



OFFICIAL REPORT  
AITHISG OIFIGEIL

DRAFT

# Citizen Participation and Public Petitions Committee

**Wednesday 14 January 2026**

Session 6



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Pàrlamaid na h-Alba

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## Wednesday 14 January 2026

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### CITIZEN PARTICIPATION AND PUBLIC PETITIONS COMMITTEE

#### 1<sup>st</sup> Meeting 2026, Session 6

##### CONVENER

\*Jackson Carlaw (Eastwood) (Con)

##### DEPUTY CONVENER

\*David Torrance (Kirkcaldy) (SNP)

##### COMMITTEE MEMBERS

\*Fergus Ewing (Inverness and Nairn) (Ind)

\*Maurice Golden (North East Scotland) (Con)

\*Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab)

\*attended

##### THE FOLLOWING ALSO PARTICIPATED:

Meghan Gallacher (Central Scotland) (Con)

Gillian Martin (Cabinet Secretary for Climate Action and Energy)

Robert Martin (Scottish Government)

Oliver Mundell (Dumfriesshire) (Con)

##### CLERK TO THE COMMITTEE

Jyoti Chandola

##### LOCATION

The Adam Smith Room (CR5)

# Scottish Parliament

## Citizen Participation and Public Petitions Committee

Wednesday 14 January 2026

[The Convener opened the meeting at 09:31]

### Decision on Taking Business in Private

**The Convener (Jackson Carlaw):** Good morning, and welcome to the first meeting in 2026 of the Citizen Participation and Public Petitions Committee. We have just six meetings left after this one to deal with what is still a very considerable number of petitions, and it will be a difficult task, given the importance underlying many of them. Therefore, a lot of what we will be trying to do is to identify what we can still hope to achieve in the balance of time left to us.

Agenda item 1 is a decision on taking business in private. Are members content to take in private item 5, to consider changes to the determination on the proper form of petitions, and item 6, to consider the evidence that we hear today?

**Members indicated agreement.**

# Energy

09:32

**The Convener:** Agenda item 2 is the next in our series of themed sessions with cabinet secretaries to try to do justice to as many petitions as possible. This morning's themed session is on energy and, of course, relates to energy-related petitions. I have to say that, other than by their use of word "energy", they are hardly connected at all with regard to their scope and range of concerns, unlike some of the justice or health petitions, where there was an obvious thematic connection. They raise quite complicated and sometimes quite technical issues, too.

We are joined by the Cabinet Secretary for Climate Action and Energy, Gillian Martin, and by the following Scottish Government officials: Catherine Williams, deputy director, onshore electricity, strategy and consents; Robert Martin, head of legislative change and governance; and Antonia Georgieva, head of battery energy storage systems—which are a plague on my constituency, if I am allowed to say so, but such issues will no doubt be touched on as we progress. A very warm welcome to you all, and thank you very much for joining us this morning.

This morning's evidence-taking session will cover a number of petitions: PE1864, on increasing the ability of communities to influence planning decisions for onshore wind farms; PE1885, on making offering community-shared ownership mandatory for all wind farm development planning proposals; PE2095, on improving the public consultation processes for energy infrastructure projects; PE2109, on halting any further pumped storage hydro schemes on Scottish lochs holding wild Atlantic salmon; PE2157, on updating planning advice for energy storage issues to ensure that it includes clear guidance for the location of battery energy storage systems near residences and communities; PE2159, on halting the production of hydrogen from fresh water; and PE2160, on introducing an energy strategy.

Cabinet secretary, I understand that you would like to start off this morning's proceedings with a short introductory statement.

**The Cabinet Secretary for Climate Action and Energy (Gillian Martin):** I thought that it would be helpful to bring all the petitions together. I am delighted to be here, as it is the first time that I have appeared before the committee.

These issues are matters of great importance to communities, which I completely understand. The petitions are largely about renewables and low-carbon energy, which represent a large economic

opportunity, but they have to be managed in a way that brings people with them. I am serious about the fact that people need to see the benefits of energy developments in Scotland as much as possible. While I have been in post, first as energy minister and now as cabinet secretary, I have tried my best to ensure that we have all the levers, both reserved and devolved, to ensure that that is the case.

Investing in new energy generation and the grid to ensure that energy can securely get to where it is needed is essential for energy security. It is also essential to ensure that we capitalise on the low-carbon energy that Scotland is uniquely placed to generate. It will create thousands of jobs and many opportunities for Scottish businesses. Existing transmission upgrades are required and, to be honest, they are long overdue, because the transmission network is very old and will have been subject to various weather events, which are becoming more ferocious across Scotland. The transmission network can be unstable in places. Last week, during the snowstorms in the north-east and the Highlands, thankfully, there were very few outages and those that we had were short. Last year and the year before that, that was not the case.

Energy systems regulation is largely reserved to the United Kingdom Government. As such, there are issues on which I am only able to seek to influence the UK Government. I will outline those as I talk about the various petitions. I am aware that communities are concerned about the scale of development and the impact that some of those issues, such as battery storage, would have on them as householders. I am happy to talk about that and provide detail on what we are doing to look at some of the issues that have been raised with us.

It is important that we air and discuss all the themes that the petitions raise. I thank everyone who has gone to the trouble of raising a petition. I have had ministerial responsibility for the energy portfolio for three years and have been making the case to successive UK Governments that community benefits associated with developments must be mandatory and that developers' engagement with communities must be much better and done earlier in the process. I would like there to be updated guidance that is mandated by the UK Government. There have been developments in that space in the past year or so with the new UK Government, which I am able to tell the committee about.

Recent changes that have been made to UK legislation will allow for the introduction of mandatory pre-application engagement and other improvements in the consenting process for large-scale applications. Our planning and consenting

systems also ensure that the issues of cumulative impact and the impact on our natural environment will be considered in the decision-making process. Communities should share in our nation's energy wealth. Last year, communities were offered £30 million a year in community benefits and we are providing support for them to invest in community energy projects through our community and renewable energy resource scheme—CARES. I have ensured that it is resourced to keep pace with the increasing demand for community energy. The ministerial code limits ministers' ability to engage directly with communities about specific planning applications or developments that may become planning applications, but I am pleased to be able to answer general questions in the round. I look forward to answering the committee's questions.

**The Convener:** Thank you. I will make a couple of points before I bring in colleagues. Although I talked about the petitions being quite technically varied, community engagement is an underlying theme, which is sometimes prominent and sometimes discrete.

In relation to outages as a result of last week's weather event, you said that, mercifully, we have been much more fortunate than we were a year ago. Was that in any way due to resilience planning in the interim, or were we just luckier this time than we were the previous time we had bad weather?

**Gillian Martin:** That was the result of a combination of a couple of things. There was powdery snow rather than the sort of snow that sticks to overhead transmission lines. I am giving my layman's assessment, given that I was at the relevant Scottish Government resilience room meetings. There was also a lack of wind—on the whole, it was not particularly windy. Storm Arwen was particularly bad in causing outages because there was an unusual wind pattern that brought down trees in winter, when there would not normally have been wind coming from that particular direction. Trees grow to withstand the wind that they expect. Every day is a school day when you speak to people who deal with such outages. Storm Arwen caused a lot of tree fall, which brought down a lot of lines. On this occasion, there was mainly a particular type of snow and there were not the kinds of winds that would bring down power lines.

**The Convener:** You recently wrote to this committee and the Net Zero, Energy and Transport Committee in relation to a change of ministerial responsibility. It would be helpful for this committee to understand the process and the thinking behind that change in responsibility at this stage in the life of the parliamentary session.

**Gillian Martin:** The change was put in train a few months ago. We have been consulting on the good practice principles associated with applications. This is the case that I made: having the responsibility for consents put me in a situation in which I felt that I needed to be able to divorce the policies associated with energy from the eventual decisions, so it was best for the planning minister to have responsibility for consents. In that way, I could be confident that there could be no perception of my having been influenced. It is important that that is understood by communities that have concerns.

I will give a hypothetical example. A community group in the Western Isles might have concerns about project X and want to speak to me as part of the community engagement associated with the project. If, at the end of the process, consent was not given to the project, the applicant could say that I was swayed by my meeting with that community group—there could be the perception that I was influenced by that group. I do not want anything like that to happen. That could be the case when something was consented to or when something was not consented to—it works both ways. I want to ensure that I can engage with every stakeholder, in line with the good practice principles on community engagement.

I was confident that the UK Government's Planning and Infrastructure Bill would give us the power to mandate community engagement, but I had the sense that it would be difficult for me to carry out that engagement as fully as I wanted to. Thankfully, I reached an agreement with the planning minister that he would take on responsibility for the energy consents unit, and the First Minister agreed that I needed to be able to fully engage on all the good practice principles and the developments that the Planning and Infrastructure Bill would allow us to take forward.

**The Convener:** Let us move on to the public consultation process for energy infrastructure. Maurice Golden will lead us with questions on that subject.

**Maurice Golden (North East Scotland) (Con):** I welcome the cabinet secretary to the meeting.

There is probably a gap in people's knowledge in relation to which actors are present in the process for energy infrastructure, whether it be for transmission infrastructure or more local energy infrastructure, so it might be helpful if that could be set out in public.

NESO, the National Energy System Operator, operates the system overall. Transmission owners own the infrastructure, and they are instructed by the Office of Gas and Electricity Markets, as the regulator that operates under UK Government licence conditions, to build said infrastructure,

which they must justify on the basis of those licence conditions.

09:45

Then there are the DNOs—the distribution network operators—which are perhaps more local. It is as if the transmission owners are the trunk roads and the DNOs are the B roads. Then there is retail, which is what most consumers see. All those actors do things differently.

About two years ago, every party was supportive of both an expansion in said renewables, particularly offshore, and public consultation, as was ingrained in the 1998 Aarhus convention. Today, however, there is a conflict between the environmental principles of public participation and the energy infrastructure.

Given that I have outlined everyone else's role, it might be helpful if you could outline the Scottish Government's role in that process, cabinet secretary.

**Gillian Martin:** I thank Maurice Golden for setting out the landscape. It is important to be aware of the different roles and the many different players. There are reserved responsibilities associated with transmission in particular. The Electricity Act 1989 is the governing legislation around all the regulations associated with consenting. The Scottish Government's energy consents unit must conform to everything in the 1989 act. NESO has responsibility for what the transmission network looks like, and must look like, in order to facilitate the getting of the electricity to all the places where it needs to go throughout the whole of the UK.

The previous UK Government worked with NESO, and it has issued its plans for upgrading the transmission infrastructure. Regarding the role of the Scottish Government, ministers have the final consents, once developments have been through the whole process, which is regulated at UK level—although we have planning powers. Any developments over 50MW currently go to the energy consents unit in the Scottish Government; anything under 50MW is decided at local authority level by councillors and the authority. We are currently consulting on changing that threshold—to see what people think about changing it to give more responsibility to councils up to a level beyond 50MW.

We have some of the most stringent environmental conditions in Scotland. A series of documents and assessments must be submitted in applications to the energy consents unit. We do not dictate and cannot dictate to an applicant what the engineering solutions are for their application. Indeed, nowhere in the UK dictates that.

The ECU assesses the application as submitted. Let us say that those in charge of project X want power transmission lines. They have set out the engineering solution that they have found, and they have determined how and where they want to site those lines. We will assess that application as written. We will not dictate in advance that things have to be done in a particular way. It is for them to make an assessment and submit all the documentation associated with environmental impact assessments. That will then go out to all the statutory consultees, which includes local councils. Even if the development is over 50MW and comes to the ECU, local authorities will still be a statutory consultee. If local authorities do not agree with the application as written, it will automatically go to a public inquiry.

