

# **PUBLIC PETITIONS COMMITTEE**

Monday 27 March 2000  
(*Afternoon*)

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## **PUBLIC PETITIONS COMMITTEE**

### **6<sup>th</sup> Meeting 2000, Session 1**

#### **CONVENER**

\*Mr John McAllion (Dundee East) (Lab)

#### **DEPUTY CONVENER**

Pauline McNeill (Glasgow Kelvin) (Lab)

#### **COMMITTEE MEMBERS**

\*Helen Eadie (Dunfermline East) (Lab)

\*Phil Gallie (South of Scotland) (Con)

\*Christine Grahame (South of Scotland) (SNP)

\*Mrs Margaret Smith (Edinburgh West) (LD)

\*Ms Sandra White (Glasgow) (SNP)

\*attended

#### **THE FOLLOWING MEMBERS ALSO ATTENDED:**

Ian Jenkins (Tw eeddale, Ettrick and Lauderdale) (LD)

Mr Gil Paterson (Central Scotland) (SNP)

Euan Robson (Roxburgh and Berwickshire) (LD)

Mr Murray Tosh (South of Scotland) (Con)

#### **WITNESSES**

Lorne Anton (Campaign for Borders Rail)

Petra Biberbach (Campaign for Borders Rail)

Councillor Sandra Cox (North Lanarkshire Council)

Madge Elliot (Campaign for Borders Rail)

George Fraser (Campaign for Borders Rail)

Peter Fraser

Mr Archy Kirkwood (MP for Roxburgh and Berwickshire)

Mr Frank Loughridge (Longriggend Residents Association)

Anna MacKenzie (Campaign for Borders Rail)

David Mackey (Campaign for Borders Rail)

Mr Dennis Magennis (Partick Traders Association)

Mr Michael Moore (MP for Tw eeddale, Ettrick and Lauderdale)

Doreen Thomson

Andrew Stuart Wood

Mr D W R Whittet QPM

Colin Williamson (Training Adults in the Community)

#### **SENIOR ASSISTANT CLERK**

Steve Farrell

#### **ASSISTANT CLERK**

Jane Sutherland

#### **LOCATION**

The Volunteer Hall, Galashiels



## Scottish Parliament

### Public Petitions Committee

Monday 27 March 2000

(Afternoon)

[THE CONVENER opened the meeting at 14:06]

**The Convener (Mr John McAllion):** Good afternoon. I welcome everyone to the sixth meeting this year of the Public Petitions Committee. This is the first meeting of the committee outside the Edinburgh Parliament. We have received apologies from Pauline McNeill and Helen Eadie is not here, but we hope that she will make it before the end of the meeting.

The committee is delighted to be here in the Borders. We are even more delighted by the amazing turnout of members of the public to watch our business this afternoon. Without a word being uttered, the strength of feeling about the Borders rail link is already obvious to all members of the committee who are present. [*Applause.*] That was a special round of applause for Helen Eadie, who has just come in late. [*Laughter.*]

I welcome to the committee our fellow MSPs Euan Robson, Ian Jenkins, Gil Paterson and Murray Tosh. In another first, I welcome to the committee Archy Kirkwood MP and Michael Moore MP. They will make history this afternoon by being the first Westminster MPs to speak to a committee of the Scottish Parliament; and we look forward to their participation. We also extend a warm welcome to the convener of Scottish Borders Council and to everyone else who is here.

### New Petitions

**The Convener:** Without further ado, we will turn to the first petition before the committee, PE113, which calls for the reinstatement of the Borders railway and asks the Scottish Parliament to consider ways in which to reinstate the railway into and through the Borders, by way of a debate in the Parliament and by consideration by its committees.

Several people will speak to the petition. They will have 20 minutes to give a presentation to the committee, and will then answer questions from the MSPs and MPs who are present. I ask Petra Biberbach and the other individuals who want to give the presentation to come forward, please. Petra, would you like to introduce yourself and the other people who are with you and then give your presentation?

**Petra Biberbach (Campaign for Borders Rail):** Yes. Thank you very much, convener, for coming down to the Borders and seeing for yourself the strength of feeling that exists here.

We were overwhelmed by the support that we gained for the petition, which contains more than 17,000 signatures. It is fair to say that the reopening of the Borders rail link has its roots in the community; that is demonstrated by the fact that, when the campaign started less than 18 months ago, we had no members. We now have more than 400 members, who are spread across the Borders. Indeed, we have members in all areas of the Borders, which lays to rest fears that areas in the Borders do not work together—they work together on issues such as this. We also have members far beyond the Borders—from Dorset, the north of England and from the Highlands. Support for the campaign has been good.

The 17,000 signatures were collected over three months. We could have continued collecting and we could have gained many more signatures. Some people wanted to sign the petition twice or three times, as they felt so strongly about the issue. We have, however, been fair and there is no duplication whatever.

We found that a scheme such as the reopening of a railway needs—in line with Sarah Boyack's words—a partnership approach. The Campaign for Borders Rail is willing to take part in that partnership, with others such as the local community, the local authority and the local enterprise company. Most important, the partnership also needs the Scottish Parliament's resources.

My colleagues will go into more detail on the various aspects of why the community feels so strongly about this issue. It is about time that we put right an injustice that was done 31 years ago. The Borders is the only mainland region in the UK not to have a rail service. Here is an interesting statistic: in the Highland region, which has a population of approximately 220,000, there are 57 stations; in the Borders region, which has a population of approximately 110,000, we have no stations. It is time for us to put that situation in order.

To show that we are politically correct, the order in which we will address the committee will be alternately male and female. The person to speak after me will be Lorne Anton, who is from the Peebles area—we have been careful to select people from throughout the Borders—and he will speak on freight in particular. After that, Anna MacKenzie will express the feelings of teenagers and young people in the Borders. Then we will hear from George Fraser, a retired company director who lives in Midlothian, who will explore

some of the issues that are faced there. Marge Elliott is a seasoned campaigner. She wants to have the railway back and fought hard to keep it open 31 years ago. Finally, there is David Mackey, who will explain what it is like to live in excluded communities such as Newcastleton.

**Lorne Anton (Campaign for Borders Rail):**

Great North Eastern Railway recently produced a report that concluded that rail-linked areas enjoy better prospects socially, economically and industrially than areas that are not rail linked. As rail use increases, for both passengers and freight, the Borders will, unless it is rail linked, become increasingly isolated. A fully reopened route would provide direct and fast links not only to England, but to Europe and its markets. When a train leaves the Edinburgh suburban area on the west coast main line, the only place between Edinburgh and Carlisle at which the stock of Mr Branson and his Virgin Trains can earn revenue is Lockerbie. On a reopened Waverley route, direct from Edinburgh to Carlisle, the potential for passenger and freight revenue would exist in Dalkeith, Stow, Gala, Melrose, St Boswells, Hawick and Newcastleton.

We live in Innerleithen. If we want to visit our son and daughter in the south of England, our journey begins with an hour's drive to Lockerbie. The other options for us are Edinburgh, Carlisle or Berwick. Before moving to the Borders, we lived in North Berwick and had the benefit of a rail link from there to Edinburgh. An essential part of East Lothian's attractiveness as a place to live—and of its prosperity—is its good transport links. The journeys are faster, safer and environmentally cleaner than they would be by car.

Generally, the reopening of rail routes exceeds expectations of use and revenue. Accountants and present-day railway planners are not known for their optimism. The reopened Bathgate link has been a success. The reopening of the Robin Hood line, reconnecting Mansfield—formerly one of England's largest towns without a rail link—has been a great success. That project involved reopening a link of 32 miles between Nottingham and Worksop. The re-emergence of the Settle and Carlisle line as a major route for freight and passenger traffic is another example. The British Railways Board was desperate to close it in the 1980s.

14:15

There is a great potential in the Borders for all kinds of freight traffic: timber products, finished and unfinished; agricultural produce; aggregates; fuel and oils; and perishables and non-perishables. The list is endless. The Borders forests are set to produce 750,000 tonnes of timber a year for the next 20 years. How is it to be moved from forest to end user? Beattock yard is

an example of what can be done. Six days a week, a 20-wagon train leaves there for north Wales pulp mills—120 lorry loads a week. That only scratches the surface of what could be moved from pick-up points in Kielder and on the Waverley route. The traffic might be economically marginal, but, if it is to be moved, is not rail the best way to do so? I know that it is unfashionable to say this, but the main issue is not profitability. Wider social and environmental costs must be considered if the timber is to be moved by road.

I am not a Borderer—I am from Callander in Perthshire, another town that got the doctor's snip—but no one would have to live here for long to see the determination of Borderers to make their communities work. The Borders needs an effective passenger and freight link. The area needs to be connected. The Westminster and Scottish Parliaments were elected on policies of social inclusion, on a promise to reduce environmentally damaging emissions and dependency on cars and lorries and on a shift from road to rail—a radical transport policy. Let us be radical. The people in this hall and thousands of others in the Borders want to be connected to the rail network again. They believe that a recent decline in the fortunes of the Borders can be reversed in part by the reinstatement of the rail route. I hope that that message goes back with the committee, loud and clear, to the Scottish Parliament.

**Anna MacKenzie (Campaign for Borders Rail):**

Although there are obvious and sound arguments for reopening the old railway line, such as the fact that it would be good for tourism, how far do such arguments fit into a young person's perspective? Not far, you might think, as the majority of us will leave the area at one time or another and for whatever reason—college, university or a job. However, that need not be the case, and might not be if we had a railway.

After the Highlands, the Borders has the highest rate of emigration of young people. The opportunities for young people are becoming fewer. That is a sad fact. However, I am being rather pessimistic. This area is littered with decent schools and there are good colleges in Galashiels and Hawick that offer a wide range of courses. Unfortunately, the range is not wide enough and we are forced to go elsewhere to find the courses that we want. That need not mean that students must leave the area. They could commute to their places of study, but what about the ones who cannot drive or afford to run a car? A railway would benefit them. Although there is an adequate bus service, the train would be a lot quicker; on a cold, winter's night, after a long day of lectures, I would prefer a 45-minute train journey to a drawn-out one-and-three-quarter-hour bus journey. It is not fair or sensible to force students out of the

area because of substandard travel facilities that could be put right by the installation of a railway. The railway would also allow students from other areas to travel to the colleges in the Borders that run courses that are not available elsewhere.

As you are aware, the number of cars on the roads is always increasing. To someone who has been driving for only a year, that is rather a daunting fact. I am arguing not only from the point of view of an irritable car driver but from that of a young driver who finds the thought of driving into a city as busy as Edinburgh quite scary. Many of my peers share that fear. I have mustered the courage to drive into the big city only a couple of times; the option of a short train journey, rather than a panicky car journey, is much more pleasing.

As I am constantly reminded by my parents, it costs a lot of money to run a car nowadays. Everyday commuters to Edinburgh will be only too aware of that fact. Reopening the railway would allow them to travel by train, which would save them time and money. Cutting the number of cars on the roads would be a blessing as it would reduce road accidents, deaths and pollution caused by toxic car fumes.

