



OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Citizen Participation and Public Petitions Committee

Wednesday 11 February 2026

Session 6



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CITIZEN PARTICIPATION AND PUBLIC PETITIONS COMMITTEE

4th 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)

CLERK TO THE COMMITTEE

Jyoti Chandola

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Citizen Participation and Public Petitions Committee

Wednesday 11 February 2026

[The Convener opened the meeting at 09:30]

Continued Petitions

The Convener (Jackson Carlaw): Good morning, and welcome to the fourth meeting of the Citizen Participation and Public Petitions Committee in 2026. Time and tide wait for no one: this is the third-to-last meeting of the committee, after which there are just two meetings ahead of us in this parliamentary session.

Before we get into the substance of this morning's meeting, I would like to offer a correction to the official record. At our last meeting, it was noted that the Children and Young People's Commissioner Scotland had not provided a response to PE2139, and I was very trenchant in my criticism of that omission. However, following the meeting, the clerks became aware that a response had, indeed, been provided. It was an administrative error, and I have written to the commissioner on behalf of the committee apologising. The commissioner's response had not been processed or provided to the committee in advance of that meeting; however, the petition will be scheduled for a future committee meeting at which we will be able to consider the evidence from the Children and Young People's Commissioner Scotland, which will contribute to our understanding of the issues.

Agenda item 1 is the consideration of continued petitions. I highlight to those who are joining us, whether they are online or in the room, that, given that we now have only today plus two additional meetings of the committee, one of which will be used to consider our legacy report, there is very little that the committee can actively do in relation to petitions, notwithstanding their merit. In some cases, it may well be that the issues that a petition addresses have been explored to the extent that we can offer in this session of Parliament. In others, it may well be that insufficient time has been left for us to explore the issues fully and that the best course of action is for a fresh petition to be brought back in the next parliamentary session. I say that because, if a petition is kept open—we will plan to hold open a very small number—and our successor committee then chooses to close it, the issue that the petition raises cannot be brought back again for 12 months, under the rules of the petition system. For some petitions that are at an early stage, it is better that we close them and that

a fresh petition be lodged immediately in the new session of Parliament. That is the best advice that we as a committee can offer.

That brings us to a series of petitions on the overall theme of energy. We took extensive oral evidence on them and the various issues that they raised on 14 January this year from the Cabinet Secretary for Climate Action and Energy, Gillian Martin MSP. The themes that we considered were community engagement and input on energy projects, about which there was a lot of interesting discussion and acceptance from the cabinet secretary; the cumulative environmental impact of developments and strategic oversight; and the interaction between the Scottish and United Kingdom Governments in relation to policies on energy. After the evidence session, the cabinet secretary followed up in writing to the committee on a number of the outstanding issues that were raised in that discussion. All of that, sadly, means that I will have to speak at some length this morning, as I will give a preamble to each of those petitions in order to ensure that the record is completely up to date in terms of where we think we are.

Onshore Wind Farms (Planning Decisions) (PE1864)

The Convener: We now move to the first of those petitions. Alexander Burnett MSP is attending to observe our discussion of this petition as he has an interest in it. It is lodged by Aileen Jackson on behalf of Scotland Against Spin and calls on the Scottish Parliament to urge the Scottish Government to increase the ability of communities to influence planning decisions for onshore wind farms by adopting English planning legislation for the determination of onshore wind farm developments, empowering local authorities to ensure that local communities are given sufficient professional help to engage in the planning process, and appointing an independent advocate to ensure that local participants are not bullied and intimidated during public inquiries.

We last considered the petition on 10 September 2025, when we agreed to invite the Cabinet Secretary for Climate Action and Energy to provide evidence, as happened on 14 January this year.

On 30 December 2025, the Scottish Government published a consultation seeking views on increasing the 50MW threshold that determines whether applications for onshore electricity generating stations are decided by the Scottish ministers or by the relevant planning authority.

The Cabinet Secretary for Climate Action and Energy has indicated to the committee that the Planning and Infrastructure Act 2025 confers new

regulation-making powers on the Scottish ministers regarding making community engagement mandatory. In light of that, the Scottish Government intends to consult all stakeholders, including communities, to assess exactly what mandatory community engagement should look like in practice.

The cabinet secretary suggested during the evidence session, and reiterated during stage 3 consideration of the Natural Environment (Scotland) Bill, that work on revising the Scottish Government's good practice principles for energy developments was under way. During those stage 3 proceedings, she added that she has instructed her officials to plan a series of targeted public engagements as part of that work, in order for the Government to hear directly from communities.

Additionally, we have heard that, in cases where applications are objected to by the planning authorities, an appointed reporter can decide to hear representations from any persons, as appropriate. Although the petitioner, Aileen Jackson, agrees that reporters may be trying their best to level the playing field, she remains concerned that third parties will continue needing more support in order to be on equal terms with developers.

A written submission in support of the petition sent by our colleague Finlay Carson is included in members' papers.

Do members have any comments or suggestions for action?

David Torrance (Kirkcaldy) (SNP): In light of that evidence, and the evidence from the cabinet secretary, I wonder whether the committee might consider closing the petition under rule 15.7 of standing orders, on the basis that the Scottish Government is currently consulting on increasing the 50MW threshold that determines who should decide on applications for onshore electricity generating stations and because the reporter in charge of examining applications that are objected to by planning authorities may decide to hear representations from any persons, as appropriate. Also, the Cabinet Secretary for Climate Action and Energy has indicated that work to update existing good practice guidance is under way and the committee has raised the relevant issues as part of its thematic evidence session with the cabinet secretary.

In closing the petition, we could advise the petitioner that she could bring a fresh petition to the next session of Parliament if sufficient progress is not made.

The Convener: Do colleagues have any comments?

Fergus Ewing (Inverness and Nairn) (Ind): I concur with Mr Torrance's proposal. As far as I can glean, the issue is important to a great many people, particularly in the Highlands, the south of Scotland and the north-east. I know from attending a convention of community councils on 12 August last year that feelings are running high and that some people who were formerly very much in favour of renewables have become disenchanted because they feel that their voices are not being heard or listened to and that anything their community council says will be ignored and overturned by the Scottish Government. That is how I see the situation. It is unfortunate.

My only other point is that, in the absence of an energy policy, we are left with basic questions such as how much wind is enough, how much is too much and what a balanced electricity grid should be comprised of in order to secure continuity of supply and to avoid blackouts or overreliance on foreign imports from interconnectors or on the importation of fracked gas from the USA or Qatar.

None of those questions can be answered until there is an energy policy and there is therefore an overriding need for the next Government, whoever is in government, to bring such a policy forward. As I understand it, the energy policy was promised in 2022, but Gillian Martin, who is sincere and diligent in the work that she is doing, now says that it will be 2027 before that policy will exist. Why will that take five years? I do not feel that that can readily be justified to people out there, no matter how complex it is and no matter how many factors and problems there are along the way. It is for Governments to govern and lead, but that does not seem to me to have been happening.

The Convener: The issues have been properly explored during this parliamentary session, but they have not necessarily been resolved. The petition has probably taken them as far as it can, but I am sure that a fresh petition in the next parliamentary session will seek to address the position and it will relate more directly to the issues at hand as the session unfolds. Are we therefore content to support Mr Torrance's proposal?

Members indicated agreement.

Wind Farms (Community Shared Ownership) (PE1885)

09:40

The Convener: PE1885, which was lodged by Karen Murphy, calls on the Parliament to urge the Scottish Government to make community shared ownership a mandatory requirement to be offered as part of all planning proposals for wind farm development. The petition was last considered on

2 April 2025, when we agreed to write to the Acting Minister for Climate Action and Scottish and Southern Energy Networks.

As the committee has discussed previously, the power to mandate shared ownership lies with the UK Government under reserved powers, although in an additional submission the petitioner rejects that position and argues that the Scottish Government could, in practice, make shared ownership mandatory.

In May 2025, the committee received a written response from the Acting Minister for Climate Action that stated that the Scottish Government was encouraging developers to offer shared ownership opportunities as standard on all new onshore renewable energy projects, including repowering and extensions of existing projects. More recently, we heard from the Cabinet Secretary for Climate Action and Energy that there is high demand for grants and assistance under the community and renewable energy schemes. She also pointed to a number of projects to do with shared ownership, including energy repowering opportunities for Forestry and Land Scotland.

We also heard from the cabinet secretary that she engages regularly with the UK energy minister on the issue and that, as a result, the Scottish Government secured funding to augment the capacity of Community Energy Scotland through GB Energy.

Do colleagues have any suggestions on how we proceed on the petition?