If the application goes through the energy consents unit, it will assess all the documentation, assessments and plans that are supplied by the applicant, and then, in accordance with all the regulations and the Electricity Act 1989, it will advise the minister who is making the final determination, with an assessment of what all the statutory consultees have said. It is important to realise that the minister who is looking at that advice can go back to their officials and question certain things, such as, for example, "Why are you giving me this advice when this has happened?"

The minister has to be certain that, when they make a determination, they are not going against any legal advice because, if they do, it might give them an opportunity to turn something down, for example. If officials have given the minister advice to consent to something and all the reasons why, and the minister says, "Nah—I don't like it," they need to be certain that they are on solid ground legally, because the decision might be appealed and taken to court.

That is the process and it is very rigorous. Many developers say that we take too long to make determinations. We try our best and we have doubled the capacity of people working in the ECU to streamline the process. That is good for developers, but it is also good for communities, because they get a quicker decision, they know what they are dealing with and it does not drag on for years.

**Maurice Golden:** I agree that planning takes too long at times and is not helpful in an investment environment.

Would it be fair to sum up the Scottish Government's role in this space as being, broadly, to set the narrative—an expansion in renewables, Scotland being number one in the world for tackling climate change and so on—and to determine planning decisions, particularly those

above 50MW? Would that be the Scottish Government's role?

**Gillian Martin:** I agree with that, but I would also expand it. As you rightly said, the Scottish Parliament agreed to national planning framework 4, which set the narrative that we want to facilitate as much low-carbon energy as possible to reduce our emissions, but also for energy security reasons. The Scottish Government does not have responsibility for energy security, but we have an interest in it. We also have an interest in economic growth in Scotland, making sure that we provide jobs for the future and that we have an energy industry in Scotland that is able to adapt and pivot to new energies.

So, yes, we set a narrative, but Parliament also set a narrative by agreeing to NPF4, which gives guidance to planning authorities throughout the land—at local authority level and more generally—on what is expected in relation to planning applications.

**Maurice Golden:** The risk of black and brown starts being required is far higher than it ever has been, and we require the transmission to do that.

It would be remiss of me to move off energy infrastructure without recognising the plight of the communities. The UK and Scottish Governments have set up a system in which a high amount of energy is generated far away from demand. That means that there is a requirement to transport said electricity a long way to demand. That is not the communities' fault. By the time that they heard about those requirements, it was a bit too late. To be frank, both Governments failed in that community engagement, as did the other actors, which would have been National Grid, Ofgem and others, until it was far too late.

**The Convener:** Before you continue, does Fergus Ewing want to come in on that issue?

**Fergus Ewing (Inverness and Nairn) (Ind):** No—I will wait until my colleague has finished.

**The Convener:** Fine. Maurice, please proceed.

**Maurice Golden:** Onshore wind, battery and solar are far more localised. Some of that might be dealt with by the Scottish Government and some of it might be dealt with at a council level, and community engagement around that varies.

NESO takes a UK-wide view of requirements and has made positive movements in that direction more recently. What are your thoughts on the Scottish Government's role? You mentioned the cumulative impact. How is the Government tracking those developments at a council level and marrying that information up with what may be coming to the ECU? What is the view on land use,

and on the loss of land for food production, in particular, which might be prime agricultural land?

**Gillian Martin:** I absolutely agree that community engagement varies. I feel very strongly that that should change. There should be a level playing field, and I do not think that community engagement should be voluntary. Regardless of the type of energy that is being produced or the activity within energy infrastructure, community engagement should be mandatory. There should be very strict guidance associated with what good practice looks like. The Scottish Government does not have the levers in that regard, but we have good practice principles. As I said, through the Planning and Infrastructure Act 2025, we have secured the ability for the Scottish ministers to mandate community engagement, which is a very welcome development, because everything around that used to be voluntary.

Such engagement might mean that company A goes into a community to undertake early engagement, with lots of public meetings and many innovative ways of talking with everyone. The company might also make offers of community benefits, work with the community to give them a percentage share of the profits that are associated with the activity, carry out housing retrofit to bring down people's bills or give the community some kind of endowment to do things that it wants to do in its area. In such cases, neighbouring communities will look at the opportunity that another community is getting and say, "That's great. I wish we had that opportunity as well." That is a very positive story.

However, we might have project B, which is of a very similar nature but which is run by a different company that does not do any of that and leaves a very nasty taste in people's mouths. As far as the public is concerned, the companies are all tarred with the same brush. All that it takes is one company in one area of Scotland—again, let us say the Highlands and Islands—to leave a very bad taste in people's mouths: it might fail to act in a way that brings the community with it, avoid engaging with or offering anything to the community, or, worse, promise to do things in that community, but then, once the development is through, the community does not see them for dust. There are a number of companies like that and, in future, should another developer—even if it has good intentions—want to do something, it will be told to take a hike.

All the developers should be held to the same standard, which should be mandated at UK level. I also want community benefit to be mandated at UK level. It should not be voluntary; it should be a statutory obligation, whether for battery storage, solar, hydro or onshore wind. That way, everyone will know what is on offer and what they are

getting, and developers will all be held to the same standard. Communities should have that engagement and decide how any benefit is used. That dialogue must happen well before the plans are made—it must take place before the application even goes in. Developers or transmission owners should work with communities, understand their concerns and work with them to find engineering solutions, which can then be put into the plans before they get submitted to the ECU, the council or whichever body it is. Developers or transmission owners must also be held to account on delivering the community benefits that they have promised or said that they will give to the community.

10:00

The devolved Governments and the UK Government have commissioned NESO to develop the strategic spatial energy plan. NESO is also developing a regional energy strategic plan for Scotland. Those documents will help to shape the way in which Scotland's energy infrastructure will need to develop over the coming decades to meet demand and energy security requirements and to assess things such as cumulative effect.

On an individual project basis, cumulative effect is taken into account by the council that determines the applications—at the moment, those are applications for developments that are under 50MW—and by the ECU.

However, not all applications can be predicted. The convener mentioned battery storage, which is an area that has a lot of speculative players. Communities, including my own community, certainly feel the impact of such speculation. They hear word of particular actors that seek to put forward developments—there are lots of actors and they are all speculating. Not all of those developments will go into the application process, but the speculation is enough to make communities feel worried about the cumulative impact. There is probably far more battery storage speculation out there than developments that will come to fruition, but that does not stop communities feeling a bit helpless.

Community engagement is important, and it should not be voluntary. The Planning and Infrastructure Act 2025 now gives us the opportunity to liaise with all stakeholders, including communities, on what they think community engagement should look like. Once we have taken all that evidence and feedback, we will be in a position to say to developers, "This is the mandatory community engagement that you are now subject to and that you must do, and it has been informed by Scotland-wide consultation." Such consultation will be done in the way that you

suggested should have happened in years gone by.

**Maurice Golden:** There is sometimes a circle to be squared, particularly in this area but probably in all aspects of planning. We need to recognise that, whether for energy infrastructure or particular energy projects, there might be a community that says no. Community engagement is still important, but, ultimately, it is a difficult circle to square.

Community benefit has been talked about a lot. Whitelee wind farm in the convener's constituency is—or, at least, was—the biggest onshore wind farm in Europe. Much of the community benefit from that might go to Eaglesham and Waterfoot. However, if you are in Castlemilk, from which the wind farm can be seen, you will perhaps not get the community benefit, because you are outwith the area. The residents of Castlemilk, which is a deprived community, require and would benefit from investment. They are paying for the infrastructure, whether that is through transmission levies or green levies, but they are not receiving the benefit. Similarly, there are not many wind farms in Dundee. Therefore, there will not be much community benefit in Dundee—or in most urban areas.

This is not about the local community that is closest to the infrastructure losing out, but is there a way to spread out the benefit, particularly to individuals who might require it more and are paying for the infrastructure in some way, shape or form?

**Gillian Martin:** First of all, I want community benefit to be mandatory. The UK Government has consulted on the issue—the consultation is closed and it is assessing the responses—and I am hopeful that we will have a situation in which community benefit is mandatory. Once that is the case, all the issues of the sort that you have mentioned will have to be worked out. Consideration will have to be given to what “community benefit” means and how “community” is defined.

A community's proximity to the geographical siting of a development, whatever that might be, is the reason why it should benefit. Because the community is hosting that development or infrastructure, there should be a benefit associated with that, as it is right on the community's doorstep.

The point that you made about Castlemilk relates to line of sight. As I said, I hope that the UK Government agrees to make community benefit mandatory. Once that has happened, we will need to do a piece of work that involves going out to the public to assess what community benefit should look like, what conditions should be associated with it and who should get it.

There is a trade-off to be made, because if we spread the community benefit too thin, people will feel as though they are not getting much of anything, and communities that host the infrastructure will think, “it's all very well for that neighbouring city over there to get community benefit, but we're the ones who've got this on our doorstep.” There will be different views on that.

However, the first step is to make community benefit mandatory. At the moment, the picture is too piecemeal. I have been to certain communities where really good work has been done on community benefit and people are delighted with how things have gone. However, we all hear from communities that feel extremely aggrieved, because they have been promised something that has not been delivered, they have not been engaged with properly or they have felt that their views have been ignored. Such things need to be made mandatory—the conditions, the guidance and the protocols on such matters need to be set in stone, and the process needs to be based on good practice.

We published guidance on effective community engagement in local development planning in December 2024. Transmission operators are expected to follow that guidance, which was produced by the ECU, so that they deliver consistent and meaningful pre-application consultation and engagement. Because of the extent to which we were hearing from communities on that issue, we could not wait for the UK Government to set out a mandatory process. We wanted to put in place something that meant that I could hold developers to account by saying, “Here's the good practice that we've asked you to follow.” Of course, we do not have the power to make following that guidance mandatory, but it is there.

In addition, we got Planning Aid Scotland to produce an information sheet for communities—that was published in September last year—and there are guidance notes that explain the role of community hearings.

However, to be honest, until community benefit is made mandatory, the rogues who might be out there, whom people feel aggrieved about, can ignore all that. It needs to be made mandatory.

**Maurice Golden:** Speaking of rogues, I think that Fergus Ewing might be next.

**The Convener:** I will bring in Mr Ewing in a second, but there are a couple of questions that I would like to follow up on, given that Mr Golden has been kind enough to reference my constituency and the Whitelee wind farm, of which members of the community are all immensely proud.

It has been an interesting journey, which, in some ways, is typical of what happens with such developments. I can remember the community having very fierce objections to it, yet anybody who has been born during the lifetime of its existence simply accepts the fact that it is there. I might include in the community benefit of the wind farm the incredible leisure opportunities that have been provided in its precincts, which include the visitor centre and the bike trails. Those facilities are very widely used.

Having said that, although the people of Eaglesham and Waterfoot thought that the community benefit would all go to their areas, as Mr Golden said, that was not the case. As a resident of Waterfoot, I can say that we are very proud of our park bench, which appears to be the only community benefit that we received, because the council moved in and decided that it would assume responsibility for the community benefit, which now goes to the entire council area, including parts of the Leverndale valley such as Barrhead, Uplawmoor and Neilston that do not see the Whitelee wind farm, unlike the people of Castlemilk. Sometimes, as you say, the benefit can be quite widely spread. Of course, as some suspect, a council could start to use the benefit to subsidise its own core spending as opposed to delivering the incremental benefit that I think many people would hope would transpire. Have you come across that sentiment, which might be widely held?