As a young person of the Borders, I do not intend to sit in front of you today and drone on about how boring and dull it is to live here. Do not hold me to this, but I do not think that it is. However, opportunities for young people in this area are dwindling. With unemployment rising due to the closure of Viasystems and various factories and mills, the young are having to look elsewhere for jobs. The clock cannot be turned back on that problem, but the situation can be helped. The rail link would certainly open up the area. Jobs would be provided on the railway and people would be able to commute to find employment.

It might be argued that, as I am a young person, my arguments are slightly naive. I am not suggesting that reopening the old railway line would solve all the area's problems, but I think that it would be a step in the right direction.

I will leave you with this thought: of the substantial group of Borders youths aged between 16 and 19 to whom I spoke, a whopping 95 per cent were for the reopening of the railway. Surely that is a large enough voice to be taken notice of.

**George Fraser (Campaign for Borders Rail):** What a refreshing example of Borders education that was.

I thank the committee for choosing what I think is an appropriate venue for this meeting and for taking the time and trouble to journey here. I use the word "trouble" advisedly, particularly in relation to the people who travelled from the north. Between crossing the frontier at Midlothian and

reaching the outskirts of Galashiels, you will have negotiated 80 bends, many of them acute. We could search western Europe—perhaps the whole of Europe—without finding a town the size of Galashiels and a mere 30 or so miles from its country's capital city that is linked by a similarly tortuous route. As an economic lifeline, it is positively varicose. This petition can be taken back to your temporary—or perhaps permanent—home and used to get the Borders back on the straight and narrow, where it once was.

Some interesting statistics about the average weekly earnings of people in Scotland were published recently. As an ex-Aberdonian, I was pleased that, for once, Aberdeen won a league—and with a Rangers-like advantage over Edinburgh, which came second. I am pleased to see the renaissance of Edinburgh, but languishing at the foot of the league was the Borders. That is sad. What is even sadder is that that is not the perception that people have of the Borders—although this might be cheeky, I must say that it is not the perception that some MSPs had of the Borders until the figures were published.

An hour's trip to the north of Galashiels brings us into a totally different economic climate. That burgeoning economy is spilling over into Fife, East Lothian and West Lothian. Those areas share a common factor: a rail link with Edinburgh that gives people a choice between cluttering up Edinburgh or doing Edinburgh a great service by commuting into the city, something which hundreds and hundreds of them do, although the frenzy of house building in Midlothian, where I live, might compound Edinburgh's problems. However, the effect of Edinburgh's burgeoning economy is not felt in the Borders.

Neither of the parties that formed Governments in the 1960s had the vision or the foresight to maintain the rail link. Now, we have new Labour, a new Parliament, a new millennium and a feasibility study that is for the most part positive and has Sarah Boyack's blessing. We have to use that to try to bring prosperity and hope back to the Borders. All members of the Scottish Parliament have a duty to redress a wrong. We are not dealing with pounds, shillings and pence; we are dealing with human beings.

**Madge Elliot (Campaign for Borders Rail):** I will tell the committee a true story from last year about a young Hawick family. The family consists of mum and dad, two wee schoolgirls and five-month-old twins. The mum and dad were not planning to go on holiday last year until the wee lassies came home saying that they could not understand why their friends were going here, there and everywhere and they were not.

The mum and dad booked a week's holiday in Blackpool. On the big day, they went to the bus

stop to get the bus to Carlisle station, which is 42 miles away and Hawick's nearest railhead. At the bus stop, they waited and waited but the bus did not turn up. The dad went off to make inquiries and was told to wait for the next bus. They had no option, so they did. When they got to Carlisle station, the train that they had booked seats on had gone and they had to wait for the next train. When they got on, there were no seats available so they had to stand the whole way—not a soul offered them a seat. When they came home, the busy young mum wrote to the Deputy Prime Minister, John Prescott, MPs and the managing director of the bus company, who said, "You wouldn't be pleased with a helicopter."

14:30

In 1869, Hawick folk could travel to Edinburgh by train in two and a half hours. In the 21<sup>st</sup> century, Hawick folk take two and a quarter hours to travel to Edinburgh on public transport. It is perfectly true to say that the journey is quicker by hearse. I ask the Scottish Parliament to be careful and not to turn the debatable lands into a no-man's-land. Scotland begins at the border.

**David Mackey (Campaign for Borders Rail):** I do not know how I can follow that.

I would like to try to sum up our case by referring back to the joint working party that was set up by the then Scottish Office two years ago, following the damaging effects on the local economy of the demise of Viasystems and other job losses in the Borders.

The joint working party's report, and the subsequent report of a working party set up by the agencies in the Borders, highlighted four key objectives. One of the objectives is individual: to help people reach their full potential. Another is social: to ensure vibrant communities. The enterprise objective is to develop and maintain thriving businesses, and the final objective is to make the Borders a connected place, by countering remoteness, providing effective communication and making social exclusion a thing of the past.

I will illustrate those four points by examining the position of Newcastleton, where I live, which is a small village with a population of about 800 in a beautiful valley that has a total population of about 1,300. However, the population has halved since 1969. Newcastleton met those objectives until the railway was taken away. Now, Newcastleton is a classic case of what should not happen. I will give some examples.

Educational opportunities, such as the for secondary school and the library, are in Hawick, 25 miles away, which requires a journey of 50 minutes by bus. Borders College is here in

Galashiels, which requires a journey of nearly two hours by bus, with several changes. To the south, Carlisle is 30 miles away, which takes about an hour by bus, with one change. With the railway, Carlisle and Hawick could be reached in half an hour and Galashiels could be reached in a little over three quarters of an hour.

Almost 60 per cent of the population of Newcastleton are people over the age of 60. Young people leave for education and jobs and do not come back. Houses suitable for young families become holiday homes. The railway would reverse that trend, providing access to commuter jobs in Carlisle and Hawick, and even in Galashiels and Edinburgh, which would counteract the decline in, and the aging of, the population.

Business opportunities in Newcastleton are not great. Eighteen months ago, the travel problems drove away our only major employer, and tourism is our mainstay. We have a splendid caravan park and excellent bed and breakfast businesses and hotels, but they struggle for business and are not helped by the poor roads and the problem of the log lorries—huge, 40-tonne vehicles driving on roads built for horse-drawn traffic. There is little hope for early improvement, given the recent measly funding allocation for Scottish Borders Council. There are many more problems, but time does not allow me to cover them all.

Social exclusion, to most people, means deprivation, discrimination and poverty, usually in urban areas. Although Newcastleton is a rural community, it is a classic example of social exclusion. Our plight, and the plight of many similar rural villages, is not helped by current resource allocations. While urban areas get large resources to counter social exclusion, we do not. Improvements to their roads and transport links are given great priority, while rural areas get nothing. If nothing is done, the prognosis for Newcastleton and other similar villages is bad.

In the 19<sup>th</sup> century, pushing a railway across America or through the Alps was not a problem. Surely, in the 21<sup>st</sup> century, we can once again link Edinburgh and Carlisle to the Borders by rail. That action would counter remoteness, provide effective communication, develop thriving businesses and do away with social exclusion in the Borders.

The technology exists, the track-bed largely remains, the local and regional will is strong, as members of the committee have seen, and the resources would be available if the political will existed. This could be a flagship project for Scotland, not only making the Borders a connected place, but ensuring that social exclusion is a thing of the past.

Please help us to achieve that dream. I thank



you for listening.

**Petra Biberbach:** As usual, I get the last word.

We have tried to demonstrate that this is not just a transportation issue. We made five key points in our petition. The people who signed our petition agreed with our arguments that the railway is needed:

“To make the Borders more accessible for industry and development, in order to create desperately needed job opportunities.

To provide an alternative to the road system.

To promote a more sustainable transport system.

To reduce social isolation in the Borders communities.

To improve access to the Borders for tourism.”

Many of us were not railway campaigners, but we are becoming railway campaigners because we want the railway back in the Borders. [Applause.]

**The Convener:** First, on behalf of the committee, I thank all the speakers for your excellent contributions and briefings. I am not sure whether it is in order for members of the committee to applaud petitioners, but they could not help themselves after listening to you.

Before I ask local MSPs and MPs to address the committee, we will have a period for questions on the briefings that we have just heard. Members should indicate whether they wish to ask questions.

**Mrs Margaret Smith (Edinburgh West) (LD):** Thank you for your excellent contributions. Let us cut to the chase right away—I support your views. I used to be a transport spokesperson in Edinburgh and, at the risk of sounding parochial, this initiative could mean opportunities all along the line from Edinburgh to Carlisle, which would be good news for Edinburgh as well as for the Borders.

However, costs are always used against your case. What are the costs of building the railway, and what would they be if it were not built? What figures do you have to demonstrate what those costs would be to regeneration and business in the area?

**Petra Biberbach:** I will kick off.

First, how long is a piece of string? A feasibility study was carried out on the rail link that gave us some figures. However, some people say that the initiative would be gold plated. Figures are available in the Scott Wilson report on what the railway would cost to construct.

We had an interesting debate on social exclusion with the shadow strategic rail authority. The precise question is: how does one estimate

the cost of not building the railway? What would that mean to communities such as Hawick, which is desperately starved of population? There is no doubt that Hawick is dying on its feet. How does one put a price on that?

Quality of life for youngsters such as Anna MacKenzie means not having the same opportunities as other youngsters. Single parents do not have the same opportunities for lifelong learning as others. It would be interesting to undertake a study to examine those figures. Elsewhere in Europe, such figures are available, but we need them in a Scottish context.

**Mrs Smith:** I know that that was a difficult question. Has someone, somewhere, undertaken any work to quantify how much more business would come back to the Borders as a result of the railway?

One of the recommendations before us is to refer your petition to the Parliament’s Transport and the Environment Committee. Do you agree that it should also be referred to the Social Inclusion, Housing and the Voluntary Sector Committee and to the Enterprise and Lifelong Learning Committee?

**Petra Biberbach:** I totally agree with that. Like so many transport issues, our petition should not be left to just one committee, because we are talking about sustainability. It should be addressed by the Scottish Executive, which should implement these projects across the board, so that they are no longer compartmentalised. Because the Borders rail link has been left to one committee or to one department to deal with, progress on it has been hindered. That is why there are no figures on social inclusion or on the costs that you asked about.

I will relate an interesting anecdote about our conference last year. Some of our members come from Edinburgh and would dearly love the opportunity to move to the Borders. We know that young professionals want to relocate to the Borders, because of the quality of life for their young families, but they will not do so because there is no transport infrastructure, which they would find difficult to deal with. Therefore, we lose out again.

**Phil Gallie (South of Scotland) (Con):** Margaret Smith asked part of the question that I intended to ask. It seemed to me that you covered social, educational, economic, environmental and even tourism issues in your excellent presentation. You have given us a range of options for our decision on which committee we should refer your petition to.

Mr Fraser suggested that you wanted a straight and narrow route, which suggests a rail link. However, at the same time, he talked about the

road links within the Borders. How important are roads to a Borders rail project?

**George Fraser:** The roads are vital. While there is a network of roads—I was being a bit facetious earlier—there are tortuous, dreadful roads throughout the Borders. However, they provide the hope for an integrated system. By selecting carefully railway halts, one could have feeder services covering Selkirk and all the other townships that are a short distance from the straight and narrow route that I spoke about.