David Torrance: In light of the evidence that the committee has collected, will the committee consider closing the petition under rule 15.7 of standard orders, on the basis that the Scottish Government's position is that powers to mandate community benefits and shared ownership are reserved to the UK Government?

The Cabinet Secretary for Climate Action and Energy has indicated her engagement with the UK Government on mandating community benefits and facilitating shared ownership. The Scottish Government has highlighted a number of initiatives to encourage developers to offer shared ownership opportunities, and the committee has raised relevant issues as part of a thematic evidence session with the cabinet secretary.

The Convener: In light of that, there is nothing else that we can do in the time that is left to us.

Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab): This is still one of the most commonsense suggestions. Local communities that have wind farms and even solar on their doorstep have to suffer the consequences, whether it is to scenic views or whatever, so I

agree that they should have a say in what happens and a share of the profits.

The Convener: Thank you, Mr Russell. That was a ringing endorsement of the petitioner's ask.

Fergus Ewing: Yes, that is correct. I do not want to hark back to archaeology, but, when I was energy minister, we used voluntary powers to ensure that communities could obtain a stake in ownership, not just an annual cheque. We did that through the renewable energy investment fund, which levered in private capital through various lenders. The loans were repaid from the income stream of the operation of wind farms and also hydro and some other schemes.

That scheme was voluntary and, although the Scottish Government does not have the power to mandate it, we were nonetheless hitherto able to operate a voluntary scheme. Despite the good will of Gillian Martin, which I do not doubt in any way, it seems to me that we have had five wasted years. Moreover, had there been a continuation of the scheme that I set up during my time, some of the objections—not all, but some—would have been less trenchant and there would have been more support, because people would have been able to see that there would be a legacy for their children and grandchildren to help with their education and development from the money from the wind farms.

That has happened in the Western Isles more than anywhere else, and perhaps also in Fintry but, by and large, opportunities have passed by and I am afraid to say that these have been five wasted years.

The Convener: With that valedictory, are members content to close the petition?

Members indicated agreement.

The Convener: This is another issue that I suspect that the Parliament will discuss again.

Energy Infrastructure Projects (Public Consultation (PE2095))

09:45

The Convener: The next petition is PE2095, lodged by Margaret Tracey Smith, which calls on the Scottish Parliament to urge the Scottish Government to review and seek to update section 3.2 of "Energy Consents Unit: Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989"—that was a mouthful—to address the concerns of communities about the lack of meaningful, responsible and robust voluntary and pre-application consultation by transmission operators on energy infrastructure projects. The petition also calls for all available levers to be explored to strengthen community liaison and public

participation during the lifecycle of energy infrastructure projects.

We last considered the petition on 4 June 2025, when we agreed to write to the Scottish Government. As with PE1864, I reiterate what we heard from the Cabinet Secretary for Climate Action and Energy on 14 January, which was that, in light of the Planning and Infrastructure Act 2025, the Scottish Government is working on a consultation with stakeholders, including communities, to discuss issues that relate to community engagement and community consultation so that the process can be improved.

We have also already heard about work that is in progress to update the Government's good practice principles for community benefits from onshore renewable energy developments. As was suggested earlier, the Government also champions the reporter-led examination process that was introduced by the Planning and Infrastructure Act 2025 for when a planning authority objects to an application in a specified timeframe. Under that procedure, the reporter may decide that it is appropriate to hold a meeting to engage with interested parties regarding their views.

Do members have any comments or suggestions for action?

David Torrance: Would the committee consider closing the petition under rule 15.7 of standing orders on the basis that the Cabinet Secretary for Climate Action and Energy has indicated that work to update existing good practice guidance is under way; that the reporter who is in charge of examining applications that are objected to by planning authorities may decide to hear representations from any person as appropriate; and that the committee has raised relevant issues as part of its thematic evidence session with the Cabinet Secretary for Climate Action and Energy?

I also suggest highlighting to the petitioner that, if they do not feel that significant progress is made, they can submit a new petition in the next session of the Parliament.

The Convener: Are colleagues content to do that?

Members *indicated agreement.*

Pump Storage Hydro Schemes (Impact on Salmon) (PE2109)

The Convener: The next petition is PE2109, lodged by Brian Shaw—I think that Mr Shaw is in the public gallery this morning—on behalf of the Ness District Salmon Fishery Board, which calls on the Scottish Parliament to urge the Scottish Government to create a moratorium on any further development of pump storage hydro operations on

Scottish lochs that hold wild Atlantic salmon until the impact of such developments on wild Atlantic salmon migrations is understood. We last considered the petition on 10 September 2025, at which point we agreed to write to the Scottish Environment Protection Agency, NatureScot and the Cabinet Secretary for Climate Action and Energy.

From the written submissions that we received, we found out that, under current regulations, SEPA has a duty to assess the risk to the water environment when assessing a proposed development, including any effects that are cumulative with other activities. Should it consider that a proposal is likely to have a significant adverse impact on the water environment, SEPA may not grant authorisation unless certain conditions are met. Those conditions include requiring that the benefits to sustainable development outweigh the benefits of protecting the status of the water environment; that all practicable steps are taken to mitigate the adverse impacts of the proposed activities; and that the benefits that are expected to be gained from the regulated activities are not achievable by significantly better means.

During the evidence session on 14 January, to which I have already regularly referred, we also heard that SEPA is currently doing some exploration work on the interaction of pump hydro storage with watercourses. The Cabinet Secretary for Climate Action and Energy's belief was that SEPA would consult on developing guidance for considering the cumulative impact of pump storage hydro on fish.

The Parliament recently considered several relevant stage 3 amendments to the Natural Environment (Scotland) Bill. One such amendment called for the introduction of energy planning impact assessments to assess the cumulative impact of energy infrastructure developments on the environment and biodiversity. Another amendment called for a moratorium on major energy infrastructure applications until the Scottish Government publishes a national energy strategy—which Mr Ewing referred to a moment ago—that considers the impact of energy infrastructure on the natural environment.

The Government's view was that frameworks for assessing the impacts of energy infrastructure proposals on the environment are already in place, and that statutory consultees such as NatureScot and SEPA will provide advice on potential impacts of developments on the natural environment. The Parliament voted against the relevant amendments before passing the bill.

Some of the issues reached the chamber for debate. Do colleagues have any suggestions on how we might proceed?

Maurice Golden (North East Scotland) (Con):

Unfortunately, as we have experienced a number of times over the past decade, the will of the Parliament sometimes overrules our personal views. In this case, the Parliament has spoken. Often, we hear only from the Scottish Government, but when it comes to this petition, it is beneficial that much of what the petitioner suggested has been duly debated and voted on by the Parliament. Unfortunately for the petitioner, members came down against much of what he suggested.

As a result, the committee has no choice but to close the petition under rule 15.7 of standing orders, on the basis that amendments to the Natural Environment (Scotland) Bill that relate to the petition's asks have been debated. Additionally, under current regulations, SEPA must assess the risk to the water environment, including the cumulative effects of other activities, when deciding whether to authorise a proposed development. SEPA may not grant authorisation if it considers that a proposal is likely to have a significantly adverse impact on the water environment, unless certain conditions are met.

I appreciate that the decision-making process could undoubtedly be up for debate, but, nonetheless, SEPA is responsible for that. Unfortunately, the committee has done as much as it can with respect to the issue.

Fergus Ewing: I concur with Mr Golden's recommendation and analysis. Mr Shaw has done a service by raising the issue, because it is extremely important. As he said in his initial submission back in June 2024, there has been a "tsunami of interest" in pump storage schemes—a plethora of schemes—particularly around Loch Ness. The Ness District Salmon Fishery Board submission supplemented the petitioner's concerns by stating that although there have been pump storage schemes in Scotland before—Cruachan, Foyers and so on—there has not been one for a long time. Therefore, there is a lack of research on their impact on wild salmon. That is a concern, as the Ness board has expressed. I do not know the current situation, but I stress that, although SEPA has a role, which is possibly to be welcomed, the board has not had any communication with SEPA about its particular interests.

Although we are closing the petition, all the developers need to take a co-ordinated approach. Highland Council needs to be more empowered, rather than leaving the matter solely to SEPA, which has its own particular interests. The Glen Earrach project commissioned a study into the

issue, which involved tagging 200 wild Ness smolts. According to the Ness board, that research was not made public, which does not sound particularly transparent or, in any way, adequate. In giving voice to the interests of the wild salmon sector—it is one of many sectors that are involved, but it is the one that we have focused on and that the petitioner raised—I have absolutely no doubt that the issue will run and run.

Ah hae ma doots as to whether SEPA can really be wholly entrusted with such matters, because it is not accountable to anybody; it is not a democratic body, as Highland Council is. It would be far better if the councillors were given proper powers to demand a cumulative impact study of all the proposals for Loch Ness. More and more, that is the argument that I hear from local constituents and those with a particular interest and knowledge of the topic. Most of the people with the knowledge tend to be in the Highlands.