**Gillian Martin:** Absolutely. When—if community engagement becomes mandatory, we are going to consult widely on the issue and the good practice that is associated with it. However, the issue that you have just described, of people not seeing community benefit, is the cause of the problem of communities not buying into these developments.

I am almost becoming like a broken record, but we are no longer in the realms of painting the scout hut or buying football strips for the school team. There has to be a substantial and meaningful community benefit that will improve that community. I believe very strongly that it should be the community that decides how the money is spent.

I will give you an example from my constituency. Vattenfall had a process in which it worked directly with all the associated communities around its Aberdeen offshore wind farm, including community councils and community groups, to see where its community benefit should go. The process was quite wide ranging, and there are communities in the west of Aberdeenshire that cannot see the sea that got community benefit from it while some coastal communities that bid for money did not get any. It is all about balance.

Again, spreading the community benefit too thin is a problem.

I am not currying favour with you, convener, but I would say that it is a bit disappointing that you only got a park bench out of it. However, what a great dog walk Whitelee is. I have family in the area, and we often go up there to walk our dogs.

**The Convener:** You referred to the consultation about whether or not the threshold should rise above the 50MW level. The consultation does not give an indication of where the Government thinks it might usefully end up. We know that, in England it is at 100MW for wind and solar, and there are views about whether it might be variable across different energy disciplines. Why was the Government shy about indicating what its thinking is on what the threshold might be?

**Gillian Martin:** I do not really have a view. I want to hear the views of those who will be making those decisions and the views of the communities. One of the reasons why we went out to consultation was that we felt that the 50MW threshold was getting out of date, because there are more substantial developments than previously and the level might be too low.

Even anecdotally, there are a variety of views. Some councillors do not want that responsibility; they want the level to stay as is. We will hear from those people, but we will also hear from the councillors and the communities who want local decisions to be made locally. I do not really want to dictate through a consultation—that is not what consultations are for. I do not want there to be one offer; I want to know what people think. Do they think that the threshold should be 100MW, 75MW or the same as it is now? Once we have heard those views, we can have a full discussion on what is appropriate.

**The Convener:** I detect that the Government is perhaps sympathetic to the idea that the current level is, as you put it, out of date and has perhaps been overtaken by events.

**Gillian Martin:** Yes, that has been put to us. We said that we were going to consult on the issue, and I think that the time is right to do it.

**The Convener:** I will now bring in Fergus Ewing.

**Fergus Ewing:** Good morning, minister. I now ask you to risk taking the journey from Castlemilk up to Inverness via the A9. On 12 August, I attended a meeting at which more than 300 people representing more than half the community councils in the whole of the Highland Council area discussed their concerns about the process. I want to ask you about that first, because many of the petitions are asking for the democratisation of the process and specific elements of it.

10:15

I have been attending public meetings for four decades now—rather too many of them—and I have never before encountered the amount of anger that I saw at that meeting. The source of that anger was that, although many of the community councils had made detailed objections about things such as the cumulative impact of a large number of onshore wind farms, grid improvements and substations, what happened next was that, even if Highland Council turned down the application, it then went to you, minister, and the Scottish Government, and in almost every case, the decision was overturned. That was the feeling at that meeting.

I ask you for your reaction to that, and whether you can give us the statistics about the number of applications that you or the Scottish Government have granted and the number of decisions that you have overturned. You might not have that information with you now, but a lot of people would like to see it, because that is at the root of the concern. There is a feeling that democracy does not exist in the wind farm process in Scotland.

I say that in the context that, as you know, both of us are—as most people are in principle—in favour of more renewable energy as part of a balanced grid.

**Gillian Martin:** I will get that information—I do not have the tables with all those figures in front of me. We will produce information for the past few years—

**Fergus Ewing:** I see that the officials have it.

**Robert Martin (Scottish Government):** I do not have the information that is associated with that specific time period, but we answered a freedom of information request on that, and I have a figure in front of me: in 10 out of 44 cases, ministers decided against the reporter's recommendations.

**Fergus Ewing:** What about local authority decisions, though? I am asking how many were overturned by the Scottish Government.

**Gillian Martin:** For projects under 50MW?

**Fergus Ewing:** All of them.

**Robert Martin:** Do you mean local authority objections to an application?

**Fergus Ewing:** Yes. The local authority would deal with applications for projects under 50MW, and those above 50MW would go straight to the ECU. How many decisions that were taken by local authorities on applications for projects in which the output was to be under 50MW were overturned by ministers?

**Gillian Martin:** I would have to look back at that. In my time as energy minister—Dr Allan then

became the energy minister when I became cabinet secretary—I cannot recall calling in a decision that had been made by a local authority.

**Fergus Ewing:** Okay—I am just conveying the feeling. I think that, for many people who were present at the meeting, what underlies that feeling is that although, as I have stated, most of them, in general, supported moving towards a renewable energy system, there is growing concern in Scotland—and in Britain, I think—that no one is asking or answering the following questions. How much wind energy is enough? How much is too much? What is the actual cost?

Constraint payments last year, 90 per cent of which were attributable to Scottish wind farms, exceeded £1 billion. The strike prices that were announced earlier today are just over £90, which is 11 per cent higher than in the previous round, and higher than current electricity costs in the UK. The UK target is 43GW, with an ambition of 50GW. The average energy usage is 44GW, so the new system will rely entirely on wind.

What happens when the wind does not blow and demand is high? It nearly happened on 8 January 2025, when there were dunkelflaute conditions with low wind and no sunshine; there was high demand and the margin of error was 1.3 per cent, or around 400MW or 500MW. In other words, there were very nearly blackouts on 8 January; we came within a whisker of blackouts.

If that is to be avoided, how, in the Scottish Government's view, do we balance the grid? Must there not be some gas or nuclear element? Can we rely on interconnectors, given that countries in Europe are increasingly looking to secure and use their own supply and cease or reduce the amounts that are exported to the UK, and on which the UK is completely reliant in dunkelflaute circumstances?

The energy policy that was promised in 2023 has not been published—for which we have had a variety of excuses—so we do not know the answer to any of those questions. It is such a big question, and we must really get an idea of where the Scottish Government thinks that we should go on this, and certainly before the next election.

**Gillian Martin:** Every point that Fergus Ewing has just made I have absolute sympathy with. That is why we have asked NESO to do the strategic planning work that I mentioned in response to Maurice Golden. The assessment that it will undertake will give us that detail. It is all about energy security.

On constraint payments, I think that they are an absolute scandal, to be honest, and they are one of the reasons why we need to improve capacity in the grid. Why are we paying developers to stop

generating? Most people in Scotland will find it absolutely unbelievable that that is the case. That energy—that electricity—has nowhere to go, and the grid upgrades will allow more of it to go into the grid and to be used.

There are also opportunities for more local offtakers to take that electricity, too, and the Scottish Government has been looking at heat networks—the work that Mairi McAllan is doing—and at the high-intensity industries that we are trying to encourage to come to Scotland, as part of the work that Kate Forbes is doing with the green industrial strategy.

The work that we have asked NESO to do will be absolutely fundamental to how we go forward. We need to ascertain where the energy security and resilience weak spots are and plan accordingly, and that very important work needs to be done to inform what we, in turn, will do. That future strategic spatial energy plan is, in effect, what we have commissioned NESO to do, and it will allow us to ascertain exactly where the weak spots are in the Scottish grid and in energy generation. We can then plan on that basis with the expert advice that it will supply us with.

**Fergus Ewing:** Winston Churchill put it very pithily—he said that, when it comes to electricity supply, the solution is “variety and variety alone”. Does the Scottish Government recognise that we cannot rely solely on wind, solar and other types of renewables such as hydro and battery storage? There simply will not—cannot—be enough storage within the next 10 to 15 years, at least, to avoid the possibility of constraint payments.

Constraint payments are part of the system. If there were no such payments, the strike price would not have been £90—goodness knows what it would have been. Developers bid on the basis that they will get constraint payments, so if they do not get them, the strike price will be higher. I agree with you, but it leaves a question mark over whether there is too much wind in the system.

I would like to know whether the Scottish Government agrees with me that there must be a continuing backup in the form of gas and/or nuclear—preferably both—to provide a balanced grid and to maintain stability. The stability of the grid is absolutely crucial, because if you lose it, you get the kind of fluctuation and volatility that happened in Spain over the summer, I believe—although the causes of that are under dispute.

Does the Scottish Government agree there must be backup of base load, and that it must be gas and/or nuclear?

**Gillian Martin:** You mentioned Spain. At that time, I discussed the issue with someone when I was in Brussels, and actually, it was the generation

of wind capacity that brought things back online. However, I take the point more generally. I agree that variety is very important and that, as long as we rely on gas to heat our homes, we need to keep supplying it.

I also think that the UK Government needs to look at the injection of hydrogen into the gas grid. We have the infrastructure, with all the gas pipelines—the gas actually goes in nearby, in my constituency—and they are ready to inject hydrogen into the pipeline as well, which would reduce the amount of associated emissions.

I have pressed the UK Government for more decision making around that. As long as we are using gas, we have to look not only at how we bring down the carbon emissions associated with that but at the various electricity-generating and storage opportunities. We have to look at everything, with one exception, as Fergus Ewing knows very well. I know that he does not agree with his former party’s policy on this, but the SNP’s party policy is that we are against new nuclear.

I also make the point that, regardless of where and how it is generated, electricity needs to fit on a grid, and the grid infrastructure is old and creaking. Until the infrastructure is upgraded throughout the UK, we will have a situation in which we are paying developers to switch off generators.

**Fergus Ewing:** Well—

**The Convener:** I point out that we should stick within the context of the petitions that we are considering this morning, and none of them covers nuclear development.

**Fergus Ewing:** I was not going to ask about nuclear, but I think that, underlying all the objections, there is a series of wider principled concerns. That is really why I am asking the question; I think that a lot of people would like answers.

I will ask about community ownership in a minute but, before we leave the current topic, I will put one point to you, minister. Although the grid certainly requires to be upgraded, the costs of upgrading it were, this week, estimated at £4 trillion, although that figure is disputed by NESO. That is the scale of the cost. In addition, the timescale for that work will be much longer than Mr Miliband or anyone else who supports it has said will be the case. It will take decades. Is the problem, therefore, that, although there may be solutions in the future such as hydrogen and nuclear fission, and all sorts of possibilities, including more storage, it will be too slow?

Even if we support your policies and Mr Miliband’s policies, the grid upgrade process will inevitably take much longer than he says that it

will. The transition from wood to coal took 200 years. The transition from coal to oil, according to Daniel Yergin, the world's foremost energy expert, took 100 years. How can we expect to move from oil and gas to renewables in just a decade? It is just not on, is it? It is not going to happen. It is for the birds, and therefore the risks that I have described are very serious, and are growing in severity.

**Gillian Martin:** I am not here to answer for Ed Miliband. Upgrading the grid infrastructure has actually been the policy of successive UK Governments—it was the previous Government that put in place grid infrastructure upgrades. I take the point that everything like this takes a very long time, but the time to start is now.

**The Convener:** I will return to you, Mr Ewing, but I know that Davy Russell is keen to come in. David Torrance is going to cover another area, and I also want to bring in our guest member—I have always encouraged our colleagues across the Parliament to join us to discuss petitions in which they are interested, and Oliver Mundell is with us today.