**David Mackey:** Newcastleton has a lot of surrounding forests, such as Keilder and Newcastleton forests. We are involved in the extraction of timber, a business that is due to increase enormously by 2012 to nearly double the amount extracted currently.

During my presentation, I mentioned the 40-tonne log lorries, which often have trailers and which use roads that were designed originally for horse-drawn vehicles. Apart from the problems caused by driving on roads that are shared with those lorries, the roads are being seriously damaged and resources are not available to maintain them. With no railway, we are in a catch-22—or even a catch-44—situation, with the economy and the importance of the extraction of timber on one side and, on the other, the roads that are falling apart. The difficulties with the roads reduce tourism and access and take business away from the area. It is a circular problem that we cannot break out of. We hope that the reintroduction of the railway will allow us to begin to break out of that cycle.

**Christine Grahame (South of Scotland) (SNP):** I have little to add to your full, comprehensive and, quite rightly, impassioned statement about the requirement for a Borders railway. I speak wearing the hat of the convener of the Parliament's cross-party group on Borders rail. Ian Jenkins and Murray Tosh, who are also here, are the group's vice-conveners, as is Robin Harper. There is a great deal of cross-party support in the Parliament for the railway.

I have a simple, rather downbeat question: what would the prognosis be for the Borders without the reinstatement of the railway line? A clear message on that point should go back to the Scottish Executive.

**Petra Biberbach:** The transport policies that are emerging from Edinburgh give a clear indication of what is going to happen. We will be further penalised for not being given an alternative to the motor car. Places like Hawick, which are dying on their feet, as I said, demonstrate why we need a railway. It is important not to view this situation in isolation. I do not like the roads versus rail argument, the rural versus urban argument, or the

idea of the Borders versus the capital.

All that our group wants is an integrated vision of what is needed. In addition to a good road network, we need a good rail service. Increasingly, we will be penalised if we do not have a railway and have it soon. The policies that are coming to the fore in Edinburgh are right. We have to start paying the real cost of transportation by motor car. However, we also have to put in place alternatives so that people can make choices, and we do not have them in the Borders. Thirty-five miles from Edinburgh, we do not have a choice.

**David Mackey:** In the small villages in the Borders, and indeed in some of the larger towns, there is an increasingly aging population, which will cost the community a great deal of money in the future. The number of people providing those resources is decreasing, and individual social and health problems will get greater and greater unless there is a change to redress the current balance of population shift.

**Lorne Anton:** When thinking about what will happen if the rail link does not reopen, we must consider what is happening on the ground. Large numbers of people are returning to the railway, freight has increased by a third over the past few years, and we must be part of that system. If other people are looking for alternatives and we do not have one, we will be increasingly marginalised. Fife, the Lothians and the central belt, where the economy is successful, are all rail linked and all have freight sidings. There is a difference between not having any infrastructure and being able to develop existing infrastructure. If we have a rail link, we can do something with it, but we cannot make progress as the situation currently stands.

14:45

**Christine Grahame:** It is open to this committee to bring a debate to Parliament. There has already been a members' business debate on the Borders rail link, but there was no vote on that. Would the campaigners and their supporters wish to have the restoration of the Borders rail link debated in Parliament with input from the various committees that have already been mentioned? The Transport and the Environment Committee, the Enterprise and Lifelong Learning Committee and the Social Inclusion, Housing and Voluntary Sector Committee would all be appropriate committees to be involved.

**Petra Biberbach:** I can say wholeheartedly that we would welcome that long-overdue opportunity. Thank you. Could we get a date for that?

**The Convener:** That will have to be negotiated.

**Ms Sandra White (Glasgow) (SNP):** I hope that it can be as soon as possible. I thank you all for

your excellent presentation. If you were to stand for Parliament, you might usurp some of the members who are there now.

As someone who has just driven here from Glasgow, I wholeheartedly agree that there is a need for a rail link. It is not pleasant to be stuck between two big lorries on a winding road while trying to find out exactly where Galashiels is. I am sorry for my ignorance in that respect; I found my way here anyway. If there were a rail link, I would have been more than happy to take the train rather than having to drive all the way back. I sympathise with anyone who has to commute to work.

Years ago, when there was a rail link here, the population of the Borders was greater because the quality of life was better and people commuted to work by rail. If there was a direct link to Edinburgh or Carlisle, would more young people return to the Borders?

**Madge Elliot:** Hawick, the largest town in the Borders, had a population of more than 17,000, but it has reduced to 15,000. We are suffering, our mills are closing and young folk are moving out. There is nothing for them in Hawick and nothing to look forward to, although it was a good quality of life at one time. I recently read about the pupils from St Boswells who travelled to Hawick High School by rail. Apparently, our education department took them off rail and put them on to the road two years before the railway closed. There were various things going on at that time that we did not appreciate, but things were being cut back gradually.

**Anna MacKenzie:** I was on the phone to one of my friends at the University of Glasgow the other day. She was moaning to me because it takes 40 minutes on the train from Glasgow to Edinburgh and the journey from Edinburgh to Selkirk on the bus takes twice as long as that, which is ridiculous. It is a sad fact that few people I go to school with are staying in the Borders. All of them have to go elsewhere to find the education that will further them in what they want to do. Few of them can get home easily and, if they want to commute, there are not many opportunities to do so. Something must be done for young people.

**George Fraser:** It is possible to buy a flat in Hawick for less money than one would pay for a mews garage in the centre of Edinburgh to stable one's car. That sums up the situation in a nutshell.

**Helen Eadie (Dunfermline East) (Lab):** My question concerns the involvement of all the other agencies. We have mentioned the Scottish Executive and the Scottish Parliament, but we should also mention the rail operating companies and Railtrack. Railtrack invests something like £28 billion a year in network management, but

Scotland has 12 per cent of the Railtrack infrastructure and only 6 per cent of the investment. That is a key issue and I hope that any representations that are made will pay acute regard to the private sector. Every train company—Virgin Trains, ScotRail, Great North Eastern Railway and freight companies such as English, Welsh and Scottish Railway—would benefit.

I am one of six Co-operative and Labour party MSPs. We are so called, not because of the co-operative retail sector, but because we believe in the co-operative ideology of bringing together all the people who have a stake in a development. I would like us to call not only on the Scottish Executive, but on every single person who could be a stakeholder. That would include all the private sector companies and enterprise companies, as well as the Scottish Executive. Those are the bodies that have investment moneys and could help to lever in any European money that could be found.

I am a member of the Transport and the Environment Committee. Many of you will know that I was a candidate here in Roxburgh and Berwickshire. I have another statistic to add to the impressive list of statistics that you gave in your excellent presentation. When I had the options deal on my car I was told that, when I took it back to be traded in, it would have to have 18,000 miles on the clock. In the year when I was a Labour party candidate down here, I clocked up 46,000 miles on that car, because it is 100 miles from Eyemouth on the east coast to Newcastleton.

I do not know whether the convener would consider it proper to say so, but your petition has my support and I have no compunction about saying so.

**The Convener:** It is proper to say whatever you want, but I do not think that there was a question in what you said.

**Petra Biberbach:** Helen Eadie is right to say that co-operation is vital. You will be pleased to know that a Borders rail forum has been set up. CBR is a member of it, as are the local authority, the local enterprise company and a private company called Borders Transport Futures. It is important that all of us are sitting round the table together to get things going. It is also important that the Scottish Parliament sends the right signals, and that means that resources have to be found. We will be doing our bit, but you also have to do your bit.

**Helen Eadie:** It is imperative that your forum get all those private sector companies around that table.

**Petra Biberbach:** Absolutely.

**David Mackey:** As well as the feasibility study, there is also a working party that draws together Scottish Borders Council, Scottish Borders Enterprise and various other public agencies together with a number of the private companies that were mentioned—Railtrack, ScotRail and other bodies. In parallel with the political campaigning, there is also the hard-nosed work of getting down to resourcing issues.

**Mr Murray Tosh (South of Scotland) (Con):** I wanted to pick up on a question that someone else asked. I would like to contribute an answer to it. Sandra White asked whether people had used the railways to commute when there was a railway network. I was brought up in Hawick in the 1950s and I travelled on the Waverley line. In the 1950s, Hawick was a prosperous place. There was plenty of work, plenty of leisure facilities were available locally, and not many people travelled to Edinburgh to work. However, commuting is something that has taken off in the past 20 or 30 years; it is a modern lifestyle. People in the Borders do not have the opportunity to commute, as people in virtually every other part of Scotland do.

My mother lives in St Boswells. She told me about her friend's son, who recently managed to get a job after being unemployed for years. He works at Toys R Us at Newcraighall in Edinburgh and has had to find a flat in Edinburgh because he cannot access the city as a place of employment. Generations are bleeding away from an area and leaving it with an elderly population and the lowest average wages in Scotland. The rail link should be seen as an opportunity to turn round the whole economic profile of the area, allowing people who live here to access well-paid jobs in other parts of Scotland. It would also allow people who work in Edinburgh, a city that is bursting at the seams, to access housing down here where it is, unfortunately, too cheap.

Phil Gallie was right to say that road improvements are also needed. However, until we tackle the issue of a proper mass transport system for commuters and for industry, we will struggle to turn the Borders economy round. It is a real gap in the whole transport infrastructure of Scotland. As Helen Eadie says, we need to draw everybody into the rail link project. It is something that Parliament must discuss and must put to the Scottish Executive. The Executive has spoken a lot of warm words about the local economy, but we now need to find the funding to make things happen. It is essential for the borders that the rail link be re-established.

**The Convener:** It is clear from the last two questions that we have run out of questions. I thank the petitioners for their evidence. We are not finished yet, as we have yet to take evidence from

the MSPs and MPs.

I extend a warm welcome to Archy Kirkwood MP and Michael Moore MP. It is good to involve those Westminster MPs in the work of the Scottish Parliament's Public Petitions Committee. I also invite the other MSPs to take part in our discussions.

15:00

**Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD):** I welcome the committee to this constituency. The Borders has wonderful scenery, a tremendous quality of life, fine schools and a work force of great integrity. Its population has great independence of thought and a willingness to make full use of the opportunities that come its way. The people of this area have had a hard time, and, as Murray Tosh said, this is a low-wage economy. We want a dynamic Borders rail project that will transform the outlook for the region, turn its economy round and do many other things for our communities.

I congratulate the Campaign for Borders Rail on a presentation that leaves us almost nothing to say. Reference has been made to a potential debate in Parliament and to the role of the Transport and the Environment Committee, the Social Inclusion, Housing and Voluntary Sector Committee and the Enterprise and Lifelong Learning Committee. However, nobody mentioned the Rural Affairs Committee or the Minister for Communities. This meeting is like a mini economic forum for Scotland, and we must use it to put the case for bringing the Borders into the heart of Scotland. That is what this project is about. I want the Parliament, the Executive and other partners to take it on board as a flagship project that shows how an economy can be turned round by one measure that cuts to the heart of a community's needs.

**Euan Robson (Roxburgh and Berwickshire) (LD):** I echo Ian Jenkins's words and welcome members of the committee to the Borders. Thank you for coming and for giving us the opportunity to say a few words.

