

COMMUNITIES COMMITTEE

Tuesday 10 June 2003
(*Afternoon*)

Session 2

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COMMUNITIES COMMITTEE

1st Meeting 2003, Session 2

OLDEST COMMITTEE MEMBER

*Donald Gorrie (Central Scotland) (LD)

COMMITTEE MEMBERS

*Cathie Craigie (Cumbernauld and Kilsyth) (Lab)
*Patrick Harvie (Glasgow) (Green)
*Johann Lamont (Glasgow Pollok) (Lab)
*Maureen Macmillan (Highlands and Islands) (Lab)
*Campbell Martin (West of Scotland) (SNP)
*Mary Scanlon (Highlands and Islands) (Con)
*Elaine Smith (Coatbridge and Chryston) (Lab)
*Stewart Stevenson (Banff and Buchan) (SNP)

*attended

CLERK TO THE COMMITTEE

Jim Johnston

SENIOR ASSISTANT CLERK

Gerald McNally

ASSISTANT CLERK

Craig Harper

LOCATION

Committee Room 3

Scottish Parliament

Communities Committee

Tuesday 10 June 2003

(Afternoon)

[THE OLDEST COMMITTEE MEMBER *opened the meeting at 15:30*]

Donald Gorrie (Oldest Committee Member): We are all here and the clock indicates that it is half past 3. When I opened another meeting an hour ago I mistook the time, so I am improving.

It falls to me as the oldest member to open the meeting, as we have not yet elected a convener. I welcome everyone to the committee, especially new members of the Parliament. I am sure that they will find committee work one of the more interesting of their activities.

Interests

Donald Gorrie: Members are required to declare any interests that are relevant to the Communities Committee. I cannot think of any interests to declare.

Johann Lamont (Glasgow Pollok) (Lab): I sit on the board of the Greater Pollok social inclusion partnership. I am a member of the Educational Institute of Scotland, the Transport and General Workers Union and the Co-operative Party.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): I have no registrable interests to declare.

Elaine Smith (Coatbridge and Chryston) (Lab): I sit on the board of the South Coatbridge social inclusion partnership. I am a member of the Transport and General Workers Union, the Co-operative Party and the General Teaching Council.

Patrick Harvie (Glasgow) (Green): I have no interests to declare beyond those that I have declared in the register of members' interests. I am patron of Parents Enquiry Scotland and a member of Unison, Stonewall and the Equality Network. Nothing else is relevant to the remit of the committee.

Mary Scanlon (Highlands and Islands) (Con): I have nothing to declare.

Maureen Macmillan (Highlands and Islands) (Lab): I am a non-paid director of Ross-shire Women's Aid. I am a member of the Highland Domestic Abuse Forum and of the Highland Homeless at Christmas Trust.

Stewart Stevenson (Banff and Buchan) (SNP): As my register of interests shows, I own a house where I am not in residence. It is for sale and is worth £40,000. I hope that it will be sold soon.

Campbell Martin (West of Scotland) (SNP): I am a member of the National Union of Journalists.

Donald Gorrie: The committee clerk thinks that I should declare that until the end of this month I have a research assistant sponsored by an organisation called Christian Action Research and Education, which pays him a very modest amount.

Convener

Donald Gorrie: The Parliament has decided that the convener of the Communities Committee must be a member of the Labour party. I invite nominations on that basis.

Elaine Smith: I nominate Johann Lamont.

Johann Lamont was chosen as convener.

Donald Gorrie: I have great pleasure in swapping seats with Johann Lamont.

The Convener (Johann Lamont): I thank members for agreeing to my appointment as convener. I am privileged to hold that position. I look forward to working with colleagues who were members of the Social Justice Committee and with all the new folk who have been appointed to the Communities Committee.