I will bring in Davy Russell first.

**Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab):** Yes, cabinet secretary, everyone agrees that we need energy security. However, to go back to the issue of initial planning consents for projects over 49MW, do you not think that all schemes should go through the local authorities, rather than only projects up to 49MW, which involve smaller schemes that would have a lower environmental impact?

Whether a project is over 49MW or over 149MW, it does not matter—the larger schemes have a much bigger environmental impact and affect local communities much more. Do you think that everything should, therefore, go through the local authority, and that probably only appeals should bypass that element of the process?

**Gillian Martin:** I welcome your views, Mr Russell. You asked me what my view is. The consultation is out there, and I look forward to seeing what you put in by way of a submission to that effect, and the arguments with which you back up what I imagine is your opinion on the matter. Others will have the same view as you.

10:30

In the consultation that we have put out, I want to hear feedback from people so that we can see what the general view is. It is also important to hear the views of those who will be making the decisions. If councils and councillors overwhelmingly want to make all the decisions that are associated with energy developments, we

need to take those views into account. However, there will be some—or perhaps many—councils and councillors who do not hold that view, and there might also be communities that do not hold that view. That is why we are doing the consultation.

**Davy Russell:** I know for a fact that my local planning authority, South Lanarkshire, would like a bigger say. I may be digressing a bit, but there is a battery storage scheme in East Renfrewshire, yet all the disruption is in South Lanarkshire. Because the scheme is bigger than 49MW, the local authorities have been bypassed.

**Gillian Martin:** I have heard different views on that. I am not talking about people in my party, and I will not divulge who I heard those views from—it was at a public event, but I do not feel comfortable saying who they are. They had a completely different view and wanted the status quo to remain.

**Davy Russell:** Right. In your opening statement, you mentioned having more community schemes, which would be great. However, the price of grid connections for local schemes is extortionate and the connections take more than five years. If a community were to do a local scheme, it could wait for an eternity, and the apparatus could be out of date before there is a connection. Connections are not affordable, which makes schemes less viable.

**Gillian Martin:** That is one of the areas in which things could move with regard to community benefit. If a developer comes into an area and has a wind farm development, it could work with the community to share the grid connection for a community energy scheme. That could be a welcome offer for communities.

Substantial developments have been waiting for a long time to get a grid connection. The developers might be told that the development will be connected by a certain time, and then a review is done—as it has been recently—and they will be told that it will actually be five or 10 years beyond what they were originally told. That means that community energy schemes, which generate small amounts of energy, are all the way at the back of the queue.

There will be ways and means in the exercise that I hope we will be able to undertake once—this is wishful thinking—community benefit is made mandatory. That could be one of the opportunities for communities to get a benefit that is not so much about having money on the table—it would certainly not be about having football strips for local primary schools, as important as those are—but involves facilitating communities to have their own community energy scheme that has access to the grid via a shared connection. I think that

communities would be excited about those opportunities, for the reasons that you described.

**The Convener:** David Torrance will come back in on the point about hydrogen. However, Mr Mundell, do you want first to come in on the areas that we are currently discussing?

**Oliver Mundell (Dumfriesshire) (Con):** Yes—I am grateful to you, convener, and to committee members for making space for me to ask a couple of quick questions. I wanted to come in on the back of what Maurice Golden asked in relation to when communities say no. I also want to link to the point about leaving a bad taste in communities.

It is not just developers that are at fault; it is also the Scottish Government. Communities' views are discounted in the planning process or given lower priority. The system is fundamentally stacked in favour of developers. Having sat through inquiries, I know exactly how communities feel. People turn up in flash suits and flash cars.

They sweep into communities for weeks at a time; they sit there and tell local people that they are not entitled to a view; they go through, in a dispassionate way, units of land on a map; and they tell people that the effects of these enormous wind farms are not significant, that there is nothing special about the local landscape, and that, for planning consideration to be given to local landscapes and communities, the effects must be more than local.

These are people's homes and communities that we are talking about—this is where people live—and they are told that their views do not matter. They spend a huge amount of time participating; as Fergus Ewing pointed out, community councils put in long and detailed objections, highlighting why the projects are unsuitable, and at the end of the process, people say, "Well, that's not part of the process. It doesn't matter. Those views don't count for anything."

My question, then, is this: would it not just be more honest to tell communities, "The system works as intended, and the Scottish Government favours going ahead with these projects, no matter what"?

**Gillian Martin:** No, it would not be fair to say that at all. You talked about flash cars and flash suits—I assume that it was the developers that you were talking about.

**Oliver Mundell:** Yes. They swoop in with teams of 10 or 15 people and spend what I think would be hundreds of thousands of pounds to push these applications through—

**Gillian Martin:** Okay—I just wanted to clarify that.

**Oliver Mundell:** —and communities turn up in good faith, without proper representation or a detailed understanding of the law. To be fair, I think that the reporters do an excellent job in trying to level the playing field. I have seen people in my own community turn up and talk about businesses that they have had for a lifetime and how they serve tourism; landowners, farmers and other local people talk about their knowledge of the hills and the water; and others talk about the impact of light at night on their residential amenity, why they moved to a particular area and what makes it special.

People certainly do not move to many of these remote communities for the bus service, for access to a general practitioner, or in order to be able to go to the cinema. They move there because there is something special about the landscape, and then people who are paid a small fortune come in and tell them that that is nonsense. They humiliate them; they make them feel small; and they make them feel as if those things do not matter.

It is plain to those who live in these communities. You cannot build hundreds of turbines that are 200m-plus tall, with red lights that flash at night, and then tell people, "It's not going to affect how you feel about where you live" or "It's not going to have an effect on your home." However, that is what developers do to try to convince the reporter that they are right and that the community council and all these local people are wrong.

**Gillian Martin:** You have asked me about particular instances in your constituency in the chamber before, and I remember you putting it to me that representatives from various developments had been disrespectful to your constituents. Frankly, I think that that is completely out of order. However, it also lends weight to the need to make community engagement mandatory, and to the point that that must have a code of practice associated with it. At the moment, that does not exist.

However, what does exist at the moment is the reporter, who is completely and utterly independent of anyone. Ministers do not get involved in that process—and for very good reason. The reporter is deployed when there is an objection of the type that you have mentioned, in order to make a dispassionate assessment.

**Oliver Mundell:** But if the reporter can look only at effects that are beyond the local, or at things that have been set out under the planning terms, they are not able to listen to the community's concerns. They say, "We've gone through these land units, and some experts have said that they're not of national significance." The units might be of regional significance, and there might be pockets within them that are worth protecting, but the

reporter has to take that broader look—and that, in effect, means discounting local views. Those local views do not have a place in the process, because of the rules that have been put in place.

**Gillian Martin:** I would just note that all the planning regulations that pertain to Scotland have been passed by this Parliament, and that the Parliament put through national planning framework 4. There are also the regulations associated with the Electricity Act 1989, which are in statute, too. Of course, there are also the statutory consultees and the views that they put in. All of that is taken into account by the reporter.

Robert Martin might be able to give you a little bit more legal background on how the reporter operates.

**Robert Martin:** The cabinet secretary referred to the Planning and Infrastructure Act 2025, which received royal assent on 18 December last year, which introduces a reform that goes some way to addressing the concerns that you have noted. I would not want to speak on behalf of reporters in the planning and environmental appeals division, but I know that they take considerable steps to try to ensure that the process is open, fair, transparent, and so on. The first petition, PE1864, noted how fraught it can be for communities to go into that environment.

One of the reforms that has been introduced is that, should a planning authority object to an application that has been made to Scottish ministers, reporters will no longer have to hold a full public inquiry in the same way that they did in the past. The reforms that have been introduced replicate the Town and Country Planning (Scotland) Act 1997, whereby reporters will have the ability to take a more focused view. They have a suite of options that will allow them to consider taking a more proportionate and compassionate look at particular applications, which I hope will go some way to addressing the concerns that the member noted about communities.

**Gillian Martin:** I want to make it clear that we have pushed the UK Government to introduce reforms on community engagement as a result of exactly the kind of stories that you have told the committee. Under the devolved settlement, we do not have the ability to make conditions on community engagement and community benefit mandatory and we do not have many of the levers that are associated with electricity infrastructure developments. We have set out good practice principles, but they are toothless, because we do not have those powers.

I engaged early with the UK Government's energy minister after he was appointed and we discussed these sorts of issues and the need for those two areas to be mandatory, rather than just

being set out in good practice principles. We have turned a corner, because a code of practice has been consulted on. The 2025 act is a real step change and provides an opportunity to reform the process and to put such mandatory conditions in place. The next step would be to mandate community benefit, which we talked about previously.

**Oliver Mundell:** In order for engagement to be meaningful, there has to be the potential for the developer to walk away at an early stage. That is the problem. Ultimately, many developers engage, get an answer that they do not like and then keep going. Do you recognise that there are occasions when developers should walk away? There are examples of developers lodging repeat applications, which have been knocked back, even by the Scottish Government energy consents unit. The same developers then come back a few years later with a slightly different proposal for the same land, and the process starts all over again.

**Gillian Martin:** We need to look at each planning application on its own merits. I would say, given the 2025 act and the potential for Scottish ministers to have the power to mandate community engagement, I and my officials will be undertaking a consultation with stakeholders to discuss those issues, so that we can improve the process.

**David Torrance (Kirkcaldy) (SNP):** Good morning. My questions are about hydrogen and water production. As the cabinet secretary knows, my constituency has probably attracted more investment than any other through Energy Park Fife for district heating and transportation, and the SGN H100 project. Nearly 400 houses will be heated by and will cook with hydrogen. What assumptions has the Scottish Government made about water usage for hydrogen production? What engagement have you had with the Scottish Environment Protection Agency and Scottish Water? There is a need for hydrogen, but in future, there will be a greater need. As you mentioned, hydrogen production could go on to the grid—I think that it could take 25 per cent of current demand. There is talk of hydrogen power stations and hydrogen trains. In Germany, hydrogen is being used in steel plants, because it is a lot cheaper. Therefore, there will be a greater need for it.

10:45

**Gillian Martin:** To go back to what Fergus Ewing said, there is an opportunity for constrained power to be used to produce green hydrogen, although the potential for that has not yet been exploited at scale. As you rightly said, in your constituency, the H100 Fife project is leading the way in proving the point that hydrogen could be

safely used for heating homes. There are different views on whether that is feasible from a cost point of view, but the H100 project is seeking to prove the concept. I was delighted to be able to visit it to see what it is doing.

Water usage, whether for hydrogen or anything else, is continually assessed by Scottish Water and SEPA. Hydrogen would not be the only high water usage industry. There are many high water usage industries in Scotland, including breweries and distilleries, and hydrogen would be another one. We would need to ensure that we had the volume and the capacity to allow that. Anyone who required to use a great deal of water would have to engage with SEPA and Scottish Water on their plans before they could implement them, because their business case would depend on that water being available. They would need to assess whether they had the volumes that they needed before they put in a planning application associated with what they wanted to do.

In general, water scarcity is becoming a more pressing issue in Scotland. Last year, we had record water scarcity, and river levels were very low. That started a lot earlier in the year than is usually the case. SEPA issues licences for water abstraction from watercourses, and quite a number of people who would ordinarily apply for such licences, such as farmers, were told that they could not take water from watercourses over a period of several months.