As the committee will have seen, we cannot overemphasise the importance—not just for the Borders, but for Scotland as a whole—of a new strategic railway through the Borders to Carlisle. The committee will have taken that on board. We believe that a Borders rail link would help us to regenerate our local economy. It would fit in well with the work that is under way in the new ways study, which was alluded to in earlier evidence, on diversifying and regenerating the local economy.

I hope that the committee will decide to refer the petition to the Parliament's Enterprise and Lifelong Learning Committee. The petition should also be

referred to the Rural Affairs Committee, as Ian Jenkins suggested, and to the Social Inclusion, Housing and Voluntary Sector Committee, because by bringing back the railway we will integrate the Borders back into Scotland.

We have heard some eloquent testimony on how we are disadvantaged by the poverty of our links with Edinburgh and the central belt. I want particularly to emphasise the point that has been made about young people. We have an aging population; we are losing our young people because they cannot stay in the Borders and commute to Edinburgh for work and are, therefore, unable to take advantage of the facilities that exist outside the Borders. In the same way, people are not moving to the Borders as they are afraid of being cut off, because the transport links are not good.

A Borders rail link would be in line with the sustainable transport agenda, so the petition should also be referred to the Transport and the Environment Committee. The committee has heard David Mackey speak eloquently about timber traffic. Imagine the effect of extra heavy vehicles on our limited roads, clogging up the roads and making it even more difficult to get to and from Edinburgh.

I would like committee members to take back to their political groups the strength of feeling in the Borders on this issue. It is quite clear that taking a Borders rail link through to Carlisle is an achievable project, but it needs the political will behind it. Like earlier speakers, I believe that after we have received reports back from the committees, we should debate the matter in the Scottish Parliament, so that it can be fully aired and the Executive can be fully briefed.

**The Convener:** I thank Archy Kirkwood and Michael Moore for their patience in waiting their turn. I am sure that they have something to add to what has been said so far.

**Mr Archy Kirkwood (MP for Roxburgh and Berwickshire):** I offer the committee a warm Borders welcome. I appreciate the convener's recognition of the fact that this is probably the first time that Westminster parliamentarians have been subject to cross-examination and scrutiny by one of the committees of our sister Parliament in Edinburgh. I am delighted to be here. I am also delighted that you chose to hold this meeting in the Borders, and hope that you will be encouraged to get out from Edinburgh a little more and to visit the airts and pairs of the country. That will give you an opportunity to encounter a different perspective and to escape the cosmopolitan, political, rather incestuous talk that bedevils the public consideration of important questions, if my experience at Westminster is anything to go by.

You may think that this is a big turnout, but if you had been able to come of an evening you would have had to convene the meeting in Netherdale park, such is the interest in the subject. This is not about transportation, but depopulation. The prosperity of the region in future years will depend on how we deal with the Borders rail link in both Parliaments; it is as simple as that.

I concur with everything that Petra Biberbach and the delegation have said, but I want to put that in context. The working party report that was issued by the industry department in March 1999 was a direct response to a series of body blows that we suffered here—at Viasystems and at Pringle of Scotland—that led to job losses on an unprecedented scale. The honest truth is that we all got slightly frightened. However, we have picked ourselves up—as we do here—and have come together in a unique, co-ordinated piece of activity in which the public authorities are playing a full part. The local enterprise company and Scottish Borders Council have been peerless in their attention to the issue. One great advantage in south-east Scotland is that all the agencies work within the same geographical region. I assure the committee that in recent months, since the working party set up the Scott Wilson report, we have worked tirelessly to deal with a situation that is difficult to address in the longer term.

The Scott Wilson Borders railway feasibility study was spawned by the Scottish Office working party report of March 1999. Euan Robson referred to the new ways study, which is the considered view on the way forward for the economic development of the Borders. The railway project is integral to the philosophy, approaches and detailed recommendations of that study. The Scott Wilson report cannot be seen in isolation, but must be seen in a social, economic and political context. It is essential that the committee leaves the region with the clear idea that the Scott Wilson report is not merely an exercise in accountancy and civil engineering—it is much more than that.

To deal with all the problems, we need a 20-year vision. Recently, I have been lucky enough to travel to Hong Kong and Australasia with the House of Commons Select Committee on Social Security. One does not have to be in those countries for more than 10 minutes to see the investment that is being poured into long-term transportation infrastructure programmes. The opportunity to reinstate a Borders rail link as a strategic corridor through the region will come only once. If we do not take that opportunity, it will never come again.

I detect from members' body language that the committee is willing to support the petitioners and I am pleased that Christine Grahame has suggested a debate in Parliament, as I am sure

that that will be essential. However, a more consistent and coherent longer-term attachment to the campaign will be necessary, both at Westminster and in Edinburgh, to bring the project to fruition. A debate in Parliament is an essential first step, but I hope that the committee will go back with the message that a longer-term commitment is necessary if we are to achieve our goal. That commitment must come not just from local members, but from the Scottish Executive and the Scottish Parliament as a whole.

From my experience at Westminster, I believe that there is strong support for the building of a Borders rail link as a strategic corridor. Over the years, further burdens are likely to be imposed on the use of private cars. Michael Moore and I will have to hasten from this meeting to be in the House of Commons in time to vote against the increases in petrol duty that were imposed by the Labour Government in the budget. I know that in your heart of hearts, convener, you would be with us if you could—in more ways than one.

**The Convener:** Please send my apologies to the Labour whips.

**Mr Kirkwood:** Mr McAvoy will be pleased to hear that.

Seriously, there will be further downward pressure on the use of private vehicles. Anyone with any sense of what is happening will understand why. There is escalating pressure at Westminster to get more freight off road and on to rail; that pressure is increasing month by month and year by year. Carbon dioxide emissions are becoming an increasing problem internationally. The transport debate, which Michael Moore knows more about than I do, is moving further in the direction of integrated transport than it has done in the 20 years that I have been in politics. The social inclusion agenda is also being interpreted in a much wider sense and is being given much higher priority by central Government.

Diversification, rural development, job creation and tourism in the Borders all depend on our getting access to a strategic rail route. This is not a short-term issue—we need a vision for the next 30 to 50 years. The consequences of not building the link are dire; if it is not built, the region will be sentenced to impoverishment and depopulation. We will become even more left out than we have been since the closure of the Waverley route, a huge psychological blow from which the region has never properly recovered. It is not acceptable to allow that situation to continue. We look to the committee for support, not just in the coming weeks, but in the coming months and years, in achieving the goal of a strategic rail through-corridor in the region.

**Mr Michael Moore (MP for Tweeddale, Ettrick and Lauderdale):** I echo Archy Kirkwood's welcome for this historic opportunity for Westminster MPs to address a committee of the Scottish Parliament. Convener, you and I spent many long hours on the bill that set up the Parliament. I nearly said that I have spent many a long hour listening to your speeches, but that would have been inappropriate.

Here we have a good example of the Scottish Parliament bringing something new to Scotland and of how we can use the Parliament to develop a political will and momentum on key issues. In the Borders, few issues are more serious than the railway network and the need for a through-route from Edinburgh to Carlisle, which would address many of our problems.

Without wishing to butter up to you too much, convener, one of my great pleasures in the House of Commons in recent years has been serving with you on the Scottish Affairs Select Committee. As you will recall, that committee visited the Borders as part of its inquiry into inward investment. At that time, the problems at Viasystems and Pringle were at their height, and I recall committee members from other parts of Scotland being quite shocked by what they saw, which undermined their image of the Borders as a leafy, green, wealthy place. I welcome that committee's report, and the fact that there has been a cross-party and cross-agency response to those problems.

The rail link is vital to our economic development and to help address the social inclusion issues that have been mentioned repeatedly this afternoon. Most of all, it is vital symbolically to an area that has felt neglected at times, and that has needed to be convinced that it is part of the Scottish mainstream. As Madge Elliot and many others have made clear, there is great determination locally on this issue. I hope that the committee will take those strong feelings back to Edinburgh and deliver the message to other committees so that we may get some action.

The message has not always got across, even to those who should know better. Recently, I received a letter from Railtrack, which advised me—as all corporate bumf does—of all the wonderful things that the company is doing for the whole of Scotland. It also advised me that Railtrack was running a competition and that it would let me know soon if a railway station in my constituency had been nominated as station of the year. [*Laughter.*] I have not yet calmed down sufficiently to reply to that.

From where I live in Peeblesshire, the airport is but 45 minutes away; the nearest railway station is a good hour and a quarter away. Time and again, we are left out.

This project is first class. It is absolutely essential for the rebirth and future prosperity of the Borders. I welcome your support.

**The Convener:** If members wish to ask questions, this is the chance of a lifetime.

**Christine Grahame:** I do not want to cross-examine Mr Moore—heaven forbid. If the committee were able to have a non-Executive debate in the Parliament, that would be a major step.

Many of us are wondering where the money will come from. Anyone who votes for this would be committing themselves to capital expenditure in the Borders, which is what we really need from the Scottish Parliament.

**Mr Moore:** I agree that we need capital expenditure. Before the cross-party cohesion breaks down too far, we must ensure that the man whose budget we will be voting against tonight hears the message. We are sitting with increasing surpluses in the country's accounts, and we need further investment. If the Borders is not a good example of an area with top-quality projects for investment, I do not know where is.

15:15

**The Convener:** I call Phil Gallie, that most consensual of MSPs.

**Mr Kirkwood:** The consensus ends here.

**Phil Gallie:** Archy Kirkwood, quite rightly, mentioned the cross-border implications of the Borders rail link and the way in which it will affect Westminster. The Public Petitions Committee has to decide what to do with the petition. Does Archy have any ideas on whether we should send a Scottish parliamentary petition southwards to Westminster?

**Mr Kirkwood:** There are some technical difficulties. I think that we would need to use private legislation. Because of the demarcation between reserved and devolved powers, a rail development that crossed the border would—perforce, as Phil Gallie knows—have to go through some pretty arcane private member's procedures. We are working on that. I would be happy to promote such a bill, and I know that work that has been done by Borders Transport Futures Ltd has broken the back of what needs to be done. We are well-prepared, and if it comes to it, I would be delighted to be the sponsor of the legislation that achieved the end we desire.

**Phil Gallie:** I welcome those comments. Do you not feel, however, that John Prescott's Department of the Environment, Transport and the Regions should receive some comment from us on the issue, which seems to be essential to the Borders,

and to both sides of the border?

**Mr Moore:** I am on the committee that is examining the Transport Bill—we will reach part 4 of the bill this week. The under-secretary of state, Keith Hill, has said that he commends the Waverley line project. He remembers that, as a young boy, he used the Waverley line to come here on holiday to go hillwalking. I intend to take full advantage of his memories in promoting the bill. I would like to invite him at some future time to travel back by train, so that he can have another Borders hillwalking holiday.

What is done with the petition is very important. If the committee wishes to send a copy to Westminster, it will find two happy bag-carriers here.

**The Convener:** We now turn to a discussion of what should happen to the petition. Before we had heard any evidence, the suggestion was that we should refer the petition to the Transport and the Environment Committee for consideration, with the recommendation that it should consult the Scottish Executive, local authorities and other bodies as appropriate. I take it from the discussion so far that we want the Transport and the Environment Committee to be the lead committee, but that we should refer the petition also to the Social Inclusion, Housing and Voluntary Sector Committee, the Enterprise and Lifelong Learning Committee, and the Rural Affairs Committee.

