are not five years old at the commencement date—in other words, they are able to defer entry.

In the Scottish Government's response to the petition, the Minister for Children, Young People

and the Promise defends the legal right of parents to defer entry as

"a longstanding feature of the Scottish education system"

and argues that it offers a choice to many parents who might feel that more time in an early years and childcare setting is more appropriate for their child's needs. In the minister's view, the quality of the teacher and the organisation of the class to meet a range of learning needs are more important in the success of children than the actual composition of classes. Furthermore, the curriculum for excellence framework gives teachers flexibility in how they choose to work with children of differing needs and abilities. The minister is open to revisit the issue in the future if evidence of significant harm to pupils were to emerge.

In the light of the minister's fairly comprehensive response on this occasion, do colleagues have any suggestions as to what we might do?

Maurice Golden: As someone who started school at four and got accepted to the University of Dundee at 16, I am a big fan of flexibility. However, given the explanations that we have heard and on the basis that, as you have highlighted, local authorities have the flexibility to determine school commencement dates, I think that we should close the petition under rule 15.7 of standing orders. Parents are key to the matter and have a long-standing legal right to defer the school's starting date for their child, particularly when they feel that more time in early years and childcare settings would be more appropriate. Finally, meeting the needs of different learners in the single-class cohort is already built into the principles and practices of curriculum design under the curriculum for excellence framework.

The Convener: I am encouraged to know that you are a high achiever, Mr Golden. I must say that my mother maintains that she thought she would have to get nappies in school colours for me, but that is another matter. Am I correct in saying that Mr Ewing and I attended the same primary school?

Fergus Ewing: We did, but not at the same time. I think that you are considerably younger than me.

The Convener: I hope that I am younger—no, I would not make any such claim. [*Laughter*.] I do not know whether they did nappies in school colours, Mr Ewing.

Fergus Ewing: I must have missed them. [*Laughter*.]

On a serious point, I think that the petitioner has raised an interesting point. He uses the phrase "fresh eyes" and talks about his own family circumstances and the fact that children who are perhaps slighter in build and who end up in a class where some children are older by perhaps more than a year can feel disadvantaged and left out in sport. That was quite an interesting point—indeed, I think that the petitioner has struck on something. However, the responses of both Jenny Gilruth and Natalie Don-Innes were sympathetic in many ways.

There should be an element of parental choice as well as to whether the child is ready to go to school or would benefit from an additional pre-school period for various reasons, so I would certainly not recommend removing that parental realm of discretion and decision making. The responses might enable the petitioner to decide whether the matter could be pursued further during the next parliamentary session. The point has some merit and I do not think that it has been particularly studied, as far as the petitioner says—from the responses, I cannot really see that any analysis of the matter has taken place.

As often is the case, the petition raises novel points that we do not normally come across, so I am grateful to the petitioner for that.

11:15

The Convener: I very much agree, and the element of parental choice is important, but, as you say, the point that has been raised in relation to sport is also interesting and not one that had been thought of in this context. The minister says that the Government is open to revisiting the issue in the future, if evidence of significant harm to pupils were to emerge. However, the question is who is going to collate any such evidence on which a decision might be based. I am happy that, in closing the petition, we write to the Government to say that, although we have closed the petition, we note the fact that the Government thinks that it might be worth revisiting the matter in the event that evidence were to emerge and to ask and encourage it to consider how such evidence might be gathered.

Fergus Ewing: It would also be to help younger kids if needs be. However, to be fair to Jenny Gilruth, she was keen to stress that this is something that teachers would ordinarily deal with in looking after every child in their class. Therefore, if there were to be research done, primary school teachers for primary years 1, 2 and 3 would probably be best placed to talk about whether the issue needs to be looked at more thoroughly.

The Convener: I agree. Is the committee content to proceed on that basis?

Members *indicated agreement.*

Damp and Mould (Remedial Work by Landlords) (PE2143)

The Convener: PE2143 was lodged by Sean Clerkin, who was the architect of another petition that we considered earlier. The petition calls on the Scottish Parliament to urge the Scottish Government to introduce legislation to require all private and registered social landlords to investigate and remediate damp and mould within specified timeframes and to high-quality standards. As the SPICe briefing on the petition reminds us, the problem of damp and mould has gained more public attention following the death in 2020 of two-year-old Awaab Ishak from a severe respiratory condition that was due to prolonged exposure to mould in his home. That led to the UK Government introducing Awaab's law for England, which aims to put an obligation on social landlords to investigate and fix dangerous damp and mould within a set amount of time as well as to repair all emergency hazards within 24 hours.

In a written submission to the committee, the petitioner advocates for a Scottish version of Awaab's law for social and private landlords. In addition to the requirement for a set timeframe for repairs, the petitioner believes that any statutory intervention must also specify that all work in relation to damp and mould has to be done to defined high standards and must focus on removing all mould from tenants' homes.