Scottish Water monitors the volumes in its reservoirs. Until fairly recently—up until the past few months—Scottish Water's reservoirs were back at their normal levels, except in Dundee. People think that “sunny Dundee” is just something that a Dundonian came up with for a laugh, but it is genuinely true—rainfall levels in the Dundee area are a lot lower than those in the rest of Scotland. That is why Scottish Water has implemented a household usage pilot in Dundee.

Given the more general concerns that exist, Scottish Water, SEPA and the Scottish Government are working together to produce water scarcity reports and assessments of where water is needed. Consideration needs to be given to the availability of water, whether to produce hydrogen or for anything else. For example, a lot of the beer that Brewdog makes is made in my constituency, which is where the company's headquarters is. Brewdog had to engage with Scottish Water, because it wanted to expand and it required more water. At the same time, planning applications for new housing developments were going through the council.

An assessment is made at local level of what water is required in particular areas, and that

would be the case in relation to hydrogen production.

More generally, your question gives me the opportunity to mention a hobby-horse of mine. We must start treating our water as a precious resource. The fact that it is rainy in Scotland does not mean that we have an abundance of water. We have the best water in the UK when it comes to water quality. However, the supply is not infinite, and we should not take its availability for granted. Scottish Water puts millions of pounds into upgrading its facilities to stop leakages and to bring down the emissions associated with processing our water, and SEPA constantly monitors our river sources and our watercourses.

If a hydrogen producer wanted to invest an awful lot of money in a way that involved counting on water coming from a particular watercourse, that would have to be bottomed out with SEPA well before it put in a planning application.

If someone is in danger of being told by SEPA in the months between April and September that they might not get a licence to take water, that is a pretty precarious position for their business to be in. A combination of all those things applies not just to hydrogen but to anyone who needs a water supply to run their business or housing development, or whatever it is.

**David Torrance:** I would like to push you on that point, cabinet secretary. It looks as though most of the hydrogen production will be down the east coast, because of the concentration of wind farms there, while most of the vast water reserves are on the west coast. As you pointed out, Fife had water restrictions for months last year. If hydrogen is to be an energy source of the future, how can we ensure that the water supply is there and bring in the investors without affecting traditional industries?

**Gillian Martin:** Scottish Water has a critical role to play in that through investment in its infrastructure, and it is well apprised of the potential requirements for water in all communities—it will get that information through councils and local development plans. It will also be mindful of any particular developments that might need water. Scottish Water also knows about the Government's hydrogen strategy and where population growth and industrial growth are predicted to take place in Scotland.

Of course, individual projects cannot be predicted. There are many different factors relevant to whether hydrogen will become a big player in the energy industry in Scotland. A lot will depend on the market and demand, and a lot will depend on the infrastructure that might be required to get the hydrogen to mainland Europe. You mentioned the fact that the Germans want to use

it for making steel, and they are looking at which countries can supply them with it.

Scottish Water cannot predict what applications will come in that will require high water usage. A lot of water will be required not only to produce hydrogen—for example, data centres require coolants and water supply. However, Scottish Water works closely with the Government on its industrial strategy. I have regular meetings with Scottish Water on a range of issues.

We need to get across the message about water scarcity. Scottish Water works with the Scottish Government and the general public on our general water usage, even at household level. Water is not an infinite and cost-free resource. It costs money to get it to the required quality, and we do not want to waste it. We need to get that message across. Businesses pay directly for their water, so they are cognisant of the need not to waste it.

We do not meter water at household level, as is done in England, and we do not want to go down that route. However, in England, where water is metered, people conserve it more. I would prefer us to have a communications campaign for the Scottish public—indeed, Scottish Water does—to get people to think about how much water they use and how they use it.

**The Convener:** I will bring Fergus Ewing in in a moment, but we have a petition on pump storage hydro in Scotland and wild salmon—PE2109—and I want to touch on an issue arising from that. How do you set out that impact assessments on hydro projects should take into account the overall or cumulative effect on salmon populations?

**Gillian Martin:** SEPA is doing a bit of work on that at the moment. I was interested to see the petition come through, so I reached out to SEPA, which has a working group that is dedicated to pump storage hydro. It is exploring all the challenges that are associated with pump storage hydro and the interaction with watercourses and whether there would be loss or whatever. The group is also looking at the cumulative impacts and at the lack of formal co-ordination agreements for developers who are working on the same body of water. It is also looking at the impact of pump storage hydro on fish more generally, which includes the subject of the petition.

SEPA is developing guidance on the consideration of the cumulative impacts, and I believe that it will consult externally on that. I do not know whether it is doing that yet, but I can find out when it will. That will give the people who lodged the petition and people who are interested in the issue an opportunity to engage in the consultation and to provide their knowledge of the impacts that pump storage hydro is having.

**The Convener:** It would be very helpful to have any further detail on that review, including the timescales that are envisaged for it.

**Gillian Martin:** We will reach out to SEPA and, as and when any information becomes available, we will pass that on to the committee.

**The Convener:** We would be very grateful if you would.

**Fergus Ewing:** Following on from that point, I am sure that the minister will know that several applications have been submitted for pump storage projects around Loch Ness. As we have heard, there are concerns about the salmon population, angling, recreational interests, and the level of the loch and the Caledonian canal.

There is a group of people who are broadly in favour of pump storage but who feel that the current planning rules do not allow the planning authority to take a holistic view of the cumulative impact—in fact, they prevent it from doing so.

Although I welcome SEPA's working group, every time I hear about a working group, I think that something might happen in five years' time if we are lucky, but this problem is here and now. The applications have been submitted and they have to be determined. The problem that the petitioners have is that the applications will all be determined without the council being able to do what the minister has said should be done, in a better system—namely, to take into account the cumulative impact.

How will we avoid decisions being taken that might have significant adverse impacts on the existing interests of salmon fishing, angling and—more widely—the marine environment, recreational interests and the interests of other loch users?

**Gillian Martin:** The process that SEPA is undertaking is on-going, and I do not have the results of it. I also cannot talk about live applications, as members know, so I am not going to.

However, SEPA is taking an active look at some of the issues that were brought up in the petition and those that Fergus Ewing mentioned to do with the potential cumulative effect of multiple pump storage hydro developments. We will find out more about that from SEPA, including when it is due to do its consultation.

**The Convener:** We are in our final few minutes, Mr Ewing.

**Fergus Ewing:** Oh, okay. In that case, I will go back to community ownership. The last petition was on the energy strategy in general, which also covers community ownership.

When I was the energy minister, although we did not have the legal power to require community ownership—that remains the case—we had a voluntary scheme that was sponsored by the renewable energy investment fund. That fund—REIF—was used to provide grants to communities to enable them to facilitate the purchase of a community share, on a commercial basis, from the developer. The way it worked was that, if the cost of the community share was, say, £100, REIF would provide £10 and the commercial banks that were involved—Triodos, Close Brothers and the Co-operative Bank—would provide £90. That meant that communities that did not have any money were able to leverage a loan through a Government grant, and the loan would be repaid from the income stream from the project.

Local Energy Scotland did the groundwork so that developers did not have to scamper around the country holding lots of extra meetings and negotiating with communities; that responsibility was taken away from them. That scheme worked extremely well until renewables obligation certificates were summarily withdrawn by the United Kingdom Government and the whole thing fell apart.

I have raised this before in the chamber and with the minister, but what puzzles me is that here we are, five years into the parliamentary session, and nothing has happened. I suggested on more than one occasion that the Scottish National Investment Bank could be encouraged to be involved. After all, we are talking about a commercial transaction, not a freebie. Such an arrangement would allow public money to lever in 1000 per cent more potential benefit.

Taking that approach would mean that people in communities that are presently hostile to such developments would see tangible benefits for them, their children and their grandchildren. That would help in some, but not all, cases—some people would see it as a bribe, but others would welcome it. There are mixed views.

What depresses me is that nothing has been happening for the past five years. Where are the voluntary schemes that, with help from officials, we managed to provide when I was in your shoes?

11:00

**Gillian Martin:** I do not agree that nothing has been happening. There is high demand for grants, loans and associated assistance under the community and renewable energy scheme.

When I first met the UK Government's energy minister once he had come into post, he talked about the UK Government's local power plan, and I expressly said to him that he should not reinvent the wheel, because we want to expand the

capacity of community and renewable energy, given that demand is so high. I am pleased to say that, off the back of that, I was able to secure funding to augment the capacity of Community Energy Scotland through GB Energy. Funding has come straight to CARES via the Scottish Government. The budget, which was announced yesterday, also includes commitments on community energy.

I have also done work relating to repowering opportunities on publicly owned land. We have put in place a scheme that will, in effect, give communities priority in applying for repowering opportunities, which will involve work through CARES. That was not the case previously.

On Fergus Ewing's general point, developers working with communities to facilitate more community energy is exactly what I want to see happening. I do not want it just to be a case of there being an offer of money on the table, with the message being, "Do with it what you will."

For communities that want to leverage private finance in order to have a community energy scheme, I agree with Fergus Ewing that there is exciting potential around mandating community benefits, but there is nothing preventing developers from doing that, on a voluntary basis, at the moment. Some developers have done that, but I want to see more of it. I do not know whether every community will want to do that, but the whole point is that it is up to them. That goes back to Jackson Carlaw's point that communities should be able to decide how they utilise the community benefits.

However, there is no shortage of demand for community energy projects. I am trying my level best to give communities more opportunities to own their own energy. We have set out the repowering opportunities for Forestry and Land Scotland, although I do not have them in front of me. There are a number of such opportunities. I have actively said that community energy schemes should take priority in applications for repowering opportunities, and CARES will assist communities in that regard.

**Fergus Ewing:** I appreciate your answer and your good intention. I suggested that the Scottish National Investment Bank could be a source of revenue, which is what is required. I cannot help but notice that Mr David Ritchie, who used to work for me as an official in the energy department, is now in charge of the bank and at the helm. Perhaps a phone call to him would help to unlock the funding that is needed to move things up a scale, as you obviously wish to do. That would mean that, in the next session of Parliament, there would not be five years without the significant progress that we would all like to see.

**Gillian Martin:** I must put on the record that there has been significant progress on community energy.

**The Convener:** I will draw that conversation to a conclusion.

I am not sure whether we touched on this earlier, but is there a date by which you anticipate the new energy strategy being published?

**Gillian Martin:** The draft energy strategy and just transition plan has been published, but there are a number of things that we need to bottom out as a result of Supreme Court judgments, particularly those relating to oil and gas licensing. Oil and gas licensing is reserved to the UK Government, but people expect us to take a view on it.

There is no shortage of other energy policy documents that set out our ambition on all sorts of energy. The draft energy strategy has been published for the public, and I have also produced onshore and offshore wind statements and a hydrogen strategy. A great number of policy documents have been published already.

I cannot give an answer to the question about when the final energy strategy will be published.

**The Convener:** Do you think that it might be published before the autumn of 2027?

**Gillian Martin:** That is when the spatial energy plans will be delivered, so I hope that the strategy will be published by then. However, we have had some curveballs recently. We have had the Finch verdict and various other Supreme Court verdicts, which we must assess so that we can come to an informed view on all those issues and what we think needs to happen. As long as there are no more major curveballs, I hope that the strategy will be published by then.

**The Convener:** Thank you very much. That has been a very constructive, engaging and helpful evidence session. Would you like to, in conclusion, mention anything that we have not touched on, or have we covered the ground?