**Mrs Margaret Smith:** We should add a couple of points. We should ask the committees to consider the petition as a matter of urgency—we do not want it to lie on agendas for months—and to do so with care. We should also ask other committees who wish to add their comments to feel free to do so. The importance of this issue to communities was mentioned, and other committees may feel that they wish to raise points on that aspect, without going to the length of producing a report or taking evidence.

**Phil Gallie:** It is right that the petition should go to a range of committees, but we should pick up on Christine Grahame's point. She suggested that there should be a debate in the chamber. If we submit the petition to those other committees, we should collate their responses, then try to secure a debate in the chamber.

**Christine Grahame:** If we pushed for a debate, that would put the committees on a timetable. I am not sure about the practicalities, because for a committee to initiate a debate would be groundbreaking stuff. In Parliament, the committees, and not just the Scottish Executive, can push ideas and legislation forward. This would be a prime opportunity for the Public Petitions Committee—a committee of the grass roots, as has been demonstrated today—to do just that. That would

give urgency and impetus to the other committees' assessment of the substance of the petition. I am not sure whether other members agree, but I would ask the convener to prevail upon the other conveners or the Presiding Officer to push this forward. Actually, convener, I am not sure whom you would prevail upon—can you tell us?

**The Convener:** Ultimately, the corporate body will decide—no, not the corporate body, the Parliamentary Bureau. The Scottish Parliament has some mysterious committees and nobody knows who sits on them. We are debating the mechanism by which the Public Petitions Committee can ask for a debate arising out of any petition that is submitted. As I understand it, the mechanism that is likely to be agreed is that I, as convener, would submit a motion on behalf of the Public Petitions Committee calling for the institution of a rail link as outlined in the petition. At that point, it would be up to the bureau whether it gave the issue time for debate. That has to be done in consultation with the conveners of other committees through the conveners' liaison group—three members of which are here, and all of whom, I assume, would argue in favour of it.

**Helen Eadie:** In addition to the actions that you have suggested, could we send copies of the petitions to all the train operators? Could we also send them to the newly elected members of the European Parliament and to the European Commission? My reason for asking is that—as Archy Kirkwood and Michael Moore pointed out—the issue is of strategic concern. There are trans-European rail networks, and we need to ensure that the appropriate committees in the European Parliament are aware of the project. I recall about three or four years ago that a critical link in the United Kingdom—the Forth rail bridge—was left off the European rail network map for funding. I would like Europe to become aware of the importance of the more peripheral parts of Scotland.

I would like one final organisation, which has a transport committee, to receive the petition. That is the North Sea Commission, which comprises local authorities that are on the periphery of Europe and have to deal with similar issues of peripherality that people have to deal with in the Borders. Having the support of that commission behind us when the issue reaches the European Parliament would add impetus to the project.

In the audience today is John Scott, a local councillor whom I know very well; he is aware of the North Sea Commission and understands its importance. If anyone wants to know more about it, speak to J R Scott—he is your man.

**The Convener:** There is no problem with copying the petition to different people. We can consult Steve Farrell about the different bodies

that we want to send it too. I agree that Railtrack should be involved.

**Ms White:** Convener, could you clarify a point for me? A lot of committees have been mentioned—I cannot remember them all, but Steve Farrell will have written them down. Are we sending copies just for the committees to note the issue, or are we asking for feedback? I am worried that some committees may take three or six months. We do not want to wait too long for comments.

**The Convener:** We will send the petition to those committees for information.

**Ms White:** Helen Eadie mentioned getting support from the committees, so I wondered whether we would be waiting to get comments back.

**The Convener:** No.

**Helen Eadie:** To clarify, it is important to make all those committees aware of the concern in the Borders. If they come back with helpful ideas, that would be warmly welcomed. I want them to note our concern, but it would worry me if we sent the petition to them simply for noting. The North Sea Commission in particular can provide funding that is not like the European objective funding for other areas in Scotland or the UK. Organisations such as the North Sea Commission can access inter-regional funding to help with such projects. We should do more than simply ask it to note the matter. I would like us to ask the commission whether it has any constructive suggestions. I agree with Sandra White that we might want to set a time scale. That would be entirely reasonable.

We should send the petition not only to Railtrack. Let us remember that there are freight companies such as EWS, as well as Virgin, GNER, ScotRail and perhaps others that I have missed out. All those players could be asked legitimately to cough up to help with investment. The responsibility lies not only with the UK Government or the Scottish Parliament. The privatised rail companies made major profits from privatisation; let us ask them to reinvest in the Borders.

**Christine Grahame:** Things seem to be getting a bit complicated. The Borders rail forum is doing a lot of work, and Helen Eadie may wish to talk to some of its members who are here today about some of those issues. The forum is investigating funding, both national and European. We should let it do that, while we stick to the procedures that are within the remit of the Scottish Parliament. That would be a more useful way of doing things; I see Petra Biberbach nodding, so I think that I am right.

**Euan Robson:** I do not want to overload the



committee with suggestions, convener, but I ask that you write to Sarah Boyack, the Minister for Transport and the Environment, to inform her how many people were here today. It would be helpful if the Executive's attention were drawn to that, and to the strength of people's commitment, and the expectation that exists in the Borders.

**The Convener:** That is a positive suggestion, because I would not want this meeting to go unnoticed by anyone in the Scottish Executive. It may be that the appropriate course is for me to write to the Minister for Transport and the Environment, drawing to her attention the strength of feeling that has been shown at this meeting.

Quite separately, we should refer the petition to the Transport and the Environment Committee as the lead committee, and to the other committees that have been mentioned, asking for their support and comments as a priority, because this is something that cannot be left on the back burner. Thereafter, when we have received reports from those committees, we should consider the best means of staging a debate in Parliament. We do not have the power to demand a debate: we can only ask for one. The Parliamentary Bureau decides what is and is not debated, in consultation with the conveners liaison group. I am sure that all the conveners who are present this afternoon will fight strongly for this issue to be debated in Parliament in the near future. Is that agreed?

**Members:** Yes.

**Phil Gallie:** It strikes me that there is one committee that we have not mentioned, and it may be the most important of all—the Finance Committee. Maybe we should let it have a copy of the petition also.

**The Convener:** Are there any committees left that we are not sending this petition to?

**Christine Grahame:** The Justice and Home Affairs Committee, but do not send it to us.

**The Convener:** Is that agreed?

**Members:** Yes.

**The Convener:** We still have 12 petitions to go through. I sense that not everyone is interested in the rest of the work of the committee, so I suggest that we take a break to allow those who want to leave to do so. Everyone is welcome to stay if they wish to do so.

15:29

*Meeting adjourned.*

15:38

*On resuming—*

**The Convener:** The next petition is one of three linked petitions about the Macaulay Land Use Research Institute. I understand that a fourth petition on the same theme was submitted to the Parliament this morning. The speaker to the first petition is Peter Fraser. He will address the committee for the next few minutes, then members will ask questions.

**Peter Fraser:** I thank the committee for allowing me to take up some of its time this afternoon. Braemar is a long way from Galashiels. When the principal petitioner was asked if she wanted to present her case to the committee, she was not sure whether she would be able to arrange after-school child care for her four children, so she asked the clerk to the committee if I, as one of the co-petitioners, could present the case on our behalf. I am here to represent not only the people of my community in Braemar, but the 1,600 full-time keepers and their families whose jobs and homes will be at grave risk if Lord Watson's bill becomes law.

Fox numbers have to be controlled, just as the number of deer and rabbits do, for the good of the countryside. If left uncontrolled, foxes do considerable damage to all ground-nesting birds, many of which are already under threat. The Royal Society for the Protection of Birds has scrapped its ban on predator control at Abernethy forest nature reserve on Speyside and now recognises the importance of fox control.

How will keepers be able to control foxes if the hunting bill becomes law? Estates that rely on grouse and pheasants for a source of income will suffer through a lack of birds. Within three to four years, many estates will be forced to lay off keepers due to a decline in game birds. Once you take keepers off the ground, other vermin will increase, which will have a disastrous effect on other birds and animal life.

Sporting clients and their families come from all over the world to Scotland and create employment for hotels, shops and garages in rural areas. The abundance of wildlife in this country is the envy of many countries, and due to man's management of the countryside. The work that the foot packs do in large forestry plantations, where foxes are flushed out to a team of marksmen, and the protection that is given to hill farmers and shepherds at lambing time, could never be replaced. Gamekeepers would find it impossible to carry out their fox control without the use of terriers. Within the next two to three years, we will have two national parks in Scotland. What bird or animal life will be left for people to come and see if the Protection of Wild Mammals (Scotland) Bill becomes law?

The bill gives no thought to the countryside, its wildlife or the people who live and work there. For the people whose jobs and homes are at risk, and

for the countryside and its wildlife, I ask the committee to pass this petition on to the Rural Affairs Committee so that it may broaden the Scottish study in line with the Burns inquiry into hunting in England and Wales.

**The Convener:** Do committee members have any questions?

**Phil Gallie:** You have highlighted that what could be seen as popular city perceptions do not apply when it comes to the countryside. You become aware of much deeper issues when you start to look at hunting with dogs. The popular image is of people in red coats sitting on horses and chasing the odd fox. The reality is different. Could you expand on that?

**Peter Fraser:** The type of work that I do involves long, hard days on the hill. Fox control in the spring is carried out on bitterly cold days, in snow and rain. I do not get any enjoyment out of it. As far as I am concerned, it is not a sport but a job. I would welcome another humane or efficient way of controlling foxes that would reduce much of my work. However, until that happens, it would be a disaster if the dog work that we do were banned.

**Phil Gallie:** Will this have a major impact on the economy of rural communities? Do you find it ironic that we are talking about the importance of building up the economy of the Borders, which is a rural area, when this move could help to destroy part of the economy of rural communities?

**Peter Fraser:** In the winter, we depend a lot on skiers, who bring money into the economy. Over the past five to 10 years, there has been very little snow and few skiers have come to stay in the Braemar area. From August to February, many shooters and their families come from all over the world to stay in Braemar. That is another iron in the fire for the local economy. If the type of work that we do is no longer allowed, that will have a big impact.

**Phil Gallie:** You have asked that this petition be put before the Rural Affairs Committee, but do you not feel a sense of urgency about it? Given that the petition seeks only to extend research into this important issue, do you think that the Public Petitions Committee should perhaps approach the Scottish Executive direct?

**Peter Fraser:** Yes, I would agree with that. It is an urgent issue, which should be sorted out as quickly as possible.

15:45

**Christine Grahame:** I am interested in the point you make in your supporting document about the complex legal language in the draft bill. It is not clear what other aspects of a keeper's work would be affected. Mike Watson has recognised that the

remit of the bill might be too wide. Would you be content for this to be included in the evidence that is put to the lead committee on the bill? At that stage, any danger that the bill, as drafted, is scooping in too much—for example, what you have described here as justifiable pest control—could be addressed. Have you considered giving evidence to the lead committee?