The Convener: Accountability of organisations such as SEPA and NatureScot has been a recurrent theme during the Parliament's consideration of a number of petitions. There is no option but to close this petition at the moment, notwithstanding the efforts of Mr Shaw, because supposedly there is something in place. However, whether that proves to address the issue may well be the subject of fresh discussion in the next session of Parliament. I am pretty sure that there will be an opportunity with a fresh petition—I should say with a "new" petition, given that we are talking about freshwater—to explore the issues further in that next parliamentary session. We thank the petitioner very much, but that is the position that we are in at this stage in the session.

Do colleagues agree to support Mr Golden's proposal to close the petition?

Members indicated agreement.

Battery Energy Storage Systems (Planning Advice) (PE2157)

The Convener: PE2157, which was lodged by Ben Morse on behalf of Cockenzie and Port Seton Community Council, calls on the Scottish Government to update the advice for planning authorities on the consideration of energy storage applications and to ensure that clear guidance is included in it on the locating of battery energy storage systems—BESS—by setting out a minimum baseline level of practice for location and proximity in relation to residential properties, public buildings and community amenities. We last considered the petition on 10 September 2025.

Members may recall that the Scottish Government had commissioned guidance to support planning authorities in considering BESS applications. The written response that we

received from the Minister for Public Finance notes the expectation that that guidance will be published “this winter”—so the Government had better get a move on. More recent correspondence from the Cabinet Secretary for Climate Action and Energy states that that work “is well underway”—a popular euphemism. The cabinet secretary further highlights that the Scottish Government will publish a call for evidence on BESS later in 2026, in order to help inform a future policy statement on the technology. She adds that, so far, the role of BESS in Scotland’s energy system has been quite small, with only 0.5GW currently operational.

The petitioner argues in an additional submission that Scotland is over capacity for BESS, and he believes that that

“demonstrates a fundamental breakdown in the process and the commercial and grid realities are becoming the only checks and balances”,

instead of a place-based planning approach being followed.

I believe that the petitioner might be with us in the gallery this morning. I declare an interest in that my constituency and the neighbouring constituency have been bedevilled by unwanted applications of this nature in totally unsuitable locations. The absence of a proper planning framework has been a matter of huge local public concern.

All that said, I do not know that there is much more that we can do in this session of Parliament. I definitely hope that the petition will come back for fresh discussion. Even if the work is “well underway”, it is not well enough under way for us to be able to consider its outcome in this session. I very much hope that it will be considered by the next Parliament.

Do colleagues have any comments, suggestions or reactions?

David Torrance: I share your sentiments, convener. It is with regret that I have to ask the committee to close the petition under rule 15.7 of standing orders, on the basis that the Cabinet Secretary for Climate Action and Energy has suggested that the work that has been commissioned to produce planning guidance for battery energy storage systems is still under way. The Scottish Government intends to publish a call for evidence on battery energy storage systems later in 2026 to inform the future policy statement on the technology. In addition, the committee has raised the relevant issues as part of its thematic evidence session with the Cabinet Secretary for Climate Action and Energy.

In closing the petition, I highlight to the petitioner that, if significant progress has not been made by

the Scottish Government, he can bring a fresh petition in the next session of Parliament.

Fergus Ewing: I join you, convener, in expressing concern about the large number of applications in this area along with a lack of guidance and lack of an energy policy. We have no idea what the Scottish Government thinks is the role—if any—of battery energy storage. There is a mini-Klondike going on at the moment—a sort of free-for-all. In the absence of guidance, it is very difficult for councillors; many councillors in Highland Council have pled for there to be guidance—not just in the last wee while but over a long period.

Winter is nearly over and spring seemed to be in the air yesterday, so where is the guidance? Are we going to get it before the recess? I would be very interested to know that, and perhaps we can ask Gillian Martin for the answer. After all, if we do not get the guidance, the uncertainty will carry on for another year. My recollection is that the Klondike gold rush in north-west Canada lasted for only a relatively few years until natural events brought it to a close and the gold was exhausted.

Therefore, I agree with the recommendation to close the petition, but perhaps we can also clarify with the cabinet secretary whether the guidance will be issued before recess. I certainly think that it should be.

10:00

The Convener: We certainly could do that in closing the petition. I am not reassured by what has been offered to me as a reassurance, which is that there are far more applications than are needed and that a lot of the proposals will not proceed, despite having been given planning consent. That seems to me to be the wrong way round; instead, we should be establishing what the need is in the first instance and having a planning process that authorises that need instead of having some speculative approach.

I met a constituent who was quite evangelical in their support of battery energy storage systems that are in the correct place and are deployed in the correct way. For me, though, it remains a technology that I would like to know a little bit more about. In the hope that the petition will come back to us in the next parliamentary session—*[Interruption.]* Did you want to come in, Mr Golden?

Maurice Golden: I just wanted to make an additional comment. I agree with the previous comments, but there is a concern that a moratorium on battery energy storage systems might be announced in the next session of Parliament. We had a similar moratorium on incineration facilities earlier this session, after which incineration capacity in Scotland doubled

and, indeed, is set to increase even more. Once planning consent is given in this area, it will be extremely difficult for any Government, no matter what statement is made, to withdraw that consent without undermining Scotland's entire planning system. As a result, the lack of an energy strategy, which has already been highlighted, the lack of guidance in this particular area, and—as we have seen across many petitions—the lack of meaningful community engagement or local empowerment are ultimately detrimental to many communities throughout Scotland, and they are aghast at what is happening.

The Convener: There were quite a lot of additional comments. However, notwithstanding that, I think that we are minded to support Mr Torrance's suggestion. We also thank the petitioner, in the hope that the issue will be properly explored in the next session of Parliament.

In so doing, we will seek to write to the cabinet secretary, urging that clarity be given with regard to the publication, sooner rather than later, of the guidance to which she refers and which will facilitate councils' consideration of these matters.

Do members agree with those suggestions?

Members indicated agreement.

Hydrogen from Fresh Water (PE2159)

The Convener: PE2159, which was lodged by David Mackay on behalf of Innes community council, calls on the Parliament to urge the Scottish Government to place a moratorium on the production of hydrogen from fresh water until scientific studies are undertaken to understand the impact on the environment, local economies and society.

We last considered the petition on 24 September 2025, when we agreed to write to the Cabinet Secretary for Climate Action and Energy and the Scottish Environment Protection Agency. The written response from the cabinet secretary reiterates that, in the first instance, it falls to the relevant planning authority to consider whether a proposed development requires an environmental impact assessment—an EIA—to be undertaken.

SEPA notes that it assesses applications using the most current environmental standards, considering the capacity of the water body to support the proposed abstraction. As we have heard in relation to PE2109, in determining an application for authorisation, SEPA must assess the risk posed by the proposed development to the water environment, including cumulative effects with other activities.

In relation to concerns about water scarcity, SEPA highlights that it has exercised its regulatory

powers to restrict or suspend abstractions in affected areas, including in relation to hydrogen productions. The response adds that new permits could impose stricter conditions, including earlier cessation of abstraction during dry periods and adaptive management clauses in response to changing environmental conditions.

The amendments to the Natural Environment (Scotland) Bill that related to the impact of developments on the environment, which I mentioned earlier in relation to PE2109, are also relevant to this petition. I reiterate that the Parliament considered them at stage 3 but, ultimately voted against them.

Do members have any comments or suggestions for action?

David Torrance: In the light of the evidence that is before us and the decision taken by Parliament, the committee should consider closing the petition under rule 15.7 of standing orders, on the basis that the relevant planning authority must consider whether a proposed development requires an environmental impact assessment; that, under existing regulations, SEPA must assess the risk that is posed to the water environment by a proposed development, including cumulative effects with other activities; that SEPA has stated that it has restricted or suspended abstractions in areas that are affected by water scarcity, and that new permits may include stricter conditions; that the Scottish Parliament debated broader amendments related to the petition as part of its consideration of the Natural Environment (Scotland) Bill; and that the committee has raised relevant issues as part of a thematic evidence session with the Cabinet Secretary for Climate Action and Energy.

The Convener: It is an important issue that has been discussed and raised with the cabinet secretary and that ended up being discussed in the chamber.

Fergus Ewing: We do not have any option but to close the petition, so I concur with the recommendation. We heard compelling evidence from Edward Mountain, who has particular knowledge on the issue, and I think that it is common knowledge that water has been in scarce supply in many parts of Scotland—so much so that some distilleries in the north-east have had to stop operating.