**Gillian Martin:** I just want to say how much I welcome talking about all these issues with you, so I thank the committee for inviting me.

**The Convener:** Thank you very much. I hope that the session will allow us to advance quite a number of the petitions that cover issues that we have had the opportunity to air today.

With that, I suspend the meeting briefly.

11:06

*Meeting suspended.*

11:09

*On resuming—*

## Continued Petitions

### Specialist Neonatal Units (Centralisation) (PE2099)

**The Convener:** The next item on our agenda is consideration of continued petitions. I highlight to those joining us or watching online that we still have a considerable number of open petitions to consider before the dissolution of Parliament, following our final meeting in March. Therefore, our focus is very much on the issues on which we feel we can make progress in the time remaining, notwithstanding the hugely important issues that underpin many of the petitions that we have to consider. It will simply not be possible for us to advance, in the current session of Parliament, the work on many of the petitions that we still deem to be of considerable importance, and that may well require fresh petitions to be submitted in the next session of Parliament.

The petition that we are going to consider first, with due deference to one of our guests, who is currently outside in the hall, is PE2099, lodged by Lynne McRitchie, which seeks to stop the proposed centralisation of specialist neonatal units in NHS Scotland. Specifically, it calls on the Scottish Parliament to urge the Scottish Government to stop the planned downgrading of established and high-performing specialist neonatal intensive care services across NHS Scotland from level 3 to level 2 and to commission an independent review of that decision in the light of contradictory expert opinions on centralising services.

We considered the petition on 10 December, just before the Christmas recess, and at that point we took considerable evidence from the Minister for Public Health and Women's Health, Jenni Minto. During the evidence session, we covered a number of issues including capacity and resilience, engagement with families, funding and the importance of family-centred care.

The Scottish Government has provided follow-up information on the number of beds in the three units that will be intensive care units under the new model. The submission notes that the modelling work recommended additional beds in each unit: an additional 10 to 12 beds in Glasgow, four in Edinburgh and 1.5 in Aberdeen. I note, however, that those additional increases were anticipated in the plan and did not come about as a result of any further consideration arising from the airing of these issues in committee. I imagine, therefore, that the concerns of clinicians still stand, because they were aware of that potential increase in

capacity, notwithstanding the concerns that they have about overall capacity.

The committee has received a new written submission from the petitioner. It highlights sections from “The Best Start Five-Year Plan for Maternity and Neonatal Care 2017–2024 Report”, which emphasises the importance of family-centred care. The petitioner compares that with the Scottish Government’s focus on clinical decision making. She states:

“The Scottish Government continues to cherry-pick the information contained in the report ... disregarding the”

parts of it that set out a vision of truly family-centred care. The submission also reiterates concerns about families not being listened to during the focus group sessions and in meetings with the Scottish Government.

Recess has taken place in the intervening period, but I know that our discussions with the minister on these matters are still fresh in our minds. In the light of that, do members have any suggestions as to how we might now proceed?

**Davy Russell:** I suggest that we write to the Minister for Public Health and Women’s Health, highlighting the areas of concern that remain outstanding as identified through the oral evidence and in the petitioner’s most recent submission.

**The Convener:** We discussed the evidence after the previous meeting, and we identified a number of areas of concern. I think that it is fair to the minister to say that she engaged directly with us on the issue, and she and some of the clinicians made a powerful case in some respects. However, areas of concern still remain for the committee. I think that those need and deserve to be pursued, so I am minded that the petition requires to stay open at present.

We have a little time in hand, and I see that Meghan Gallacher is with us this morning. Even though I have said that it might be less likely that other members are going to be called, is there anything that you would like to say, Meghan?

**Meghan Gallacher (Central Scotland) (Con):** I am very grateful, convener. I just want to convey my thanks to the committee for its work on this particular petition. I know from working with the families, and certainly from being part of the debates on the issue, how sensitive it is. However, that being said, there are still some real concerns that have not been addressed by the minister or by the Scottish Government. Some of those concerns have already been touched on, but I stress the concern about the number of beds, because that is a really important point and I have been trying to pursue it with the minister. At present, in neonatal wards, there is, for every 10 babies born, only one bed for parents to stay over. If the centralisation or

downgrading—however you want to term it—takes place, there is a risk that parents will not be able to stay close by their babies, who are very vulnerable and very sick. That is not the right care or the way in which we should be treating families who are in that difficult position. I ask the committee, please, to continue with the petition—for the sake of the families and of any families who need to use these vital services in the future.

11:15

The report also said that there could be between three and five specialised units. It is for the Scottish Government to explain why there are three, not five. If there were five, it would give families more reassurance about where they could go, should their babies need that specialised care.

I appreciate having the time for a short contribution.

**The Convener:** Thank you, Meghan. Colleagues, are we content to support Davy Russell’s recommendation that we keep the petition open and pull together the various outstanding themes into a submission to the minister?

**Members** indicated agreement.

### **Community Link Workers (PE2053)**

### **Private Ambulance Service Providers (Licensing and Inspection) (PE2078)**

### **Child and Adolescent Mental Health Services (High Schools) (PE2091)**

### **Abortion Services (Availability) (PE2126)**

### **Post-mastectomy Breast Reconstruction (Waiting Time Information and Funding) (PE2128)**

**The Convener:** We continue this morning’s meeting by considering a number of petitions that raise concerns and call for action on healthcare matters. Colleagues will remember that, on 24 September, we took evidence from the Cabinet Secretary for Health and Social on several themes. After the evidence session, the Cabinet Secretary for Health and Social Care followed up in writing to the committee on some outstanding issues.

This morning, we will consider the petitions that sit under the theme of capacity, skills and training. Then, we will consider a petition on the theme of post-Covid-19 impact and response. The committee has explored the specific issues that are raised in the petitions by seeking written evidence from stakeholders and ministers. The thematic issues were also explored in our recent oral evidence session with the cabinet secretary.

I will provide an overview of the evidence that we have received on each petition since it was last considered. We will then decide what action to take on those petitions.

PE2053, which was lodged by Peter Cawston on behalf of Scottish general practitioners at the deep end, calls on the Scottish Parliament to urge the Scottish Government to take action to ensure that the number and hours of current community link workers serving the poorest communities are not cut in the next financial year and to take binding steps to secure long-term funding for community link workers in GP practices across Scotland.

The petition was last considered in October 2024, ahead of the oral evidence session with the cabinet secretary. We wrote to the Scottish Government, and the response stated that the Scottish Government was exploring the potential to baseline the primary care improvement fund, via which most community link worker services are funded, starting from the 2026-27 financial year. The written response also confirmed that officials had begun a review of the CLW policy, overseen by the CLW advisory group, and that any changes arising from that two-year review would be introduced in a phased manner. In the evidence that he gave, the cabinet secretary confirmed that the review was still under way.

PE2078, which was lodged by Ryan McNaughton, calls on the Scottish Parliament to urge the Scottish Government to create a new body responsible for the inspection, assessment and licensing of private ambulance service providers or to encompass the clinical governance management of private companies in Scotland into Healthcare Improvement Scotland.

We last considered the petition in February last year, when we agreed to write to the Cabinet Secretary for Health and Social Care. In his response, the cabinet secretary stated that engagement with Healthcare Improvement Scotland and the scoping of relevant stakeholders began in 2024 but that it was paused and was due to resume in 2025. At the evidence session on the petition, he stated his understanding that the matter would go to public consultation in 2026, in the next parliamentary session.

PE2091, which was lodged by Kirsty Solman on behalf of Stand with Kyle Now, calls on the Scottish Parliament to urge the Scottish Government to provide funding to enable a child and adolescent mental health service support worker and a school nurse to be placed in our secondary schools. We considered the petition in April last year and agreed to write to the Minister for Social Care, Mental Wellbeing and Sport. The minister's response stated that, for the first time, the 18-week CAMHS standard had been met, with

90.6 per cent of children and young people starting treatment within 18 weeks of referral. The submission also highlighted the work that was under way that will create better cohesion between school nursing teams and associated services such as CAMHS.

PE2126, which was lodged by Gemma Clark, calls on the Scottish Parliament to urge the Scottish Government to ensure that abortion services are available up to the 24th week of pregnancy across all NHS health boards in Scotland. We last considered the petition in February last year and wrote to the Minister for Public Health and Women's Health.

The minister states that her expectation is for a service to be established within the national health service, but the Government is not unwilling to consider commissioning a non-NHS organisation to deliver it instead. The minister indicated that a number of private providers were contacted as part of the work of NHS National Services Scotland's national services division, but they indicated that they would not be able to host the service.

We received a submission from Abortion Rights Scotland, which strongly believes that such a service should be provided within the NHS, by NHS staff.

The petitioner states that, despite the minister's assurance, back in November 2025, that the Government was working with health boards to ensure that a service was to be implemented as swiftly as possible, no information about the recommended service model has been shared, and she remains concerned about a lack of transparency in the Government's approach to the matter.

PE2128, which was lodged by Christy Esslemont, calls on the Scottish Parliament to urge the Scottish Government to provide additional funding to reduce waiting times for post-mastectomy delayed breast reconstructions, to ensure that waiting time information is accurate and to assess whether the communications section of the waiting times guidance is being followed by health boards.

We last considered the petition on 19 February 2025, when we agreed to write to the Scottish Government. During the evidence session that we held with the Cabinet Secretary for Health and Social Care, he recognised the issue that had been raised by the petitioner and highlighted the demand for cancer treatment services. The cabinet secretary stated that the Scottish Government was working with relevant health boards to ensure the recruitment of specialist surgeons.

In respect of the petitions that I have just identified—PE2053, PE2078, PE2091, PE2126 and PE2128—do colleagues have any suggestions as to what we are now able to do?

**David Torrance:** In the light of the time that is left to the committee, I wonder whether we could consider closing the petitions under rule 15.7 of standing orders, on the basis that the committee has progressed the issues raised in the petitions as far as is possible in this parliamentary session and has raised relevant issues, as part of the thematic evidence session, with the Cabinet Secretary for Health and Social Care.

**The Convener:** Are colleagues agreed to that course of action?

**Members** indicated agreement.

**The Convener:** We thank all the petitioners for raising their issues with us. We have made greater progress on some than on others, but the time that is left to us in this session does not allow us to do more.

### **Airborne Infections (Health and Social Care Settings) (PE2071)**

**The Convener:** One issue that we discussed at the meeting that I referred to earlier sits rather apart, so I will discuss it separately. PE2071, which was lodged by Sally Witcher, calls on the Scottish Parliament to urge the Scottish Government to take action to protect people from airborne infections in health and social care settings—specifically, to improve air quality in health and social care settings through addressing ventilation, air filtration and sterilisation; to reintroduce routine mask wearing in those settings, particularly using respiratory masks; to reintroduce routine Covid testing; to ensure that staff manuals fully cover the prevention of airborne infection; to support ill staff to stay at home; and to provide public health information on the use of respiratory masks and high-efficiency particulate air—HEPA—filtration against airborne infections.

We last considered the petition on 5 March 2025, when we agreed to write to the Cabinet Secretary for Health and Social Care. In a response issued by the chief nursing officer directorate, the Scottish Government reiterated that it has no role in the development of the “National Infection Prevention and Control Manual”, or NIPCM, or the “Care Home Infection and Control Manual”, the CH NIPCM.

The petition notes that antimicrobial resistance and healthcare associated infection Scotland are the national clinical infection prevention and control experts, and it highlights the ARHAI’s response.