**Peter Fraser:** Many aspects of this have to be considered; the Burns inquiry in England is already going into the issue in depth and considering what would happen to the countryside in 15 or 20 years' time if there were no vermin control. The inquiry is considering whether there are other ways of controlling foxes, which is what we are all hoping for.

**Christine Grahame:** You could give evidence to the lead committee when it considers the bill. I do not know which will be the lead committee on this. Is it the Rural Affairs Committee? I will leave it to colleagues to say more about that.

**Euan Robson:** The Rural Affairs Committee has considered a timetable for discussing the bill. This petition is extremely important because any effort to broaden the remit of the study that is already going on will help to inform the debate. Discussions that I have had with colleagues in various parties reveal widespread ignorance of the implications of this bill for rural communities. I endorse what Phil said—it is ironic that we are discussing the Borders railway and the regeneration of the area's economy when there is before the Parliament a bill that would reduce employment opportunities in rural areas. I would be pleased if the committee took up the suggestion that is made in the petition.

**The Convener:** I thank Mr Fraser—that was very helpful.

Three petitions relate to this matter. The first two call for an extension of the Macaulay Land Use Research Institute remit to include consideration of the social, economic and environmental significance of the Protection of Wild Mammals (Scotland) Bill for remote communities. The third petition, PE142, calls for the remit to be extended to include a thorough scientific investigation into animal suffering using any of the current legal methods of fox control. As Euan Robson says, the bill is before the Rural Affairs Committee. The obvious thing to do is to refer PE131 to that committee, for its consideration.

**Phil Gallie:** I would like it to go to the Scottish Executive right away, because it seeks information. As Euan Robson said, that would help the Rural Affairs Committee in its deliberations. The petition talks about extending the Macaulay Land Use Research Institute investigation. There is no harm in additional information being available

to the Rural Affairs Committee—the petition should be passed to it.

**The Convener:** The petition would carry more weight if the Rural Affairs Committee, after considering it, passed it to the Scottish Executive. We could recommend to the Rural Affairs Committee that it consider doing so as a matter of urgency, to ensure that the Scottish Executive is aware of the petition's contents.

**Phil Gallie:** If the Public Petitions Committee is worth anything, surely its views must carry some weight with the Scottish Executive. I suggest that, given the importance of the issue and the fact that the petition seeks information, we send it to the Executive. By all means pass it to the Rural Affairs Committee, but let us move the matter along.

**The Convener:** We can do both but, to be fair, it is the Rural Affairs Committee that will be considering the bill. In that respect, that committee, rather than the Scottish Executive, is the key player.

**Christine Grahame:** I support you, convener. Because the petition is live before the Rural Affairs Committee, it would be appropriate for that committee to forward it to the Minister for Rural Affairs for his information, as a matter of urgency, if it so wishes.

**The Convener:** The best thing to do with the petition is to copy it to the Rural Affairs Committee with the recommendation that it gives it to the Scottish Executive for its information.

**Phil Gallie:** I feel quite strongly about this. I suggest that we copy the petition to the Scottish Executive and, at the same time, to the Rural Affairs Committee, advising them both what we have done. Ensuring that additional information is available for debate can only help.

**The Convener:** Why the Scottish Executive?

**Phil Gallie:** The Scottish Executive is in a position to instruct the Macaulay Land Use Research Institute to extend its current remit.

**Helen Eadie:** I suggest that we support the convener's recommendation.

**The Convener:** I always try to avoid votes in this committee.

**Mrs Margaret Smith:** I have a great deal of sympathy with Phil Gallie's point. The issue is about getting access to information as soon as possible. Sending the petition to the Executive as well as to the Rural Affairs Committee gives the Executive a chance to consider the matter and to decide whether it can move on extending the remit of the research institute.

**The Convener:** As a compromise, I suggest that we refer the petition to the Rural Affairs

Committee, but pass it on to the Scottish Executive, telling it what we have done and asking it to act on the petition. That is what Phil is asking for.

**Phil Gallie:** No. The convener said coming to the Borders today is a first; if we have to have a vote for the first time, so be it.

**The Convener:** What I am suggesting is what you have recommended.

**Phil Gallie:** No. If we send the petition to the Scottish Executive in the way that I am suggesting, that shows that the committee gives its full approval to the extension of the research. That is what I want and I want it at an early date. The information can come back to the Rural Affairs Committee and it will enhance the debate in that committee.

It is important not to lose any time and that the Macaulay institute is given the go-ahead. I feel that we will almost certainly get a sympathetic hearing from the Scottish Executive.

**Ms White:** This committee is treated with great respect. I am worried that if we continually pass petitions to the Scottish Executive, other committees will think that we do not consider them important enough to give petitions only to them. The Executive will get bogged down—it takes three or four months to get an answer to the questions that I submit to it. It might take four or five months for the Rural Affairs Committee to get a response. However, I am willing to bow to the experience of the person who is on the Rural Affairs Committee. If he feels that this would help—

**The Convener:** Who is on it?

**Ms White:** Euan Robson nodded, so I assumed he was.

**The Convener:** Euan is not on it.

**Ms White:** In that case, I would go with the convener.

**Christine Grahame:** That makes me even more convinced that I should support the convener. I thought Euan Robson was speaking with the authority of a member of the Rural Affairs Committee. That committee would be a bit peeved if we sent directly to the Executive a petition that relates to a bill that it is examining. I do not see what the problem is for Phil. It is for the Rural Affairs Committee to decide the urgency with which it should pass the petition to the Executive.

**The Convener:** We have two suggestions. The first is Helen Eadie's, which is to refer the petition to the Rural Affairs Committee and to pass it to the Executive for its information. The second is Phil Gallie's, which is to refer the petition directly to the Executive and to ask it to pass it on to the Rural

Affairs Committee. Do we agree to vote by a show of hands?

**Members:** Yes.

**The Convener:** We will vote on Helen Eadie's suggestion.

**FOR**

Eadie, Helen (Dunfermline East) (Lab)  
Grahame, Christine (South of Scotland) (SNP)  
McAllion, Mr John (Dundee East) (Lab)  
White, Ms Sandra (Glasgow) (SNP)

**AGAINST**

Gallie, Phil (South of Scotland) (Con)  
Smith, Mrs Margaret (Edinburgh West) (LD)

**The Convener:** Helen's suggestion is carried. Yet another historic first in a Public Petitions Committee—we actually got a vote.

The next petition is PE132 from Mr D W R Whittet QPM, about changes to the planning system. Mr Whittet is here briefly to address the committee on the petition.

**Mr D W R Whittet:** Good afternoon, convener and committee members. I thank you for giving me the opportunity to address you today. This committee is a major step forward for Scottish democracy. If the convener follows the local press, he will no doubt be aware that I wrote to my local paper, pointing that out and complimenting the Parliament on its roles.

In the short time available I can highlight only a few of the features concerning planning and associated matters. I will explain, first, why the petition arose and go on to explain briefly the main issues as I see them. Finally, I will suggest improvements that I feel can and should be made.

A number of years ago, the local council at Perth and Kinross had a planning application before it that affected my property. To cut a long story short, neighbours and I made representations to the council, which were wholly ignored. That gave my wife and me a great deal of stress. There were errors in the plan that the planners argued breached their own plan. National planning policy guidelines required them to defend the plan, which they failed to do.

There were buildings overhanging our property and fences were put up that would have done credit only to a scrapyard. Conditions were imposed, some of which were unenforceable in law and some of which were never enforced, because the council had no written procedure on enforcement policy.

At the end of all this, I was dissatisfied because certain issues had, in my view, not been handled fairly and democratically. I complained to the council, through the chief executive. The complaints were never listened to or debated. I got

nowhere. Finally, I appealed to the ombudsman. That appeal failed—I will explain why in a moment.

The sum of all this was a recommendations paper, in which I prepared a summary of our bad experiences. To put it mildly, we had been treated shabbily. I submitted 12 recommendations to the council, giving them adequate copies. Not one of the recommendations was debated. No committee of the council considered them. It took almost a year to wring any form of written response from the council. All of this is catalogued in the documentation that I have provided to the clerk.

I move now to the issues. There is no meaningful public participation, largely because nobody pays much attention to those who oppose planning applications or who merely comment on them, as is their right. The planners and the councils know that those people have no right of appeal and that they can do nothing about the applications. However, if they feel that there has been an error in the procedure, they can appeal or make a complaint to the ombudsman. On the other hand, councils can appeal; they can raise civil actions, if they feel that there is a case, to go to the Court of Session. In law, the public could do that as well, but they are largely debarred because of cost and time.

My last point on the main issues relates to the ombudsman's role. His role is defined under the Local Government (Scotland) Act 1975, which was enacted as a forerunner to the formation of the regions as they were until two years ago. That piece of legislation restricted what the ombudsman could do. Many people do not know that and feel frustrated when, having written to the ombudsman, he says, "I am sorry. I cannot do anything about it."

If any council makes a decision within its legal powers—no matter how unreasonable or unfair that decision might be towards a person's daily affairs, life or property—there is nothing the ombudsman can do. He is debarred from inquiring into the situation. Even the ombudsman's staff—I cannot name them, clearly—agree with me, after long discussions, that the public find it frustrating when they lodge a complaint and the ombudsman says, "I am sorry, but I cannot investigate that." He can examine the issue informally, but he cannot investigate it formally, and nothing more can be done. The ombudsman's staff also feel frustrated.

16:00

Of the complaints that have been passed to the ombudsman—I do not have the current annual report, or even the one before it, but the one prior to that—housing and planning issues form the larger part. Housing comes first, with planning a close second. That is an indication that all is not

well with the planning system in Scotland. The improvements that I have listed in my submissions to the committee are proposed in a spirit of common good. I have nothing to gain personally from any of those improvements if they are made now.

The system requires streamlining. I have become quasi-expert on planning, as I have made it my business to find out about it. It is an absolute morass of procedures, national planning policy guidelines, planning advice notes, circulars and so on. The lack of appeal, which I have touched on, is a serious democratic deficiency. The public should have a right of appeal. It is common legal practice for people who are pleading any case to have independent appeal facilities. I suggest that it would be appropriate, through whatever means are available to the new Parliament, to introduce a petitions system similar to the one in which this committee is involved, to deal with national issues. The same should apply to local issues. In my case, I might have received a reply if such a system had been in place.

The idea of having a Public Petitions Committee is part of the ethos of the Scottish Parliament, and I have already commented on that. There should be a right to hearings at development, control and planning meetings; the public should have a right to a hearing if they so desire. I learned obliquely that the council—not the present one, but its predecessor but two—had in place a system that would have allowed councillors to say, “Mr Whittet, if you write in we will look into your request and you can come and address our committee.” However, they never had the courtesy to tell me that they could do that.

The consultation document on planning and land use under the Scottish Parliament stresses openness, fairness, impartiality and public involvement and participation. I wrote a commentary on that document, and I received a very nice acknowledgement. I was also mentioned in the document that summarised the consultation process. Somebody must agree that I have a point to make. I would welcome a layman’s guide to the planning system. It should be a must, and should come centrally from the Scottish Parliament. It should not only emphasise the procedures, but inform the public of their rights—what they are and are not entitled to do.