There was a little sub-plot in which Mr Mountain's figures were challenged by the minister. I will not seek to be a referee on the outcome of that, but there are very well-founded concerns that there are many existing water uses—including for agriculture, distilleries and potable water for humans—and that supplies are getting very low all too frequently.

The petitioner, in responding to the Government's reply on 13 November, made a number of strong points, all of which point to a certain complacency by SEPA on the issue and a lack of closeness to some of the local issues. I will not go into those, but they are referred to by the petitioner and relate to the particular crunch points where there is a lack of supply.

Yet again, the lack of a strategy on the place of hydrogen in the overall picture means that local authorities and communities feel a bit powerless in the face of such applications and think that they will go ahead regardless. This is another of those issues that will run and run, rather like "The Mousetrap" play in the west end of London, but without the jokes.

The Convener: Mr Golden, are you going to supply any?

Maurice Golden: Not quite. I will try to think of an explosive one for hydrogen, I suppose. I think that it burns with a squeaky pop—is that correct?

In closing the petition, to help the petitioner, could the committee write to the United Nations centre for water law, policy and science, which is based at the University of Dundee, to inquire whether any research is going on in the area? The committee might also flag the earlier petition. If there is research under way—if not at PhD level, it might be at master's level—it might be helpful for the petitioner to know that work is going on in the area.

The Convener: In closing the petition, we could write on the petitioner's behalf on that basis, and try to direct the response in the first instance to the petitioner, if possible, given that we will not be here. Are members content to close the petition, but to try to do what we can in that respect?

Members indicated agreement.

Energy Strategy (PE2160)

The Convener: We return to an issue that has been bubbling along as we have addressed other petitions. PE2160, which was lodged by Tina Dawn Marshall, calls on the Parliament to urge the Scottish Government to publish its energy strategy and just transition plan to address environmental, infrastructure and land use issues.

We last considered the petition on 24 September, at which point we agreed to write to the Scottish Government. The written response from the Cabinet Secretary for Climate Action and Energy highlights a number of recently published policy decisions on energy, including the green industrial strategy in 2024, a draft updated sectoral marine plan for offshore wind energy, an update to the offshore wind policy statement, and the Scottish marine recovery fund. An offshore wind

skills action plan was due for publication at the time of the cabinet secretary's response, and the fourth land use strategy should be published by the end of March.

The written response also explains that the UK nations jointly commissioned the National Energy System Operator to produce a strategic spatial energy plan, or SSEP, for Great Britain. The plan aims to provide greater clarity on the shape of Britain's future energy system. It is envisioned that it will be published in autumn 2027.

During the subsequent evidence session, we asked the cabinet secretary for clarity on when the energy strategy will be published. She was not able to give a clear answer, on account of, she said,

"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."—[*Official Report, Citizen Participation and Public Petitions Committee*, 14 January 2026; c 31.]

She was hopeful, however, that the final energy strategy would be published by the time that the SSEP is published, which is autumn next year, as Fergus Ewing identified a moment ago.

The petitioner has sent a few written submissions, highlighting on-going concerns across several energy policy areas.

I wonder whether Mr Ewing has any suggestion as to how we might proceed.

Fergus Ewing: I think that I have already made my points about the petition. Given that we have only two meetings to go, I think that there is no option but to close the petition under rule 15.7 of standing orders, on the basis that the Scottish Government has continued to publish strategies and policy statements for specific policy areas; that the Cabinet Secretary for Climate Action and Energy has stated her hope that a final energy strategy will be published by the autumn of 2027; and that the committee raised relevant issues as part of its thematic evidence session with the cabinet secretary.

However, in saying all that, I do not accept as a reason for not having an energy strategy the fact that the issues regarding oil and gas licensing are not entirely resolved. The framework for oil and gas licensing is a reserved matter, and it is fairly clear that there is a climate compatibility test. Indeed, the Government says that it supports that. For the life of me, therefore, I cannot understand how that can possibly be adduced as an argument to justify the non-production of an energy policy.

Be all that as it may, we have had five years of excuses—whatever the excuses may be—and we have no energy strategy. Not to lambast the Government too much, but the absence of that is

the source of all the other problems that cannot be addressed, such as the place of battery storage and pumped storage, how many schemes there should be and how local authorities are supposed to deal with hydrogen. All the problems that we have discussed this morning come back to the fact that there is no overarching strategy for Scotland. I hope that the new Administration—whoever it may be—shows a bit more diligence in getting to a proper, balanced energy strategy for Scotland, because that is absolutely fundamental to our economy and to people's lives throughout the country.

The Convener: Yes—it would not take much slippage on the current forecast date for us to be halfway through the next session of Parliament before we have an energy strategy. Given that we have been looking for one for all of this session, that seems really to be a nonsense. We are at the end of the petitions that arose from the thematic session on energy. However, as Fergus Ewing has said, many of those fall right back to the absence of a strategy and the guidelines that might have followed from it.

Are there any other comments?

David Torrance: If the policy is not published in autumn 2027, a petitioner could quickly bring a fresh petition to the committee.

The Convener: Are we content to proceed on that basis?

Members indicated agreement.

The Convener: As I said, that brings us to the end of the selection of petitions that were borne forward on the themed evidence session that we had with the cabinet secretary.

Upland Falconry (PE1859)

The Convener: PE1859, in the name of Barry Blyther, on retaining falconers' rights to practise upland falconry in Scotland, calls on the Scottish Parliament to urge the Scottish Government to amend the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 to allow mountain hares to be hunted for the purposes of falconry.

10:15

We last considered the petition on 19 March 2025, when we agreed to write to the Minister for Agriculture and Connectivity, the petitioner and the Standards, Procedures and Public Appointments Committee. The committee very much hoped to have a chamber debate on the issue. Colleagues will, of course, remember that Mr Blyther was a regular attendee of the committee. Stanley the golden eagle also visited the Parliament. He was unable to fly, under the restrictions in the 2020 act.

However—and this is a matter of considerable satisfaction for the committee—since we last considered the petition, the Parliament voted to pass the Natural Environment (Scotland) Bill on 29 January 2026, and there was agreement to Willie Rennie's amendment 165, which allows licences to be issued to take mountain hares for the purposes of falconry.

We have received a very generous letter from Mr Blyther, which the members of the committee will have before them, in which he commends the committee and thanks it for all its work. In turn, we commend Mr Blyther for the persistence with which he has brought attention to the issue. We are delighted that the work of the committee and the petitioner has led to a legislative change that addresses the issue that was at the heart of the petition.

David Torrance: I think that everybody on the committee is highly pleased with the outcome. When we saw your face with Stanley the eagle on your arm outside the garden lobby, it made us all smile.

On a serious note, the committee has worked really well, as has Barry. I will quote from his submission:

"The fact that ... a humble citizen like me can take the government to task on things they need to do, or correct things they got wrong, is a wonderful part of the constitution. Its existence is what allowed me to correct the wrong done to falconers. Scotland should be proud of this system."

That shows that the Citizen Participation and Public Petitions Committee can work. I know that we do not get it right for everybody but, out there, the committee has improved the lives of falconers, and of other people who put petitions forward. The general message—as you know, because we have been there together, as we have been on the committee for a long time—is that the committee makes huge differences. It is a great part of the constitution of the Scottish Parliament.

That said, will the committee consider closing the petition under rule 15.7 of standing orders, on the basis that the Scottish Parliament has voted to allow falconers the rights that were requested?

The Convener: Colleagues, are we content so to do?

Members indicated agreement.

Listed Buildings (Demolition) (PE2105)

The Convener: PE2105, on safeguarding Scottish listed buildings that are at risk of unnecessary demolition, was lodged by Lydia Franklin on behalf of Save Britain's Heritage and calls on the Scottish Parliament to urge the Scottish Government to set a minimum evidence requirement to prevent the unnecessary use of

emergency public safety powers to demolish such buildings.

We last considered the petition on 18 June 2025, when we agreed to write to the Cabinet Secretary for Housing and the Convention of Scottish Local Authorities. In response to the petition, the building standards division carried out research to establish case studies to illustrate how local authorities resolve issues relating to listed buildings that become to defective or dangerous. That research project concluded in July 2025, and a full report has been shared with committee members for their information.

The cabinet secretary's response to the committee notes that the case studies that are contained in the report underline the fact that no two scenarios are the same, and that difficult decisions are often required. She goes on to state that it is clear from the research that decisions are made in collaboration with the parties involved whenever possible; professional advice from experienced structural engineers is central to the outcome for each building; and the use of emergency powers is the last resort and happens only when all other related legislation has failed to protect the building.