During the evidence session in September 2025, the cabinet secretary said that he would write to the committee with a timescale for publication of the infection prevention and control strategy. In his letter of 30 October, the cabinet secretary stated that a 10-year IPC strategic vision and priorities statement was being developed collaboratively by the Scottish Government’s IPC strategic development and oversight group by spring 2026.

In her most recent submission, the petitioner considers that the pandemic and its cumulative health impacts remain on-going and that that is being ignored by the Government. She notes that, this winter, the NHS has again been overwhelmed by airborne infection, and she argues that much of that could have been avoided had the actions and measures suggested in the petition been put in place. She adds that she can still find no evidence of expert input and quality assurance on infection prevention and control, and she questions the accuracy and completeness of ARHAI’s advice.

We have the petitioner’s further submission and the follow-up from the cabinet secretary, which confirms that the infection control strategy will be published by spring this year. Do colleagues have any views on what more we are able to do at this stage, given that the cabinet secretary’s letter says that a document will be published in spring 2026, which will be after the Parliament has dissolved?

**David Torrance:** In the light of the evidence before us and given that the document will be published after the parliamentary session has finished, I wonder whether we could close the petition under section 15.7 of standing orders but ask the petitioner whether he would like to bring the petition back in the new parliamentary session.

**The Convener:** I believe that the petitioner is with us in the public gallery today. The issues continue to be important, but, given the cabinet secretary’s response, I suspect that we can do nothing further in the time that is available to us. Do colleagues agree with the suggestion that the petition be resubmitted in the new parliamentary session but that we reluctantly close it at this point?

**Members** indicated agreement.

**The Convener:** I thank the petitioner for raising the issues, and I hope that they can be pursued when Parliament reassembles.

### **Defibrillators (Public Spaces and Workplaces) (PE1989)**

**The Convener:** We will move on to consider a number of petitions that raise concerns and call for action on issues that are related to emergency cardiac and stroke care. Since the last formal consideration of each of the petitions, the

committee has taken oral evidence from the Minister for Public Health and Women's Health on the themes that were raised across them. That session took place on 12 November 2025.

PE1989, which was lodged by Mary Montague, calls on the Scottish Parliament to urge the Scottish Government to support the provision of defibrillators in public spaces and workplaces. We last considered the petition on 7 May 2025, which was ahead of the evidence session. During oral evidence, the minister highlighted the importance of optimal defibrillator placement and pointed to the new PADmap tool, which shows the location of public access defibrillators and identifies the areas where defibrillators are most needed. The evidence session highlighted that the location, ease of access and continued upkeep of defibrillators are all important considerations, and the committee noted that there is a reliance on community fundraising and external sponsorship to provide and maintain public defibrillators. The issue of bystander confidence was raised during the evidence session with the minister, which highlighted the importance of engagement work with stakeholders through Save a life for Scotland.

The minister gave some interesting evidence about how deficiencies in the PADmap tool can be addressed, but she also gave some fairly structured arguments about why taking the blanket approach that defibrillators should be located in any one particular place might not prove to be appropriate. Do colleagues have any suggestions on how we might proceed in the light of the evidence that we heard?

**Maurice Golden:** My comments are very similar to those of Mr Torrance on the previous petition: we are at the stage where we have explored the issue as much as we can. I urge the petitioner to bring it back in the new parliamentary session, if she so wishes.

**The Convener:** Okay. We raised the matters with the minister, who supports some of the petition's aims, so it is a case of demonstrating progress.

Do colleagues support the recommendation?

**Members indicated agreement.**

### FAST Stroke Awareness Campaign (PE2048)

11:30

**The Convener:** The next continued petition is PE2048, which was lodged by James Anthony Bundy. It calls on the Scottish Parliament to urge the Scottish Government to increase awareness of the symptoms of stroke by reviewing its promotion of the FAST—face, arms, speech, time—

campaign and ensuring that stroke awareness campaigns include all the symptoms of a potential stroke. We previously considered the petition at our meeting on 25 February and agreed to write to the Minister for Public Health and Women's Health, NHS Fife, NHS Ayrshire and Arran, Chest Heart & Stroke Scotland, the Scottish Ambulance Service and the Chartered Institute of Marketing. The committee previously heard concerns, which are not universally shared, that moving from FAST to BE FAST—balance, eyes, face, arms, speech, time—could produce false positives and have a concerning impact on clinicians' ability to treat strokes.

A submission that was received from NHS Forth Valley mentioned a range of FAST stroke awareness initiatives that it has been supporting locally, and it highlighted that its emergency department has been using the BE FAST stroke assessment tool since early 2024. However, it underlined that it has not yet been able to undertake any formal evaluation of the impact of those initiatives.

At the evidence session in November, the minister, Jenni Minto, said that the Government

“will converse with the health board to understand what it is doing, where it is in the pilot and when we can expect the report.”—[Official Report, *Citizen Participation and Public Petitions Committee*, 12 November 2025; c 18.]

We found the minister's suggestion that the Government is keeping its current position under review quite encouraging, because that had not been expressed to us in writing. Additionally, we were impressed by the fact that the minister had been actively engaged with the issue and had met a number of the individuals concerned with the proposal.

The minister highlighted that, following a meeting with the petitioner, the Cabinet Secretary for Health and Social Care asked the stroke specialty adviser to the chief medical officer to review stroke awareness education for clinical staff. That led to the Scottish Government developing and funding an education package for general practices, emergency departments and the Scottish Ambulance Service that also covers the less common but important presentations of stroke, including symptoms relating to certain presentations of loss of balance and visual field defects—the B and E aspects of BE FAST.

This is another important petition that we have considered. Do colleagues have any comments or suggestions for action?

**David Torrance:** I thank the petitioner for submitting the petition. I believe that significant progress has been made by the Scottish Government, so I ask that the committee consider closing the petition under rule 15.7 of the standing

orders, on the basis that the committee has raised relevant issues as part of the thematic evidence□session□with the Minister for Public Health and Women's Health; that, following engagement with the petitioner, the Scottish Government funded a stroke education package for NHS staff, which also covers the less common presentations of stroke; and that the Scottish Government has committed to undertaking an assessment of NHS Forth Valley's use of BE FAST for stroke screening, to understand what learning can be applied to stroke awareness work more generally.□

In closing the petition, the committee could write to the Minister for Public Health and Women's Health to highlight the substantive work that has been undertaken by the committee on this and other relevant petitions.

**Fergus Ewing:** I support Mr Torrance's recommendation, but I add that the work that was done by NHS Forth Valley, which I think has been described as the best-performing health board in the area of stroke care, will inform further procedures with regard to whether FAST should be changed to BE FAST, *inter alia*. As I understand it, the relevant work on that began in October and will be completed fairly soon. It will then be open to the petitioner to review whether to lodge a new petition in the next session of Parliament, because I think that some of the achievements that you have described, convener, have come about as a result of the petitioner's efforts and the consideration of this committee. It is very much a developing story in terms of policy making in the next session of Parliament, I hope.

**The Convener:** We understand the issues that underpinned the submission of the petition in the first place—they are known to us in Parliament. Do members agree to proceed on the basis that has been outlined?

**Members indicated agreement.**

**The Convener:** We thank the petitioner for submitting the petition.

If I may return briefly to PE1989, for the avoidance of doubt, I assumed that, when Mr Golden said that his view on the petition was similar to Mr Torrance's, he meant that he was in favour of closing the petition. Are colleagues content with that proposal?

**Members indicated agreement.**

### Sudden Cardiac Death (PE2067)

**The Convener:** The next continued petition is PE2067, which is another one concerning an issue that is well known to the Parliament. It was lodged by Sharon Duncan following the death of her son and our colleague David Hill. It calls on the

Scottish Parliament to urge the Scottish Government to commission research to establish how many people aged 14-35 are affected by conditions that cause young sudden cardiac death; to clarify the number of people who die annually in Scotland from those conditions; and to set up a pilot study to establish if voluntary screening can reduce deaths.

We last considered the petition on 5 March 2025, when we agreed to write to the Cabinet Secretary for Health and Social Care and to the Italian embassy. We then took evidence from the Minister for Public Health and Women's Health on 12 November and agreed to consider the evidence at a future meeting.

The submission from the consulate general of Italy in Edinburgh highlights evidence of screening leading to an 89 per cent decrease in the incident rate of sudden cardiac death among young competitive athletes—a figure that I think the committee found quite compelling. The Scottish Government has reiterated that it adheres to UK National Screening Committee guidance in this area; the UK NSC evidence summary shows that international guidelines do not recommend population-level screening, although they support pre-participation screening in competitive athletes. We understand that the UK NSC considered the study highlighted by the consulate general of Italy in its 2019 review, and it is now conducting a new review of relevant evidence over the following three years.

At the evidence-taking session in November, the minister informed us that the 2025 Scottish cardiac audit programme has included

“data on inherited cardiac conditions for the first time”.

Additionally, we heard that work is on-going

“to develop a proof of concept for a sudden cardiac death registry”—[*Official Report, Citizen Participation and Public Petitions Committee*, 12 November 2025; c 3.],

with the aim of including preliminary data in next year's Scottish cardiac audit programme.

We also heard from the British Heart Foundation that it has funded clinical nurse specialist sudden cardiac death roles in order to expand and roll out a successful west of Scotland pilot to implement a new clinical pathway for sudden unexpected death, sudden cardiac death and out-of-hospital cardiac arrest. The aim is to achieve full national coverage by the end of the 24-month period, with progress being monitored throughout.

In the light of all that, do colleagues have any suggestions as to how we might proceed with the petition?

**David Torrance:** In the light of the evidence before us, I wonder whether the committee would

consider closing the petition under rule 15.7 of standing orders, on the basis that the committee has raised relevant issues as part of a thematic evidence session with the Minister for Public Health and Women's Health. Moreover, the most recent Scottish cardiac audit programme includes data on inherited cardiac conditions for the first time, and work is on-going to develop a proof of concept for a sudden cardiac death registry, with the aim of including preliminary data in next year's Scottish cardiac audit programme.

Finally, I note that the Scottish Government adheres to UK National Screening Committee guidance, and that the UK NCS will review relevant evidence over the next three years. In closing the petition, the committee could write to the Minister for Public Health and Women's Health to highlight the substantial work that has been undertaken by the committee on this and other relevant petitions.

**The Convener:** This is another painful petition that we have wrestled with over the lifetime of the Parliament, but, given the situation that we are in, do colleagues support the proposal?

**Fergus Ewing:** This is yet another tragic case, and I would just note the statistics on the number of people who lose their lives as a result of having heart attacks outwith hospital, how access to cardiopulmonary resuscitation and defibrillators massively increases the chance of survival, and how every minute without that treatment reduces the level of survival by a staggering 10 per cent. I just thought that I would mention that, given that 3,752 people's lives are at stake if they do not have such access.

I am quite sure that this issue will come back to our successor committee, and rightly so. The work that has been done has allowed a real focus to be put on the detail of the issues, which is to be welcome. I would just say that our hearts go out to the families involved in these cases.

**The Convener:** Yes, we thank Sharon Duncan and the rest of David Hill's family, including his father Rodger, and indeed all those who have so assiduously pursued the aims of the petition over the course of the parliamentary session.

**Fergus Ewing:** Mr Mundell has been particularly dogged in his pursuit.

**The Convener:** Are we content with the suggested course of action?

**Members** indicated agreement.

### Defibrillators (Schools) (PE2101)

**The Convener:** PE2101, on providing defibrillators for all primary and secondary schools in Scotland, was lodged by Peter Earl on behalf of Troqueer primary school.