Finally, the complaints system requires a complete review. I wrote to a select number of local councils—some city councils, some rural councils—asking them for details of their complaints systems. Not one had an appeals system. Perth and Kinross Council has a clear statement in its standing orders that no appeal will be considered unless it is required and is made under statute. Even the council could not ignore

the law. I suggest a tripartite system: complaints would be dealt with initially by the local council; an independent body with independent people on it—not councillors—would look into appeals against the councils, which would siphon off a lot of work that is currently carried out by the ombudsman; finally, there would be a new, independent Scottish ombudsman who would operate under Scots law.

I have summarised my arguments, convener. I feel that there is a sound case for change. The public have a clearly defined right to be heard in all matters that are controlled by public bodies. I ask the committee to support my petition and its various components and to take whatever procedural steps are necessary to progress those—assuming that you support them. I leave that to you, convener, with your knowledge and experience. I am well versed in legislation and I understand that legislative change would be required for several of these issues, although not for all of them. Some could be addressed through codes of practice and the setting of standards for councils. I rest my case.

**The Convener:** Thanks very much, Mr Whittet. You may be interested to know that this committee has already raised with the Convention of Scottish Local Authorities the possibility of each council having its own public petitions committee to carry out the same kind of work that we do in the Scottish Parliament. That would be of some assistance, if it ever came about.

Do members have any questions for Mr Whittet?

**Ms White:** Thank you, Mr Whittet, for bringing this matter before us. As you will realise, your concern is shared by many people in the community.

Without mentioning your own case, I was quite horrified by some of the bits and pieces that I have read about—particularly a letter that was received from a councillor, which, in answer to your question, said that it was none of your business. It is absolutely disgusting for any official to write to a member of the public in that way. That alone would merit investigation, but that is another matter. The ombudsman who found in your favour was also quite disgusted at the treatment that you received.

Some form of legislation for local councils, to which people can look for assistance, is long overdue. Only a few years ago, the Scottish Office said that, when the Scottish Parliament came into being, community councils would have far more input into local planning and would have more powers. I look forward to seeing that in statute, and I welcome the fact that you have raised that issue today. We will deal with a petition similar to yours in the next round of petitions, which shows

that people are sitting up and taking notice. Councils cannot always get their own way and ride roughshod over individuals. As well as sending the petition to the Transport and the Environment Committee, I would like to send it to the Local Government Committee.

**The Convener:** I remind members that, at this stage, we are supposed to ask questions.

**Ms White:** Oh. I am sorry.

**The Convener:** We will debate what to do with the petition after we have asked questions.

**Christine Grahame:** I cannot recall what the power of the local government ombudsman is. He found that you were entitled to an apology and £500 of compensation. Did you receive any of that?

**Mr Whittet:** The £500 compensation did not apply to me. I wrote to the council, posing questions about the man to whom it applied, and I was horrified that the report that I received from my local councillor contained no apology or expression of remorse for some disgraceful conduct towards that man. I asked simply what remedial action be taken. The compensation did not apply to me.

**Christine Grahame:** When the local government ombudsman makes a finding such as that, does he have any authority to enforce an order, or is his finding—as is often the case with ombudsmen's findings—simply a recommendation?

**Mr Whittet:** Councils seldom ignore the recommendation of the ombudsman; they realise that that is the decision of the Court of Appeal and that it should be upheld.

**Christine Grahame:** Yes, but he has no statutory power to enforce it.

**Mr Whittet:** None of which I am aware.

**Christine Grahame:** I am interested in pursuing the idea of a Scottish local government ombudsman and developing a more democratic structure for the planning system—and a more standardised structure throughout Scotland. Your petition raises some interesting issues in an area of law with which, in its details, I am not terribly familiar. Would the decision of a Scottish local government ombudsman have the force of a judgment?

**Mr Whittet:** Indeed, and it would be binding for authorities. I do not want to take up the time of the committee unduly in explaining the regulations under the Local Government (Scotland) Act 1975. That is a very large statute, comprising around 286 sections. Tucked into it are a few add-ons for Scotland, although it is essentially English legislation, as I wrote in my paper. Having said

that, I am not anti-English or anti-anyone.

**The Convener:** No anti-Englishness is allowed in this committee. I ask members to be as brief as possible. We are not making much progress on the agenda.

**Mrs Margaret Smith:** I note, from the papers that you have given us, that Ian Jenkins has lodged a motion about public participation and planning. The first questions that I asked the Executive were on that issue, reflecting concerns in my constituency. The area is ripe for further work to be done. For four years I was a member of the development, control and planning committee of City of Edinburgh Council, and I have a little experience in such matters. I would like to delve into one of the remedies that you have suggested.

I agree that there should be a third-party right of appeal. You also suggest that public participation should be encouraged by granting rights to objectors to be heard at all council planning meetings if they so wish. From my experience, I know that hundreds of planning applications come before the development, planning and control committee in Edinburgh each week. The councillors who are involved in that would spend every day of the week in planning committee meetings if everybody had the right to say something.

What if, as Sandra White suggested, that right were granted to community councils, which already have a statutory right to be kept informed of planning applications? Alternatively, the right could be granted selectively if a certain percentage of neighbouring householders objected to an application. Some such mechanism should be established.

I recently discovered two cases, in connection with planning law, in which wrong information was given to councillors when a decision was made. There is no mechanism to overturn that decision, even when within a matter of days the error has been pointed out to the council. There are a range of issues that we could address in dealing with the points that you raise, and I agree that your petition must also be passed to the Local Government Committee. However, there would be difficulties in following your fourth recommendation. Have you given any greater thought to that?

**Mr Whittet:** I have. I approached the planning department on several occasions, but it offered only statistics—not what I would call constructive information on which to base a reasonable judgment. Probably at least 50 per cent of applications are approved by officials through delegated powers and will not go before any committee. If no one objects or says anything, they are approved. The remaining 50 per cent are not all debated, in my experience, and the number

of people who would be likely to request a hearing would be relatively small.

**Mrs Margaret Smith:** Even under delegated powers, applications still have to come to committee for councillors to nod them through. In many councils—certainly City of Edinburgh Council—as people are not told that they have the right to petition the planning committee, they do not do so. You are right in saying that the majority of the applications are not discussed at great length. However, if petitioners had a right to be there, I assure you that they would attend. That would extend the amount of time that planning committees took to consider such matters. You are right that we need to streamline the planning system because the majority of local councils are failing to meet the targets set by the Executive.

**Mr Whittet:** Would not it be reasonable, convener, to say to the public that if they have a case they can write to the council and it will be considered? I had a case where 10 of my neighbours, not just me, signed a petition opposing an application, yet no one told us that the matter would have to be considered by the planning committee. There could be a screening mechanism. I do not have all the answers.

**The Convener:** We cannot debate the whole issue here. Eventually the matter will go to a parliamentary committee, which will debate it.

**Ian Jenkins:** I have lodged a members' business motion on public participation in planning, which I hope will flag up such issues, although half an hour will not do the matter justice. I hope that members will support the motion and so help the subject to get on to the agenda.

**Mr Gil Paterson (Central Scotland) (SNP):** As a point of information in relation to Christine Grahame's comment, the ombudsman has no powers of enforcement.

**The Convener:** That is right.

Thank you, Mr Whittet.

**Mr Whittet:** Thank you for your time and attention. Finally, I want to tell the committee that it took two whole years of meetings, phone calls and discussions to get a written response and another whole year to get that into print.

**The Convener:** That is a triumph of perseverance. You would make a good member of the Public Petitions Committee, Mr Whittet.

The notes attached to the petition confirm that this is a live issue. Recently, members of the Scottish Parliament information centre attended a conference on Scottish planning and environment law at which third-party rights of appeal were discussed. It is likely that the committees of the Scottish Parliament will consider this matter

actively.

The recommendation is to send the petition to the Transport and the Environment Committee, which is responsible for planning. However, I understand why members have suggested that we also send it to the Local Government Committee. Is it agreed that we send it to both committees?

**Members indicated agreement.**

16:15

**The Convener:** Petition PE133 is from Mr Frank Loughridge and relates to roads and lighting in Longriggend. Mr Loughridge, Gil Paterson and Sandra Cox want to speak on the matter.

**Mr Frank Loughridge (Longriggend Residents Association):** I thank the committee for allowing me to give evidence. I should point out that, although there are only 70 or so householders' signatures on the petition, they represent 100 per cent of the village. I want to reiterate some of the points about which we feel strongly.

We are responsible for a one eighth share of the maintenance costs for roads and lights. That was passed on to us at the time of the sale of the houses in Longriggend. Members have a copy of enclosure 1, in which the selling company says that the roads were made up to an adoptable standard. Everyone's lawyers must have agreed with that; similar information was passed on to all the buying parties. That was the starting point for us all.

The second enclosure makes it clear that the Scottish Office intended to upgrade the roads "to the Region's requirements". That was seen as a clear commitment that the Scottish Office intended to take over responsibility for the roads; there was no indication that such costs would be passed on to the local residents. The Scottish Prison Service at HM Remand Institution Longriggend continued to maintain and repair the roads and met the cost of the electricity for the private lighting system in the village.

With a partial influx of money, the SPS partially repaired further elements in 1994, bringing the roads into a better condition than they were in when we first moved into the houses. I refer to enclosure 3, which shows that back in 1982 there was an intention to upgrade the roads and lights to local authority adoption standard. That was some years before the sale of any of the houses in the village.

We took our case to the late John Smith MP, who was convinced of the original intention of the Scottish Office. He wrote to the then Tory Government, suggesting that the SPS should carry out the work. That was also the opinion of Gil

Paterson MSP and our local councillor Sandra Cox. I thank them for their efforts and for supporting our case.

Recently, Gil Paterson provided me with a copy of the funding levels and strategic plan produced by the Scottish Office for 1999-2000—that is enclosure 6. It shows that the intention was to fund the improvements to the roads and street lighting. Can you imagine how we felt when we found out that that was going to happen? We were elated. However, last year, that funding was withdrawn.

We are here today because HM Remand Institution Longriggend is due to close next month. We have been told that the street lights will be turned off. We think that that is unacceptable in the 21<sup>st</sup> century. After 18 years intending to do something, the SPS will be allowed to leave the villagers in the dark.

**Mr Paterson:** Thank you for the opportunity to give evidence, convener. The first petition that the committee considered today was from a community of 108,000 people that is very much in need; I am talking about a community of just under 80 households, but that community is also in need of your support. I hope that we can convince the committee that someone should listen to the residents of Longriggend.

Anyone who has been a councillor knows that many things come one's way. When the matter first landed on my doorstep, I thought that I would consider it but that, as it had been going on for a while, it was bound to be a lost cause. That is not the case. When I took the opportunity to consider all the documents carefully, I was convinced that there was a injustice. As Mr Loughridge mentioned, there is an acceptance of a one eightieth share of the maintenance of roads and lighting in the village. However, the main argument is that no one in the village—including the lawyers of the individuals and the authorities—were under any illusion that the roads were at an adoptable standard. I wonder what would have happened if the late John Smith were still here—we might have reached a swifter conclusion. Although we were in different political parties, I knew John for many years and we had great respect for each other.