Following the research, the building standards enforcement handbook and procedural handbook will be expanded to reflect recommended best practice as indicated by the project's findings. The guidance will not recommend using only conservation-accredited engineers to support decision making, as there are insufficient numbers of those engineers to meet need across Scotland. The cabinet secretary's response states that the lack of availability of that resource nationally would significantly hinder local authorities' ability to meet their statutory duty to act immediately to remove the danger that is posed.

The Scottish Government considers that the current legislative framework under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 provides planning authorities with a range of provisions to intervene if a building is at risk. The cabinet secretary therefore does not consider that a legislative review is required at this time.

The petitioner's submission to the committee states that they are pleased that guidance in the building standards enforcement handbook and the procedural handbook will be expanded. However, she urges that emphasis be explicitly placed on consulting conservation-accredited engineers to ensure that decision making is informed and robust. The submission highlights evidence to the committee stating that the number of conservation-accredited engineers would increase

significantly if that work was incentivised through legislation.

The petitioner also states that consultation with national and local heritage groups and experts on the expanded guidance is essential to ensure that the process is fair and transparent. The submission therefore calls for a consultation to be carried out before the report's recommendations are enshrined in guidance. The submission also reiterates the call for a legislative review and a requirement for consultation with a conservation-accredited engineer to ensure that decisions to demolish listed buildings under emergency powers are transparently and robustly justified.

Our former committee colleague Paul Sweeney has been very closely associated with the petition and had hoped to be with us this morning. That would have been his finale performance before us, as he has been a faithful re-attender at our meetings.

I do not know whether colleagues have any suggestions for action. I hear everything that we are being told. I remember that we took a considerable amount of evidence on the matter, and it struck me as impressive. From all that I have heard, I am not sure that we have identified a solution that will not lead to inappropriate decisions and demolitions taking place. Do colleagues have any suggestions as to how we might proceed?

David Torrance: In light of the evidence that the committee has taken, I wonder if we would consider closing the petition under rule 15.7 of standing orders, on the basis that the Scottish Government has undertaken research to establish case studies illustrating how local authorities resolve issues relating to defective or dangerous listed buildings as a direct result of the petition; that research has found that structural engineers possess the necessary expertise and experience to provide robust and reliable assessments; that the Scottish Government will expand the building standards enforcement handbook and the procedural handbook to reflect the recommended best practices, as indicated by the research findings; that the Scottish Government will not recommend using only conservation-accredited engineers to support decision makers, because there are insufficient numbers to meet the need across Scotland; and that the cabinet secretary does not consider that legislative review is required at this time.

The Convener: Well, that strikes me as a fog of obfuscation, simply to avoid having to deal with the issue. Nonetheless, that is the position that has been identified to us, and I doubt that there is anything more that we can do in this session. Paul Sweeney has shone a light on a lot of

inappropriate demolitions that are taking place. I hope that there will be a more robust opportunity to address the preservation of buildings in the next session.

Are colleagues content to support the recommendation made by Mr Torrance in the meantime?

Members *indicated agreement.*

Childcare (Review of Costs and Availability) (PE2112)

The Convener: PE2112, which was lodged by Carole Erskine on behalf of Pregnant Then Screwed, calls on the Scottish Parliament to urge the Scottish Government to commission an independent review of publicly funded early learning and childcare in Scotland in order to better understand and address the challenges that families face when trying to secure and afford childcare.

We previously considered the petition on 10 September 2025, when we agreed to write to the Minister for Children, Young People and The Promise. The Scottish Government previously stated that it was not planning to commission an external review and that ministers were using a number of sources of information regarding childcare costs for families, such as the Scottish household survey, as well as other independent reports on the availability and affordability of childcare, such as the Coram childcare survey.

The Government noted that it would also be informed by the evaluation report of its 1,140 hours of early learning and childcare offer. In response to our question about when that report will be published, the minister indicates that the expectation is for early 2026. The minister suggests that the Government will draw conclusions about the impact of ELC expansion only once the full report has been published.

We asked what preliminary conclusions the Scottish Government has drawn from the early adopter communities work and what actions it will take based on that. The minister explains that the initial evaluation, which was published in October 2024, found that, overall, families were positive about their experience.

There was evidence that activities met children's needs and that provision was appropriate to the needs of parents and carers, including in terms of covering working hours. The minister states that a second phase of evaluation, covering spring 2025 to summer 2026, is planned for publication in the second half of this year.

I gather that Meghan Gallacher is here to observe the discussion on the petition. We have a

little time in hand, if she wants to step forward and say anything to the committee.

Meghan Gallacher (Central Scotland) (Con): I did not believe that I would make it to the session this morning; I am delighted that I have been able to do so. Thank you for giving me a moment to speak.

This is a really important petition, which has been lodged by Pregnant Then Screwed, on the overall childcare provision offering. I respect the response that the Minister for Children, Young People and The Promise gave, but the sad reality is that many parents across Scotland are not receiving the provision that 1,140 hours is deemed to include. For example, in my local authority area—North Lanarkshire—children do not usually receive the 1,140-hour provision until the term after the one in which they turned three. That goes against the principle of there being free childcare provision from when a child turns three years old.

There are also issues in relation to capacity. Sometimes, parents are not able to receive childcare close to home. They do not receive their first, second or third option and are sent to other nurseries that might not be suitable for their needs or their working hours.

There are issues with the childcare provision roll-out as a whole. There are issues with the private rented sector, which does not feel like an equal partner when councils decide what is best to do with childcare provision funding. That is why we need a review. We cannot wait until the Parliament rises in March; something needs to be brought forward now.

I am delighted that groups such as Pregnant Then Screwed are working hard to press the Government to better childcare provision in Scotland. However, until the review is started, there is a need to keep holding the Government's feet to the fire. I do not believe that the Government should be able to get away with this. We have had free childcare provision in Scotland for some time. It is the right moment to find out whether that is working for parents or whether substantial changes need to be made to make the childcare provision better.

The Convener: I take all that into account. The issue might be best served by a fresh petition in the next parliamentary session, simply because the Government has set a timeline to summer 2026 in relation to the publication of certain actions. It seems to be an issue that we would want to explore properly in the next session. Does Maurice Golden have any suggestions for how we might proceed in relation to the petition?

Maurice Golden: The issue is that there is polka dot provision of childcare across Scotland. In some

areas, it works very well; in other areas, although provision is there, it might not balance with the needs of the parent or parents and their work schedule. That is incredibly problematic.

I have a lot of concern about the provision but, by the same token, I think that the petitioner would be best served by lodging a new petition after the evaluation report has been produced.

Davy Russell: I have had a fair bit of correspondence from young mums about the issue. It is so difficult to get childcare, especially when a child is aged between nine months and three years. The cost and sometimes the locality—I have a big rural area in my constituency—are stopping parents from getting childcare, which prevents them from going back to work. If they went back to work, the financial cost of getting the childcare that their child deserves would far outweigh the financial benefits of going back to work. It is a big issue, and I have three or four current cases because of it.

The Convener: So we are minded to close the petition on the basis that the Government said that it would not commission an independent review. However, after the Government's evaluation is published, there could be the opportunity for a completely fresh petition to take the position forward. I urge the petitioner to consider that in the next session, and I hope that Meghan Gallacher will be able to discuss that route forward with the petitioner, too.

Meghan Gallacher: I certainly will.

I realise that I had my housing hat on—I referred to the private rented sector when I meant the private, voluntary and independent sector.

The Convener: Okay. Are members content to close the petition on that basis?

Members indicated agreement.

Colour Blindness (Accessibility) (PE2138)

10:30

The Convener: PE2138, which was lodged by Ian Hume McKee, calls on the Parliament to urge the Scottish Government to make the design and signage for publicly owned buildings accessible for people with colour blindness.

We previously considered the petition on 18 June 2025, when we agreed to write to the Cabinet Secretary for Housing and to Disability Equality Scotland. The cabinet secretary's response to the committee states that British standard BS 8300 makes recommendations on the use of light reflectance values in buildings and signage to establish tonal contrast between elements and that it recommends the use of universally accepted

public information symbols and colour coding, as set out under international standards, for health and safety signage. The response goes on to state that, when guidance is produced by the Scottish Government, the recommendations of BS 8300 are either cited directly or inform its production. It states that there are relevant examples from building regulations, the requirements of Scottish Government estate projects and sector-specific guidance for national health service estates as provided. The cabinet secretary notes that signage in buildings and services operated by wider public authorities is an operational matter for the relevant public authority.

Disability Equality Scotland's response to the committee sets out its agreement that colour blindness should be considered as an important factor when creating signage for individuals with colour blindness and other impairments. The response also points out that the Equality Act 2010 requires reasonable adjustments to be made to access and services.