Deputy Convener

The Convener: On 4 June 2003, the Parliament agreed to motion S2M-107, which indicated that members of the Liberal Democrat party are eligible to be chosen as deputy convener of the Communities Committee. I therefore invite nominations of members of the Liberal Democrat party for the post of deputy convener.

Maureen Macmillan: I nominate Donald Gorrie.

Donald Gorrie was chosen as deputy convener.

Legacy Papers

The Convener: Item 4 is consideration of legacy papers. Members should note that we have limited time—we have the room for only one hour—to accommodate all the committee meetings that are taking place today. We must finish by 4.30, although it is not compulsory for us to be here until then. I will look favourably on brief expressions of views.

Members have received copies of the legacy papers of the Social Justice Committee and the Transport and the Environment Committee, which were circulated with the agenda for today's meeting. Do members want to comment on the papers?

Stewart Stevenson: In reading the Social Justice Committee legacy paper a number of things came to my attention. I merely list them without particular comment. Paragraph 9 refers to the review of the voluntary sector by the Scottish Executive. It might be of interest for us to consider further what is happening in that area.

Paragraph 10 refers to charity law reform. I suspect that we will get involved in that, either via the member's bill to which I and others have put our names or via the Executive's bill if it chooses to move ahead with it. That is an area in which we shall be interested.

Paragraph 22 relates to the Housing (Scotland) Act 2001. The paragraph refers to the housing improvement task force and a couple of reports, in particular the second report, which is due to be published shortly. I am not sure if it has been published. I am told that it has. I am sure that we should examine that.

Paragraph 26 refers to monitoring and following up on the Homelessness etc (Scotland) Act 2003, in which I am particularly interested.

Paragraph 12 of the Transport and the Environment Committee's legacy paper refers to telecommunications masts, in which there is probably still some interest—assuming that that issue is within the remit of this committee, which I believe it is, although advice would need to be taken on that. Beyond that, no particular priorities leaped off the page. I am sure that other members will have their own comments.

The Convener: We have responsibility for planning, but whether we have responsibility for the environmental impact of planning decisions is maybe where the balance of interests lies.

Donald Gorrie (Central Scotland) (LD): One of the problems in the voluntary sector is that councils fund much of it. Councils think that they do not have enough money, therefore they do not give all that much to the voluntary sector, and the

Executive says, "Well, it's up to the councils and not up to us." We should pursue whether there could be a more effective way of ensuring that there is suitable and continuing support for the voluntary sector.

I am keen on post-enactment scrutiny, which is in the list of things to do in paragraph 52 of the Social Justice Committee legacy paper. Obviously, there is a time element. There is no point in scrutinising legislation too quickly, before anything has happened, but it is an important issue.

Finally, on the social economy, this morning I happened to be at a meeting of people who wish to promote the co-operative approach to small companies. It would help if we clarified how much of the development of community enterprises and such like is the affair of the department that we shadow and of this committee, as against economic development. It is important that it is properly pursued, but it would be helpful to know exactly how much falls within our sphere, because it is a major way of trying to improve communities.

Maureen Macmillan: I want to pick up on what Stewart Stevenson said about inquiries into telecoms masts. In the Transport and the Environment Committee we found that many issues that were presented to us as planning issues often turned out to be public health issues, which was not within our remit at all. If we are going to accept petitions from the Public Petitions Committee, we must be sure what the nub of the problem is. The problem with the siting of telecoms masts was not just the visual impact, but the health aspects, which our committee was not competent to deal with. That happened two or three times in the course of our work. I flag up the fact that if we are presented with such petitions we should ensure that what is at issue is not a public health issue but a genuine planning issue.

Cathie Craigie: Both the legacy papers give us a good flavour of what the committees were involved in in the previous session of Parliament. While neither of the committees would wish to steer us in any particular direction, obviously there is some unfinished business that we would want to take forward.