We last considered the petition on 7 May 2025, when we agreed to invite the Minister for Public Health and Women's Health to give evidence.

During the oral evidence, the minister highlighted the importance of, as I said a short time ago, optimal defibrillator placement and pointed to the new PADmap tool, which shows the location of public access and identifies the areas where defibrillators are most needed.

The minister stated that, during a meeting with the First Minister and Rodger and Lesley Hill, the proposal in the petition was discussed. The DH9 Foundation, which is funded by Rodger and Lesley Hill, and the Save a Life for Scotland partnership subsequently recommended taking a data-driven and localised approach to increased defibrillator access.

The committee asked whether all children could be taught cardiopulmonary resuscitation in schools. The minister committed to discussing that with the Cabinet Secretary for Education and Skills.

Are there any suggestions as to how we might proceed?

**Davy Russell:** In the light of the evidence that we have received, I recommend that, under rule 15.7 of standing orders, the committee closes the petition on the basis that it has raised relevant issues as part of the thematic evidence session with the Minister for Public Health and Women's Health, who is the responsible minister.

Although there are potential benefits to providing schools with public access defibrillators, that might have a limited impact in some local authority areas. The Scottish Government supports using the strategic PADmap tool to ensure that pads are placed where they are most likely to be used.

In closing the petition, the committee could write to the Minister for Public Health and Women's Health to highlight the substantive work that the committee has undertaken on this and other relevant petitions.

**The Convener:** Thank you. I think that Mr Golden raised the location of schools during questioning.

**Maurice Golden:** Yes.

**The Convener:** A lot of schools are being built in out-of-town locations, so defibrillators would not necessarily be accessible to the local community in those circumstances. Therefore, they might not be the most appropriate place for a defibrillator to be sited.

Are colleagues content to agree with Mr Russell's recommendation?

*Members indicated agreement.*

### **Detainees in Custody (Access to Medication) (PE1900)**

**The Convener:** Our next petition is PE1900, which was lodged by Kevin John Lawson. It calls on the Scottish Parliament to urge the Scottish Government to ensure that all detainees in police custody can access their prescribed medication, including methadone, in line with existing relevant operational procedures and guidance.

We last considered the petition on 18 June 2025, when we agreed to write to the Minister for Drugs and Alcohol Policy and Sport. In her response, the minister indicates that the Government intends to commission another survey, similar to the rapid review that was conducted previously. That was scheduled to commence in late 2025. The minister added that NHS Grampian had confirmed that opioid replacement therapy was available at the Kittybrewster custody suite, with some logistical challenges being addressed to extend the service to the two remaining custody suites.

In his most recent submission, the petitioner, too, refers to logistical challenges, informing us that NHS Grampian is still not providing methadone to detainees who are in custody at Elgin and Fraserburgh. He also suggests that, at Kittybrewster, detainees do not receive methadone for the first 48 hours so those with a methadone prescription are instead given dihydrocodeine in the first 48 hours.

Do members have any comments or suggestions for action? There might still be time to do a little bit more with this petition. I suggest that we write to the Minister for Drugs and Alcohol Policy and Sport to highlight the petitioner's ongoing concerns about the issues in NHS Grampian and to request an update before the end of this parliamentary session on the findings of the most recent review, which was to be conducted towards the end of 2025. It seems that people are still having to wait for access to their prescribed medication. That is not what we understand is supposed to be happening, so we could challenge the Government on that in the time that is available to us.

Are our colleagues content to proceed on that basis?

**Fergus Ewing:** I strongly support that. The lack of response has been lamentable—woeful, actually—and not good enough. I very much endorse your recommendation, convener.

I truly hope that bodies will respond to the committee more timeously in future, in the next session of Parliament, and that, if they do not, they will be named and called out, because it is not fair to the petitioners that, when they come to us to be their voice, they do not get reasonably prompt, detailed and relevant answers. That has been too frequent an occurrence in this session of Parliament.

**The Convener:** On this occasion, action that was supposed to be taking place is still yet to happen.

**Davy Russell:** Another thing is Police Scotland's involvement, since the detainees are held on their premises. It might be worth while—

**The Convener:** It would be dangerous for us to broaden the scope of our inquiry at this stage, but we should very much focus on getting results from the issues that we have made progress on. Given that the review took place at the end of the year, there is still a chance for us to get further commitment before the Parliament dissolves. Are we content to proceed on that basis?

*Members indicated agreement.*

### **Local Participation in Planning Decisions (PE2075)**

11:45

**The Convener:** PE2075, which was lodged by Stewart Noble on behalf of Helensburgh community council, calls on the Scottish Parliament to urge the Scottish Government to prioritise local participation in planning decisions that affect their area by providing a clear and unambiguous definition of the word "local" in so far as it applies to planning legislation; giving decision-making powers to community councils for planning applications in their local areas; and ensuring that the way that decisions and planning applications are taken is compatible with the provisions and ethos of the Community Empowerment (Scotland) Act 2015.

We last considered the petition on 19 March, when we agreed to write to the Scottish Government. The Government's response highlights the statutory position of community councils as it is set out in the 2015 act, which is that they are consultees on matters that affect the area of representation, rather than statutory decision takers. The Scottish Government argues that extending the definition of "planning authority" to include community councils for certain applications would fundamentally change the role of those councils and their relationship with the communities that they represent. In the Government's view, that could potentially reduce opportunity for community participation in the

planning system, contrary to the spirit, aims and intentions of the 2015 act.

The Government adds that its democracy matters process, which involves designing more empowered community decision-making processes, will move to the implementation phase early in the next parliamentary session.

Regarding the committee's request for the Scottish Government's view on devolving planning application decisions to the relevant local area committee, the response highlights the fact that existing planning legislation does not prevent a planning authority from adopting such an approach for most applications; it would therefore be an operational matter for the relevant planning authorities to consider.

The petitioner's additional submission highlights a less than satisfactory experience in his local area, although I note that the committee's focus when discussing petitions must be on national policy issues.

Do members have any suggestions or comments on how we might proceed?

**David Torrance:** In the light of evidence from the Scottish Government, I wonder whether the committee will consider closing the petition under rule 15.7 of standard orders, on the basis that the Scottish Government does not believe that extending planning decision-making powers to community councils is compatible with the role and aims of the Community Empowerment (Scotland) Act 2015. Existing legislation allows for decisions on planning applications to be made by relevant local area committees, and such an approach is an operational matter for individual local authorities. The committee has pursued the aims of the petition as far as is possible in the current parliamentary session.

**The Convener:** Are members content to close the petition?

**Members** indicated agreement.

**The Convener:** We thank the petitioner.

## New Petitions

11:48

**The Convener:** Item 4 is the consideration of new petitions.

Before I introduce the first of our new petitions, I begin, as I always do, by noting that the Scottish Government is invited to express a view on new petitions and that we ask the Scottish Parliament information centre—the Scottish Parliament's independent research service—to bottom out issues that are raised in the petitions that are before us.

As I explained earlier in the meeting, the committee's current focus is to identify issues that we feel that we can make significant progress on before the end of the parliamentary session. There are only six meetings of the committee left, and the agenda for most of them is already set.

### Grooming Gangs (PE2190)

**The Convener:** The first of the new petitions is on an important public policy matter that is in the eye of the public at present. PE2190, which was lodged by Mandy McGurk, calls on the Scottish Parliament to commission an independent grooming gang inquiry to identify and understand the prevalence of child grooming in Scotland.

In its response to the petition, the Scottish Government states that it is prepared to give every consideration to an inquiry if it is deemed to be necessary. The response highlights the national child sexual abuse and exploitation strategic group, which brings together key services and expert stakeholders. The submission notes that there is currently no comprehensive national data on the prevalence of child abuse in Scotland. Therefore, the Scottish Government is working to address that.

To review its operations and response to the issue, Police Scotland has taken forward a series of actions such as creating a timeline of action on child sexual exploitation since 2012.

After the Scottish Government issued its initial response to the petition, it announced that an independent national review of responses to group-based child sexual abuse and exploitation would take place. The review has begun, and ministers plan to update the Parliament more fully on the review by the end of February. Additionally, the Scottish Government has announced financial investment and support for victims and families who are impacted by sexual offending; access to training for professionals; and improvements to Police Scotland's forensic capabilities.

Clearly, important issues are raised in the petition.

**David Torrance:** I wonder whether the committee would consider keeping the petition open and writing to the Cabinet Secretary for Education and Skills to ask whether a February update on the work of a national review group will include a decision on whether to launch an inquiry into group-based child sexual abuse and exploitation.

**The Convener:** We could seek to achieve that in the time that remains to us. Depending on the outcome, we might feel that the petition requires a lot of work ahead, so it could be part of the legacy document that we leave to the next committee.

Do colleagues agree to keep the petition open and write to the cabinet secretary on that basis?

**Members** indicated agreement.

### Early Sexual Offences (PE2196)

**The Convener:** PE2196, which was lodged by Leanne Kelly on behalf of the root the rot campaign, calls on the Scottish Parliament to act on early sexual offending in young people and to prevent future offending by taking tougher action on gateway offences such as unsolicited sexual images and peer assaults; educating young people at school about consent and online harms; creating a culture of parental accountability; introducing a youth monitoring register for offences committed by young people; and providing real support for victims of all sexual offences.

The Scottish Government's response to the petition sets out frameworks and approaches that aim to address the issues that are raised in the petition. The frameworks and approaches include the equally safe programme, which focuses on gender-based violence; bairn's hoose, which provides a child-centred approach to delivering justice care and recovery for children; mentors in violence prevention, which is a peer mentoring programme in secondary schools; and the Parent Club website, which provides online information to parents. The Scottish Government states that it has no intention of introducing a youth monitoring register.

The petitioner has provided two written submissions to the committee. She states that the petition addresses a critical gap in the response to early offending in Scotland, where non-contact offences are minimised, interventions are delayed and parental accountability is inconsistent. The petitioner's second written submission states that, although the Scottish Government has outlined relevant frameworks, it has not demonstrated that those measures prevent sexual harm in practice. The submission provides a number of illustrative

examples for our consideration. The petitioner concludes by stating that, when early sexual offending by adults or children is minimised, escalation is not an accident but a predictable outcome.

Do members have any comments or suggestions for action?

**David Torrance:** Time is short for the committee, but I would like to keep the petition open. In the light of the petitioner's on-going concerns, will the committee consider writing to the Scottish Government to ask in what ways it is assessing the effectiveness of the preventive measures that are currently in place and what more can be done to improve them?

**Fergus Ewing:** I very much endorse that approach, especially as the petitioner has outlined her pretty horrible experience. This is a relatively modern crime that has become a thing over the past few years, and I have increasing concern that, although it might not start off as too serious, it can very rapidly ruin people's lives and even cause them to take their own lives, as has been the case in some of the circumstances that I have read about. It is a newish and alarming development in the sad history of sexual offences, so I very much want to hear the Scottish Government's thoughts about how it can be tackled. We might also ask the Lord Advocate to offer advice about such matters.

**The Convener:** Do colleagues agree that we should take those actions forward?

**Members** indicated agreement.

**The Convener:** That brings us to the end of our session in public. On Wednesday 21 January, the second meeting of 2026—an additional meeting of the committee, as colleagues will be aware—will take place.

11:54

*Meeting continued in private until 11.59.*

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