The petitioner has provided a written submission, which notes that BS 8300 strongly recommends the use of symbols or words in addition to colour. Therefore, toilet signage should include the words "engaged" or "vacant", and trend lines in graphics should be distinguished by symbols. However, he states that that rarely happens.

The petitioner states that there is a great deal of ignorance about the problems of those who are colour blind, yet there is a reserve of good will to help, and that simple, cheap measures exist to ameliorate those problems. The petitioner maintains that the Scottish Government has a role in encouraging such measures—I recall not having been largely aware of that when the petition first came before us. Do colleagues have any suggestions as to how we might proceed?

David Torrance: I wonder whether the committee would consider closing the petition under rule 15.7 of standing orders, on the basis that British standard BS 8300 makes recommendations on the use of light reflectance values in buildings and signage to establish tonal contrasts between elements; that, when guidance is produced by the Scottish Government, the recommendations of BS 8300 are either cited directly or inform its production; and that the committee has no further time available to progress the issue that the petition raises.

The Convener: Do colleagues have any comments? As I said, the petition is on an issue that is unlikely to be progressed in any other way in the Parliament. The committee can explore such issues to some extent, but we have no further time in this parliamentary session to take the matter

forward. However, I would not be sorry to see more exploration of the issue over a longer timeline by a future Parliament, were its members minded to do that. Are colleagues content to close the petition on that basis?

Members *indicated agreement.*

Speed Cameras Near Schools (PE2149)

The Convener: PE2149, which was lodged by Andreas Heinzl, calls on the Scottish Parliament to urge the Scottish Government to legally require speed cameras in front of all schools next to major roads. We previously considered the petition on 4 June 2025, when we agreed to write to the Scottish Government.

Transport Scotland's response to the committee provides the annual grant funding figures for the Scottish safety camera programme since 2021. The response sets out that the Scottish safety camera programme prioritises locations with the most significant casualty and collision reduction potential, and the use of collision and casualty evidence allows Transport Scotland to prioritise public investment and target it at areas of greatest need. The submission states that enforcement is not possible at every location and on every road, so the use of evidence is currently the most reliable way of identifying where it would have the most positive impact.

Transport Scotland notes that local communities and other stakeholders can request a flexible or short-term deployment of a safety camera at areas of road safety concern. The relevant safety camera unit will then consider whether an additional speed survey is required in order to determine whether speed compliance is a problem at that location.

The petitioner has provided a written statement that recognises that Police Scotland does not have the resources to enforce the speed limit in all 20mph zones, which is why he feels that it is important to have speed cameras. He conducted his own survey by taking readings from a radar-activated sign that showed the speed of vehicles as they passed; the sign was located outside a school, and the petitioner found that two thirds of cars were travelling at over the 20mph speed limit and that around half of the cars were driving at over 30mph.

There we are. Do members have any comments or suggestions for action?

Maurice Golden: The committee has no option but to close the petition under rule 15.7 of standing orders, primarily on the basis that, first, the Scottish safety camera programme allows local communities to request a flexible or short-term deployment of a safety camera at areas of road safety concern; secondly, a site prioritisation process is undertaken each year to determine new

safety camera sites across the road network; and finally, enforcement of speed limits is an operational matter for the police. I would urge the petitioner to pursue those routes in the first instance.

With regard to making it a mandatory legal requirement to have speed cameras in front of all schools next to major roads, I am thinking off the top of my head about where that might be applied. Most of the schools that I can think of already have traffic lights, and the danger to pupils, staff and those who pick up usually comes from some form of pavement parking or otherwise. If I think of Kirkhill primary, Mearns Castle high school and Williamwood high school, I would say that it is on the surrounding roads—Broom Road East and Waterfoot Road—where the speeds might be up. However, that would not necessarily be happening close to the schools. I suggest that, if another petition was considered that looked beyond the mechanisms that have been outlined here, it might have more applicability if it focused on specific schools that require such mediation with regard to speeding.

The Convener: You have just highlighted schools in my constituency, Mr Golden. I point out that the ones that have been built more recently usually have quite extensive car parking, or pick-up and drop-off zones, while schools of an older disposition often do not have the capacity to meet the likely traffic flows around them, particularly at collection and drop-off times.

Davy Russell: I used to be responsible for this sort of thing in a former life, and what I would say is that this happens not just at the schools themselves. It happens for about half a mile on either side of them, given that a lot of children are part of the safer routes to school programme and are walking to school.

Other traffic-calming measures tend to be more effective than speed cameras, because drivers will speed up to the cameras, slow down once they know where they are, and then speed away again. There are numerous other measures such as sleeping policemen, chicanes and so on—you name it—that are probably more effective than speed cameras.

Cameras are tools that can be used in certain instances, but there are other traffic-calming measures that the police do not need to be consulted on, and which the roads authority, or whatever council it is, can put in place. If people want a speed camera to be put in, they need to consult and get agreement from the police authority. It might be easier for the petitioner to speak to his local authority and ask for an assessment of other traffic-calming measures.

The Convener: That is helpful additional information that we might communicate to the petitioner.

Are we content to take forward Mr Golden's proposal to close the petition?

Members *indicated agreement.*

Primitive Goat Species (Protected Status) (PE2151)

The Convener: PE2151 is on granting protected status to primitive goat species in the Scottish Borders. There is considerable public interest in this petition; indeed, I know that there is considerable interest in the public gallery, from the Scottish media more generally, from members of Parliament and from members of the Scottish Parliament who live in areas where this is an issue.

The petition, which has been lodged by Kenneth Erik Moffatt, calls on the Scottish Parliament to urge the Scottish Government to help ensure the survival of primitive goat species in the Scottish Borders by granting them protected status. We previously considered the petition on 10 September 2025, when we agreed to write to the Scottish Government, the UK Joint Nature Conservation Committee, NatureScot and the Scottish Fire and Rescue Service.

We are aware, through written evidence and other correspondence, of the strength of feeling on the issue and how it affects the Langholm and Newcastleton goats in particular. The response that we received from the JNCC explains that, according to its policy guidance, species are eligible for inclusion under legal protection only if they are both native to Great Britain and endangered. It states that feral goats are understood to be non-native to the UK and are therefore ineligible under current guidance. The JNCC further notes that it would be difficult to define and enforce protection for British primitive goats as distinct from more modern variants, because they are taxonomically—a word that I have not deployed previously—the same species, and there is no commonly accepted subspecies status for feral populations.

However, submissions from the Wild Goat Conservation Trust and the petitioner argue that the Langholm and Newcastleton goat is distinct of type. We understand that there is some academic interest in studying its DNA, although the funding is not necessarily available to undertake that work.

The Scottish Government reiterates that it has no plans to provide full legal protected status or increase regulatory protection for feral goats because, under the Wildlife and Countryside Act 1981, they are considered to be outwith their native range in Scotland. Additionally, both the Scottish Government and NatureScot reiterate

concerns about the impact of grazing pressure on the environment, although the submission from the Scottish Fire and Rescue Service suggests that goat grazing could contribute to wildfire control.

Finally—and this, I am afraid, is the clincher for us in the Parliament—members might be aware that our MSP colleague Rachael Hamilton lodged stage 2 amendments to the Natural Environment (Scotland) Bill in relation to the protection of wild goats and, specifically, the goats of the Langholm and Newcastleton hills. After the debate on those amendments, the Rural Affairs and Islands Committee voted against them.

Bearing in mind that the issue has now been debated and voted on by a committee of the Parliament, do we have any comments or suggestions for action?

Maurice Golden: First, I would like to say that the goats are very cute, and I find it bizarre that we are protecting seagulls, which attack humans, and not these lovely, cute goats.

Unfortunately, I believe that the committee has no choice but to close the petition under rule 15.7 of standing orders on the basis that, as the convener has highlighted, amendments relating to the petition were lodged at stage 2 of the Natural Environment (Scotland) Bill and, ultimately, the Rural Affairs and Islands Committee decided that these precious little animals required no additional protection. That, along with the Scottish Government's view that it has no plans to provide full legal protected status for feral goats, means that we have no other choice, unfortunately, but to close the petition.

The Convener: I think that, had Parliament not expressed a view, we might have been in a different position.

It has been a recurring feature in my education as convener of this committee over this parliamentary session, but I wish that NatureScot would become a more proactive organisation and not resemble a dead sheep with its legs up in the air. It seems to parrot desktop surveys and other party-political things—actually, I do not want to use the term “party political”. Time and again, I have found it depressing.

As Mr Golden suggested, we are in the ridiculous position where the urban gull population, which is terrorising the community, is subject to statutory protection, but the goat population, which the community is actively seeking to support and sustain, is not being protected in any way. The whole thing seems to be the wrong way round—there is another expression, which I cannot use because it is not appropriate.