I do not know what is intended for today's meeting, but I do not think that we should draw up our future work programme. We should consider what bills will be introduced. I understand that we might be quite heavily weighed down with bills, which are always good to get our teeth into. It would be useful if the committee clerk advised us when it is likely that we will find out what bills the committee will have to deal with. We could then consider issues that we would want to tackle over and above those bills and we would consequently have a fuller picture of what will be before us until next year's summer recess.

Jim Johnston (Clerk): The committee's clerks have liaised closely with Executive officials about the forthcoming legislative programme, about which there has already been an announcement. We will work closely with officials on a number of outstanding issues. The main issues relate to antisocial behaviour. It is likely that the Executive will consult on antisocial behaviour before the end of June and that a bill will be introduced at the end of October. It is also likely that that bill will come to the committee.

The housing improvement task force's recommendations have been mentioned. The Executive is consulting on those recommendations and proposed legislation may result. Charity law has also been mentioned. As I said, we will work closely with Executive officials and keep the committee fully informed of developments.

The Convener: There is an opportunity to flag up general issues in which members are interested. One option that is available to the committee and that has been used in the past is an informal away day to try to inform the clerks as they draw together a work programme for us to agree for the new session. We could have such an away day as close to the end of the recess as possible. It would give us an opportunity to go through things in more detail and to be briefed on, for example, what the committee has done in the past, where we are with the housing improvement task force and what issues have been flagged up through that task force. Perhaps we could informally discuss such issues with the ministers. Such an approach would more logically shape what we want to do thereafter.

Donald Gorrie mentioned issues relating to the voluntary sector. The Social Justice Committee's report on the voluntary sector was quite substantial and is in the system. We should think whether it should be pulled back out of the system. I am interested in issues relating to the Executive's review of the social economy, as it focuses on the voluntary sector, and in considering the co-operative and enterprise part of that review. I hope that we can agree on an away day to consider such issues in more detail. We could pull up the formal work plan at our first meeting in September.

Stewart Stevenson: I support that approach; however, I make the practical point that it would be useful to get some dates in the diary soon. My diary is already surprisingly full.

Campbell Martin: Before we discuss the agenda for the away day, I want to say that proposals for antisocial behaviour legislation will impact on every community and that we will all look forward to dealing with them.

The lack of affordable housing for rent has been flagged up to most members. In my area,

thousands of people are on housing waiting lists and there are nowhere near enough houses for them. Perhaps the committee can consider the lack of affordable housing.

The Convener: At the away day, I hope that we can consider what we did and expected by passing the Housing (Scotland) Act 2001 and the Homelessness etc (Scotland) Act 2003. A general look across the board at where gaps are in affordable housing, for example, will come out of any discussion about the impact of homelessness legislation. The question is how the issue should be tackled and how focused we are. I am very interested in some of the housing improvement task force's recommendations, particularly in relation to the private sector. If there is a lack of affordable housing, demand could be met through the private sector, which is not properly regulated. There are many concentrated matters that we could consider.

Does any member want to say anything else?

Mary Scanlon: I just wanted a quick word.

The Convener: You are too well mannered, Mary.

15:45

Mary Scanlon: I know, that is not like me, is it?

After four years on the Health and Community Care Committee, paragraphs 45 and 46 of the Transport and the Environment Committee's legacy paper leaped out. I know the Health and Community Care Committee's immense work load. It was unable to consider the public health aspects of petitions. Paragraph 46 says:

"the Committee with responsibility for environment in the next parliamentary session should also have responsibility for dealing with associated public health issues".

I feel strongly about public health. The members of the former Health and Community Care Committee would tell you that. I feel that it gets batted around from committee to committee. It is such a huge, complex area. I wonder how much of public health can properly come under our remit.

The Convener: As the clerk says, discussion is taking place with Executive officials about where different bits of the remit lie. It will be important for committees to liaise so that we do not do each other's work and do not repeat inquiries that were done a year ago, but try to build on work rather than reinvent the wheel. We should flag up in those discussions the need for a clear marking out of issues around public health. There are obvious public health issues within the committee's remit. However, to some extent public health is a cross-cutting issue, and because of that, the danger is that we end up losing it altogether.