In the Scottish Government's response to the petition, the Minister for Housing indicates that one of the amendments that he has lodged to the Housing (Scotland) Bill, which is being considered by the Parliament, aims to transplant the provisions of Awaab's law into Scottish legislation. The amendment would create a new power for the Scottish ministers to set out timescales for investigating and commencing repairs in the social rented sector. In the response, the Scottish Government also states its commitment to implementing Awaab's law for private tenants, using existing powers, after engagement with housing professionals, private landlords and tenants across the private rented sector.

In support of the petition, the committee received a submission from our colleague Mark Griffin, who also advocates for replicating the provisions of Awaab's law for social and private rented housing in Scotland. Mr Griffin indicates that he will work with the Government during the bill process and that he is keen to ensure that his proposals are reflected in amendments to the bill at stage 3. This is an important issue.

Foysol Choudhury: I think that we also had a members' business debate on the matter. I would write to the Scottish Government to ask what engagement it has had with the private rented sector, what specific steps it will take to implement similar provisions to Awaab's law for private tenants in Scotland using existing powers and what plans it has for statutory intervention to require all remedial work in relation to damp and mould to be done to defined high standards. I would keep the petition open.

Maurice Golden: I agree. Members of the public would think that it is outrageous that people are living in damp or mouldy conditions. It is a sad reflection of things that a petition needed to be lodged for this committee's consideration. I am loth to close the petition until stage 3 of the Housing (Scotland) Bill is complete and we have seen what provisions acquiesce to the petition's aims.

The Convener: Yes. This is all fairly fresh, because the UK Government's announcement was at the beginning of February and the Scottish Government's announcement was in the middle of March. Given that the bill is going through the Parliament just now, we would, as suggested, want to see the provisions of the petition incorporated into the bill.

Fergus Ewing: I should declare an interest because I have a property, which used to be my home, that has been rented out since my wife passed away. As a matter of principle, all private landlords should maintain their properties. Plainly that is the case, and I suspect that most of them do. However, those who do not do that create an extremely difficult problem for tenants. As I know from my constituency work, the situation can be extremely difficult where landlords are recalcitrant and very often just refuse to do anything at all. Therefore, some powers of compulsion are necessary, and the question is whether the existing quality standards meet that need. As Mr Golden said, the answer from the Scottish Government is that it is lodging an amendment to the housing bill. The matter is very live and it will be debated further by the Parliament.

The approach that has been taken in England seems to be logical, although I do not think that it has yet been implemented. The ministerial response that the committee received on 8 May said that the approach in England would start to be implemented from October this year, starting with damp and mould. This is a serious problem that requires to be dealt with. It is just not acceptable that tenants are sitting powerless in properties and suffering the effects of damp while landlords refuse to do anything. We have all seen photographs of what this is like, often for children and people with diseases and conditions such as asthma, who are inhaling mould spores. We have all seen this in our constituency work and, from time to time, we see heart-rending cases. I am absolutely satisfied that the law needs to be

tightened up in this area, so it is just a question of getting it right by working together across the parties.

The Convener: I think that we are all agreed. We will keep the petition open and we will progress on the basis that has been suggested. We thank Mr Clerkin for lodging the petition; it remains open, and we hope to advance its aims. Thank you for joining us in the gallery for the discussion of both your petitions, Mr Clerkin.

Speed Cameras Near Schools (PE2149)

The Convener: The last of the new petitions, PE2149, lodged by Andreas Heinzl, calls on the Scottish Parliament to urge the Scottish Government to legally require speed cameras in front of all schools next to major roads. The SPICe briefing explains that there are a number of key criteria for the installation of a safety camera at a specific site. The Scottish Government's response to the petition notes that the enforcement of speed limits is an operational matter for Police Scotland. The submission states that the Scottish Government provides grant funding for the Scottish safety camera programme, which supports targeted enforcement. The Scottish Government also highlights the annual site prioritisation process, which determines new safety camera sites across the road network.

The petitioner's submission expresses concern about speeding in their area. The Scottish Government published "Scotland's Road Safety Framework to 2030: Together, making Scotland's roads safer". The framework highlights a three-year study by the Department for Transport into the effectiveness of sign-only 20mph limits, which found that lack of enforcement and lack of concern about the consequences of speeding were the primary reasons for non-compliance. Do committee members have any suggestions for action?

David Torrance: I wonder whether the committee would like to write to the Scottish Government to request the annual grant funding figures for the Scottish safety camera programme since 2021 and to ask for its view on whether the requirement for a minimum number of collisions could be reviewed to consider alternative risk assessments for the siting of safety cameras, such as historical collision data from similar roads. The committee could also ask the Government to clarify what action is being taken to support Police Scotland's enforcement of 20mph speed limits, given the importance of enforcement as set out in "Scotland's Road Safety Framework to 2030", and to provide an update on the framework's key performance indicators on enforcement for 2024-25.

The Convener: Thank you. Are colleagues content to support those proposals?

Members *indicated agreement.*

The Convener: That brings us to the end of our formal business. We will next convene on Wednesday 18 June. We will now move into private session.

11:24

Meeting continued in private until 11:27.

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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