No colleague has indicated that they have comments or suggestions other than Mr Golden's

proposal, so we have no other option. That is where we are at. I do not think that it will satisfy anybody locally—whereas we brought relief to Stanley the eagle, we have not been able to do much for the goat population.

The issue might be raised again in other ways—and who knows what the composition of the next Parliament might be—but what seemed like a widely supported view from people who represent the community locally has been set aside in favour of a rule book.

Fergus Ewing: Exactly.

The Convener: However, that is where we are at. Are colleagues content that that is the position that we are in?

Members *indicated agreement.*

10:45

Child Contact Domestic Abuse (Guidance) (PE2163)

The Convener: PE2163, which was lodged by Alasdair Scott, calls on the Scottish Parliament to urge the Scottish Government to work with partners to develop guidance on the interaction between child contact dispute processes and the Domestic Abuse (Scotland) Act 2018.

We last considered the petition on 24 September 2025, when we agreed to write to the Scottish Government. The Minister for Victims and Community Safety has responded to state that, although she has sympathy with the petitioner's situation, the Scottish Government is not in a position to take forward the development of the guidance as asked for in the petition.

The Scottish Government plans to make regulations to give the courts the power to make an order in relation to a person who has behaved in a vexatious manner in civil proceedings, including child contact and residence cases. That would mean that such a person would need permission from the court before raising further specified actions. The hope is that that could reduce the risk of litigation being used as a way of continuing domestic abuse. The Scottish Government is also preparing a policy paper for the Scottish Civil Justice Council to propose court rule changes to ensure that the civil courts receive information on domestic abuse at the outset of the case.

The petitioner has provided a written submission, which states that many proposals on that issue, such as reform of the legal aid system, are already six years into the planning stage, with no real prospect of concrete improvements in the near future. The submission notes that the way in which laws are applied places greater emphasis

on protecting children from harm and, in the petitioner's view, that is right. However, he states that doing so allows for abusive parents to maliciously use legal and court processes to cause harm.

On the change to require the courts to give permission for a person to raise court action where they have behaved in a vexatious manner, the petitioner states that a function exists to achieve that already. The limitation, he states, is that it is an expensive option when a parent might already be struggling with legal costs. In addition, the petitioner states that if there are allegations of behaviour that might put a child at risk of harm, the court must hear it, which limits the efficacy of measures to prevent vexatious action.

Do colleagues have any suggestions as to how we should proceed, based on the evidence that we have received?

David Torrance: In the light of the Scottish Government's stance, I wonder whether we could consider closing the petition under rule 15.7 of standing orders, on the basis that the Scottish Government will not take forward the development of guidance on the interaction between child contact dispute processes and the Domestic Abuse (Scotland) Act 2018; that it plans to make regulations to give the courts the power to make an order in relation to a person who has behaved in a vexatious manner in civil proceedings to require them to obtain permission from the court before raising further specified actions; and that it is preparing a policy paper for the Scottish Civil Justice Council to propose court rule changes to ensure that the civil courts receive information on domestic abuse at the outset of the case.

The Convener: Are we content to proceed on that basis?

Fergus Ewing: I think that there is no other alternative, given that we are nearly at the end of this session of Parliament.

I used to be involved in legal practice in such areas, so I know that it is extremely sensitive, and that it is very difficult to make generalised judgments because every case is different. The welfare of the child is, of course, paramount.

However, I have an example from a recent case involving the new judicial continuity rules that came in in 2023. The rules have not been alluded to, but are nonetheless relevant. In residence or contact cases, it often happens that a number of different sheriffs deal with the same case. The idea of the rules is that one sheriff who is familiar with the case should deal with it at all the substantive hearings, including when victims provide any proof. That means that that sheriff is familiar with the case and can build up knowledge of the whole

case, rather than somebody new coming along who needs information about alleged abuse that might have been discussed during a previous hearing.

I have a case related to that at the moment, and the evidence from a voluntary body suggests that, even though those rules have come in, they are more honoured in the breach than in the observance. In other words, only in a very small percentage of cases are those rules being applied.

That is a practical aspect that could help with what the petitioner wishes to achieve. Therefore, I place it on the record. I thank the petitioner for bringing the matter before us. Again, I suspect that the matter will come back to the successor committee during the next session.

The Convener: Thank you, Mr Ewing. In the light of that, are colleagues content to support Mr Torrance's proposal?

Members *indicated agreement.*

Child Custody Cases (Standardised Timeframe for Civil Proceedings) (PE2166)

The Convener: The final continued petition is PE2166, which was lodged by John Watson McMaster, who has sat manfully in the public gallery through all our proceedings this morning. The petition calls on the Scottish Parliament to urge the Scottish Government to establish a standardised timeframe for civil proceedings related to child custody cases, including a 14-day timeframe for proof hearings.

We last considered the petition on 8 October 2025, when we agreed to write to the Scottish Government. The Minister for Victims and Community Safety's response to the committee states:

"the Scottish Government has sympathy with the Petitioner's position and agrees that any undue delay in family court proceedings will usually not be in the best interests of the child."

However, the response also states that the Scottish Government has no plans at the present time to legislate further on the matter, including to set a timescale of any length in law as asked for by the petitioner. The minister notes that changes to case management rules in family actions came into effect on 25 September 2023, and that a key aim of these rules is for cases to be resolved more quickly through greater judicial case management, particularly to prevent undue delay in proceedings relating to the welfare of children.

The minister sets out her agreement with Mr Ewing's reflections during our previous consideration of the petition, including the suggestion that a timescale of any length

"may be arbitrary in some cases and therefore potentially produce adverse anomalies and consequences."—[*Official Report, Citizen Participation and Public Petitions Committee*, 8 October 2025; c 14.]

The petitioner has provided a written submission in which he argues that ordering a proof hearing for custody matters within a defined period would mean that the custody and divorce proceedings would be decoupled. He states that that

"would allow the child's living arrangements to be settled swiftly for their stability, while ... divorce matters continue separately."

The petitioner's submission states that the minister's response

"primarily reiterates existing frameworks, referencing laws and policies that have been in place for decades."

His view is that a streamlined system would safeguard children's welfare through a number of benefits, including expediting proceedings and reducing the psychological and emotional impact on all parties.

The petitioner has contacted a number of key stakeholders and set out the responses in his written submission. He notes a pattern of non-response or procedural delay from operational bodies during the exercise. The petitioner believes that the response underlines his central concern about inconsistent application of systems and policies.

Given the additional submission and all the notes that we have received from the petitioner, we have a contradiction in terms of the views that are represented. Do members have any comments or suggestions for actions? Unfortunately, we are not allowed to take contributions from the gallery.

David Torrance: In the light of the evidence that is before us, I do not think that the committee has any other option but to close the petition under rule 15.7 of standing orders on the basis that the Children (Scotland) Act 2020, once in force, will require the court to consider whether any delay in proceedings would negatively affect a child's welfare. Cases can vary significantly, and a standardised timetable would not recognise the different complexities in individual cases. There are case management rules in place in respect of family actions, and one of the key aims is greater judicial case management resulting in cases being resolved more quickly. The Scottish Government does not consider the ask of the petition to be practical or achievable.

The Convener: I am afraid that the clincher is that the Scottish Government is not prepared to move on it. That is the point.

Fergus Ewing: I had the opportunity to study the petitioner's response to the minister's submission of 1 February. He makes several

highly relevant points, some of which I had not previously considered, despite the fact that I spent a couple of decades involved in that kind of work fairly regularly.

The points that he highlighted are worth mentioning. Although there are mechanisms to avoid delays, they do not seem to work in practice. His suggestion is to decouple the custody, residence and contact issue from other issues in dispute. I made the point in the previous evidence session that sometimes a financial disagreement can prolong proceedings and therefore cause a period of turbulence, conflict and division because the parties have not reached an agreement about how to split the matrimonial assets. Therefore, his suggestion is to decouple the issue of custody and residence from finance.

There may be practical difficulties about that, because you would need to work out whether the matrimonial home is going to continue to be used for housing the children of the family. There are practical considerations, but I must admit that I had not thought of decoupling as a potential solution, so I thought, out of fairness to the petitioner, that it is worth highlighting that he has made a very reasoned and thorough response to the minister. The points that he makes should certainly be considered by the next Administration.

The Convener: Do you think that, if we close the petition, following Mr Torrance's advice, those points might therefore be the basis for a slightly different approach in a fresh petition that identified a further exploration of that route, rather than the more straitjacketed suggestion of the timelines?

Fergus Ewing: Yes. In many cases, there is an interim order for residence and contact, and in many cases, that interim order is eventually confirmed. You could say that the issue of custody—or residence, as it is now called, I believe—is not hanging and unresolved in every case by any means, but it is in some cases, and they tend to be very difficult cases.