Mary Scanlon: Reading between the lines, I see that the previous committee acknowledged a disappointment that public health was not dealt with. It said:

"the momentum which a petition has developed in this Committee has generally not been carried over into the work of another Committee."

I know that you are not being critical, but I understand that there is frustration.

The Convener: First of all, we are not being critical, because it was not us: it was the Transport and the Environment Committee. That is not a view that the Social Justice Committee took.

Maureen Macmillan: There was frustration in the Transport and the Environment Committee that, although we started an inquiry into something—such as genetically modified crops—because we boiled the issue down to one of public health, we could not carry on with the inquiry but had to pass it on to the Health and Community Care Committee.

In that particular case, the Health and Community Care Committee picked up the inquiry. However, it often happens that a public health issue is at the nub of a petition. If such a petition goes to a committee other than the Health Committee first, there is no guarantee that, when that other committee says, "By the way, this is actually a public health issue. We'll pass it to the Health Committee," the Health Committee will be able to pick it up.

I am asking for more in-depth scrutiny of what a petitioner wants before we set out on inquiries on a petition, because if in the end a petition does not turn out to be within our remit, perhaps we should send it on to the Health Committee right away.

Cathie Craigie: The Transport and the Environment Committee wrote to the Presiding Officer asking that, in the new session, the public health aspect of environmental issues be a matter for the committee with responsibility for the environment. Presumably, if the Transport and the Environment Committee wrote to the Presiding Officer, the Parliamentary Bureau will be considering that point, which is made in paragraph 46 of that committee's legacy paper.

Perhaps we should be clear on that when we consider our remit. Planning decisions or planning issues that might come to the committee will often have a public health impact. Perhaps, right at the beginning of the session, we should establish where the responsibility for the public health aspect will lie.

Stewart Stevenson: There are clearly cross-cutting issues. I am sure that the clerks will not let us proceed without our informing colleagues on other committees with interests in any matter that we might pursue where there appears to be

conflict, but we should ask ourselves to what extent the operation of the planning system, in all its complexity, can contribute to public health.

That is a legitimate question for the committee, but if we want to allocate resources to answering it, we should not proceed without ensuring that others who have an interest in promoting public health are aware of what we are doing. I am sure that appropriate negotiation could take place through the Conveners Group and whatever other means there are.

I strongly suggest that we should in no way step back from pursuing what we believe to be a matter that would be of concern to communities—in the broadest sense of that term—because of a sense of delicacy about whether this committee should be considering it or not. I would rather that we made a bid to pursue any such matter, then retreated when someone else claimed the matter for their consideration. If no one else says that they will do it, I would push the boundaries.

That is also a way of helping and challenging ministers when an issue is difficult and cross-cutting. It will be equally difficult for the Cabinet to decide who should be responsible for such issues. That is just part of our job as parliamentarians.

The Convener: That has been useful in flagging up some of the issues and the importance of co-ordination across the committees. I do not see this committee as being in competition with any other committee. Sometimes it is just a question of making sure that something is done and that the work has not been repeated elsewhere. The legacy paper from the Conveners Group favoured that approach.

I do not think that members should be anxious that we will not have enough work to fill our time. We will not be hunting around for things to do if even half of what the clerk has outlined comes to fruition.

Are we agreed that, in preparation for the drawing up of our work programme in the first meeting after the summer recess, we should have an away day with dates being flagged up to members as soon as possible so that they can confirm? I understand that other committees are taking the same approach so it will be important to co-ordinate the dates of all the away days.

Members indicated agreement.

The Convener: In that case, are members content to delegate authority to the clerks, in conjunction with myself, to make suitable arrangements for such a meeting?

Members indicated agreement.

The Convener: I thank members for their attendance.

Meeting closed at 15:52.

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