If the petitioner wished to reframe the petition and focus on the notion of an option to decouple, which would have to be done on a case-by-case basis, with the sheriff having fairly wide discretion as to whether it would be appropriate, that might take the heat and the sting and the pain—or some of it—out of what can be a very difficult situation.

The Convener: That would be an interesting area for a future committee, if it were to receive such a petition, to take evidence on and explore in some detail.

We would commend that option to the petitioner in closing the petition, if that is what colleagues are minded to support, given where we are in this

parliamentary session. Do members agree to close the petition?

Members indicated agreement.

New Petitions

11:00

The Convener: Agenda item 2 is the consideration of new petitions. These are the last new petitions that we will be considering. Given where we are in the parliamentary session there is, sadly, little opportunity for us to do much at all in respect of them.

Healthcare (Rural Communities) (PE2210)

The Convener: PE2210, which was lodged by Nora Fry, calls on the Scottish Parliament to urge the Scottish Government to improve access to local healthcare in rural communities by ensuring that general practitioner practices resume inclusive emergency care pathways at all hours; ensure on-call doctors are available in GP practices and emergency clinics, including after hours; remove telephone triaging, telephone appointments and remote diagnosing; and prohibit GP receptionists from requesting private health information or redirecting patients to other disciplines.

The Scottish Parliament information centre briefing explains that, since the 2018 GP contract, GPs have been expected to become less involved in more routine tasks, with those tasks being delivered by other health professionals in the wider primary care multidisciplinary team. The 2018 contract also highlighted opportunities to develop the skills of practice receptionists to support patients with information on a range of primary care multidisciplinary team services that are available.

The Scottish Government's response to the petition states that modern general practice is based on services provided by a range of disciplines, which means that GP receptionists need to be able to signpost patients to the right clinician, which in turn means asking patients for some information. It further states that the obligation to provide out-of-hours services was removed from the GP contract in 2004 for most GP practices. The submission states that the Scottish Government does not believe that the profession would support any revision to its contracts for a proportionate cost and that any such revision would endanger progress towards recruiting more GPs. The response states that the Scottish Government is not taking action to return out-of-hours services to general practitioner delivery, nor to make all GP appointments in person.

The petitioner has provided a written submission, in which she states that GP receptionists are not qualified to triage or determine whether a patient's circumstance is

urgent. She points out that there may be situations where a patient holds back on vital information because that person only wishes the doctor to know. On the issue of access to emergency care, the submission highlights an example in which a patient tried to access care at a local hospital but was advised by the nurse in charge that it did not deal with emergency cases. The receptionist at the individual's local practice then advised her to call an ambulance. The petitioner expresses her view that people in rural areas are greatly disadvantaged in healthcare settings. She states that, as people age, they will experience health issues and should have access to on-call duty doctors to help when an emergency occurs.

Do colleagues have any suggestions as to how we might proceed?

David Torrance: The petition's asks are not achievable. I sit on the Health, Social Care and Sport Committee, and we have seen the vital role that technology has played in rural areas to enable people to communicate and to be diagnosed over great distances, and we will never change the GP contracts.

In the light of that, I wonder whether we could consider closing the petition under rule 15.7 of standing orders, on the basis that, in 2004, the obligation to provide out-of-hours services was removed from the GP contracts for most GP practices; that the Scottish Government does not believe that the profession would support any revision to its contract that would introduce out-of-hours requirements and considers that any such revision would endanger progress towards recruiting more GPs; that the Scottish Government is not taking action to return out-of-hours services to general practitioners of delivery or to make all GP appointments in person; that modern general practice is based on the services provided by a range of disciplines, which means that a GP receptionist needs to be able to signpost patients to the right clinician, which in turn means asking patients for some information; and that the committee has no further time within this parliamentary session to progress the issues that were raised in the petition.

The Convener: Are colleagues content for us to take Mr Torrance's proposal as our position?

Fergus Ewing: I am. I do not think that we can do justice to the numerous issues that Nora Fry raises. She gives a long and interesting account of particular problems that have arisen, all of which have the ring of truth about them—I say that as an MSP who represents a rural area as well as the city of Inverness. There are many frustrations in rural Scotland about the availability of services; the centralisation of services; and, particularly in the Highlands, the GP contract, not least its removal

of the obligation to deliver some vaccinations, which led to a botch-up and the death of an infant because her mother did not get the notice of a whooping cough vaccination. That is just one illustration. On the other hand, the days of GPs like Dr Finlay providing out-of-hours service are probably long past. However, more services should be provided locally, and it is less expensive to do so.

Raigmore hospital has a huge problem with delayed discharge. Senior citizens may remain in hospital for weeks or months because there is not sufficient care in the community or capacity in residential establishments. I do not know whether that problem is pervasive throughout Scotland, but it underlies many of the pressures at Raigmore. Occasionally, people suffer hugely, sitting in ambulances and waiting for a bed that is not available.

To be fair to the petitioner, from her experience as a nurse over a long period she raises some important issues for rural Scotland. Although I agree with Mr Torrance that we cannot pursue the matter further, I am sure that it will come back to us again.

The Convener: I would have thought that the Parliament ought to seek to explore that more generally in the Health and Social Care Committee.

Maurice Golden: I agree with all the comments that have been made. By way of advice to the petitioner on lodging a new petition, I say that, like colleagues, I have experienced broadly the same complaints from constituents, but I gently point out that remote diagnosing, for example, can be extremely beneficial in rural communities. Indeed, pioneering work is going on at the University of Dundee that will allow remote surgeries where the technology is apparent. That is wonderful for rural communities.

There is a lot in the petition and if the petitioner is considering lodging a new one, perhaps there should be some consideration of what asks are reasonable and could be pursued by the new committee in the next session.

The Convener: In light of that, are we content to support Mr Torrance's proposal, with the notes that have been suggested?

Members indicated agreement.

Covid Vaccines (Eligibility) (PE2211)

The Convener: That brings us to the final new petition for consideration in the 2021 to 2026 session: PE2211, on following the science and broadening eligibility for Covid vaccines. It is not only the final new petition of the session; by definition, it is the final new petition for

consideration today. Lodged by Peter Barlow, it calls on the Scottish Parliament to recognise the flaws in the guidance of the Joint Committee on Vaccination and Immunisation and to broaden eligibility for updated Covid vaccines, including Novavax, to include those who are at moderate or high risk.

The Scottish Government's response to the petition states that its decision making on all Covid-19 vaccination matters continues to be guided by the independent clinical advice of the Joint Committee on Vaccination and Immunisation, which follows rigorous consideration of risks and benefits for different population groups.

The JCVI's advice notes that the vaccines' ability to prevent transmission is now expected to be extremely limited. As a result, in the current phase of the pandemic, the indirect benefits of vaccinating one group to reduce severe disease in others are significantly reduced.

The submission notes that the JCVI considered a range of evidence when advising who should be offered a winter 2025 vaccination dose. Public Health Scotland's monitoring found in November 2025 that Covid-19 case rates remained at baseline levels overall.

On the question of making the Novavax vaccine available, although it remains the Scottish Government's policy position that non-mRNA Covid-19 vaccines must be made available, no non-mRNA products were authorised for use in the UK at the time of writing. The submission notes that the Scottish vaccination and immunisation programme is keeping that under review, to see whether supply becomes available at a later date.

The petitioner has provided a written response in which he emphasises that it is misleading to describe Covid as endemic, as that wrongly implies that the pandemic stage is over. His view is that that false impression seeks to justify a reduction in precautions such as vaccination.

The submission notes feedback from people who currently take precautions, such as immunocompromised people and carers, who want sensible mitigations to be reintroduced so that they can lead more active lives without being threatened with illness or disability. The submission calls for vaccination to be combined with other layers of protection such as mask wearing and good air quality. The petitioner states that we should be following the well-established science on airborne infections.

Do members have any comments or suggestions for action? We will close where we started—with Covid.

David Torrance: You are right, convener.

In the light of the written evidence, the committee should consider closing the petition under rule 15.7 of the standing orders, on the basis that the Scottish Government has set its key objectives and eligibility criteria for the Scottish 2025-26 flu and Covid-19 vaccination programme, based on JCVI advice, and has not indicated that it intends to deviate from that advice. The committee has no further time remaining in this parliamentary session to progress the issues that are raised in the petition.

The Convener: Are colleagues content to follow that recommendation?

Members *indicated agreement.*

The Convener: We therefore close that petition.

That brings us to the conclusion of the formal part of this morning's business. I would be grateful if colleagues stayed for just a few minutes longer.

Meeting closed at 11:10.

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