The devastating thing is that, even in the most recent strategic plan, provision was made for expenditure on such matters. Once again, the people of Longriggend have been taken to the top of the hill and dumped. The matter is urgent, as the residents have made clear. A few weeks ago, we had a meeting with officials in the remand centre. They said that, when the remand centre closed, the lights in the streets and stairs would be switched off. I am begging the committee to consider this matter with sympathy. The residents have asked officialdom to consider the case from start to finish—that has not been done. However,

anyone who considers the case will reach the same conclusion as John Smith, the local councillor and I did.

**The Convener:** Thank you, Gil. The extract from the strategic plan shows an allocation of £100,000 for the upgrading of lights in the area. When was that funding withdrawn?

**Mr Loughridge:** I am led to believe that it was withdrawn in the early part of this year.

**The Convener:** Was there any public indication that it was being withdrawn?

**Mr Loughridge:** If Gil had not given us that information, we would never have known about it.

**The Convener:** Far from spending more money to upgrade the system, the SPS is now planning to take the existing lights away. Is that right?

**Mr Loughridge:** No, it is switching off the lights and walking away from the area.

**Mrs Margaret Smith:** Was it intended that the £100,000 would cover the costs of your area or was it for the whole of Scotland?

**Mr Paterson:** It was for one development.

**Mrs Smith:** Do you mean that that money was for this development and is now being taken away because the institution is about to close?

**Mr Paterson:** Yes.

**Mrs Smith:** Is the SPS not taking any responsibility for what might happen after April?

**Mr Loughridge:** It is taking no responsibility.

**Phil Gallie:** Has not Longriggend been on a closure programme for several years? Unlike the closures at Dungavel and Penninghame, the closure of Longriggend was scheduled. Is it not also true that the money was put in the budget as part of the closure sequence?

**Mr Paterson:** I am not sure about that. Last June, we did not have any definite news about the remand centre. I think that it was January before I became aware that Longriggend would close. Even if the allocation was some form of sweetener for the closure, the SPS has some responsibility. A public body cannot walk away and leave the matter. The responsibility for upgrading the roads and lights to adoptable standard must be passed on to another public body.

**Phil Gallie:** The point that I was trying to make was that the inspector's report suggested that Longriggend had come to the end of its useful service. It appears that the money had previously been considered part of the closure programme. As far as I am aware, that money does not play a part in the £13 million that has been withdrawn from the prison budget. On that basis, I am



surprised that the project has been withdrawn.

**Christine Grahame:** As I understand it, the cost liability for the matter currently lies with the Scottish Executive, which funds the Scottish Prison Service. Are you suggesting that, following the closure of Longriggend, the cost should be transferred to the local authority budget?

**Mr Paterson** *indicated agreement.*

**Christine Grahame:** Like Phil, I am a member of the Justice and Home Affairs Committee, which examined the closure programme for Longriggend. I do not recall any mention of savings from running costs in the figures. The £100,000 mentioned in the submission must have been budgeted for and must be part of the £13 million and running costs savings.

I am not allowed to say where I think that the matter should go, although I probably will. I suggest that we send the petition to Jim Wallace, the Minister for Justice, who is responsible for the prison closure programme, and that we ask him about the whereabouts of that £100,000.

**The Convener:** I remind members that they are supposed to be asking questions.

**Christine Grahame:** That question was somewhat rhetorical.

**The Convener:** Sandra White wants to make a point. I hope that it is a question.

**Ms White:** It is a question.

On enclosure 6, I see that the information is dated 27 November 1998. Can I ask the local councillor when she was made aware of that information? Were you made aware of the fact that the money was in the budget plans and was then withdrawn?

**Councillor Sandra Cox (North Lanarkshire Council):** Are you talking about the strategic plan?

**Ms White:** Yes.

**Councillor Cox:** I became aware only a few months ago that the money had been allocated for the upgrade of the roads so that the local authority could adopt; I found out just as quickly that it had been allocated elsewhere.

**Ms White:** So the matter was not discussed with you in time for you to give your constituents an opportunity to put their point of view across.

John Smith's letter of 7 December 1992 mentions the cost of £2,500 for each resident for the upgrading of the roads. Is it fair that people who pay council tax should have to pay extra for the upgrading of roads and lighting, which are basic necessities?

**Mr Loughridge:** No, it is not fair.

**Helen Eadie:** The fourth paragraph of enclosure 3, a letter from the Scottish home and health department, states:

"If these can be met without major expenditure the necessary work will be put in hand, but if not responsibility for future maintenance will have to be passed on to the purchaser."

That letter is dated April 1982. Did you have your own house by that stage?

**Mr Loughridge:** No. The houses did not come on the market until 1987.

**Helen Eadie:** Was there any intimation by your solicitors, when you had the conveyancing work done, that a charge would be imposed arising from what is said in this letter from the Scottish home and health department?

**Mr Loughridge:** As I said, we were told, as the terminology goes in the missive, that we had an eightieth pro indiviso share of the maintenance cost disposed to us. There was no mention of our having to pay for upgrade work.

**Helen Eadie:** Your missive said that that was only for maintenance, but it did not define maintenance. I was the roads and transportation spokesperson on Fife Council, so I know quite a lot about the adoption of roads. I faced a situation in Crombie, a former Ministry of Defence village, that boiled down to the fine detail of the legal agreement between the purchasers of the home and the local authority. Liability depends on the fine definition in your missives and your legal agreement. The situation might be similar to the one in Crombie, where we were able to pin the cost on to the Ministry of Defence. It is important to know whether you have had a definition from your solicitors.

16:30

**Mr Loughridge:** Enclosure 1 is a copy of a mortgage valuation report. It is a general report; everybody got one. It states clearly:

"Although the roads are made up to adoption standard it is understood that these are not maintained by the Local Authority at present."

Our impression was that the roads were up to adoptable standard at that time.

**Mrs Smith:** Do you have an up-to-date position from your local council on whether it considers those roads to be at adoptable standard now and whether it will adopt them?

**Councillor Cox:** I approached the local council on the point that Sandra White made—why should residents be paying council tax when their roads were not maintained? I was advised by our roads department that the roads were not at adoptable standard and that it would take about £275,000 to

bring them up to that standard.

**Mrs Smith:** Will the council not adopt them at this point?

**Councillor Cox:** The council will not adopt them until they are brought up to standard.

**Mrs Smith:** That brings us to the point that Helen Eadie made about the missives and the legal situation.

**Mr Paterson:** This is about the roads and the lights, not just the roads.

Helen Eadie has encapsulated the real argument, which is that the people and their lawyers were under the impression that the roads were of such a standard that the local authority would adopt them. No one I have met in the village has suggested that they were not liable for the eightieth share. However, there is a crucial difference between paying an eightieth share towards maintenance and paying an eightieth share to bring something up to a standard. As the days and the years go on, the cost of the deterioration is landing on the villagers' shoulders. Until today—not yesterday and not 10 years ago—the SPS has been maintaining the lights in the village. Next month, they will pull the switch.

**The Convener:** I thank the witnesses for coming so far to give evidence. The committee takes this matter seriously and will now discuss how to dispose of the petition. Members will see that the recommendation, before we heard any evidence, was that we refer the petition to the SPS in the first instance to ask for its position in relation to the concerns that the petition raises. We should approach the SPS, but I think that we should describe our concerns about the situation, as it has been described to the committee this afternoon, and ask it to respond to those concerns. I take Christine Grahame's point that we should also refer this to Jim Wallace and ask him to respond as a matter of urgency.

**Ms White:** Could we also remit the petition to the local authority? It is important that it steps in until something is done. We cannot have people without lights.

**The Convener:** Which local authority is it?

**Ms White:** North Lanarkshire. It must respond urgently—this is a terrible state of affairs.

**The Convener:** We will refer the petition to all three—the Scottish Prison Service, Jim Wallace and North Lanarkshire Council—for a response.

**Mr Paterson:** I made play of the fact that, when people look at this case in depth, they are likely to come down more favourably on the part of the local community. Those people are not lawyers or doctors; they are ordinary people who cannot meet the cost of the burden that could be placed

on them. I beg you to send the petition to the Social Inclusion, Housing and Voluntary Sector Committee, if that is possible, because if nothing is done this community will be very much in need. I would welcome the opportunity for more MSPs to become involved and to form an opinion.

**The Convener:** Do members have any views on that suggestion?

**Mrs Smith:** This committee should send a strong message that we want swift action, as this is a matter of urgency. I agree with Christine Grahame that the right option is to go straight to the minister, as well as to the SPS and North Lanarkshire Council.

**The Convener:** We will do that. The committee is unanimously on the side of the residents, who have been treated shabbily. We will use our influence with the minister, the SPS and the council—if we have any influence with the council—to get something done for the residents.

**Helen Eadie:** We should ensure that Sarah Boyack receives a copy of the petition. Her department would ultimately have to pick up the costs. If she feels that the liability would be pinned on her department—because roads and street lighting come under the remit of transport and the environment—she will want to know that the SPS is not going to meet a cost that it should meet.

**The Convener:** We could send the petition to Sarah Boyack for her information, but the SPS should be held accountable in the first place because it has withdrawn a commitment. Is that course of action agreed?

**Members indicated agreement.**

**The Convener:** The next petition, PE134, is from Mr Steve Boyle. He calls on the Scottish Parliament to introduce legislation to ensure that companies offer goods and services at the same price throughout Scotland. The issues raised in the petition are reserved to the United Kingdom Parliament, but it should be noted that the Enterprise and Lifelong Learning Committee took evidence on 31 January on petrol prices throughout Scotland. It is suggested that the petition should be passed to the Enterprise and Lifelong Learning Committee to note in the context of any further investigations that it may carry out into prices of goods and services in rural Scotland and that no further action should be requested. The petitioner should be informed of that and of the fact that consumer protection issues are reserved to the UK Parliament.

**Christine Grahame:** We should pass the petition to the Rural Affairs Committee as well, because the greatest impact of the unlevel—if that is the correct word—playing field is on rural areas in the Highlands and the south of Scotland.

**The Convener:** We will send the petition to that committee with the same remit that we are sending to the Enterprise and Lifelong Learning Committee. Is that agreed?

**Members** *indicated agreement.*

**The Convener:** The next petition, PE135, is in the name of Marion Scott. It calls on the Scottish Parliament to address a range of issues related to the siting of mobile phone masts. The Transport and the Environment Committee has completed its inquiry into planning control over telecommunications developments and will publish its report, which is likely to address many of the issues raised in the petition, on 29 March. The suggestion is that the petition should be passed to the Transport and the Environment Committee, asking it to respond to the petitioner with details of its inquiry. Is that agreed?

**Members** *indicated agreement.*

**The Convener:** The next petition, PE136, is about training adults in the community. Colin Williamson will address the committee on this petition.

**Colin Williamson (Training Adults in the Community):** Thank you for giving me the opportunity to present the case for the organisation Training Adults in the Community, of which I am a volunteer. Training Adults in the Community is an award-winning project that has built a reputation as a quality provider of services for people with physical difficulties, mental ill health and learning difficulties. Our petition includes further evidence of the depth of support for the project from the community and from across the political arena.

In the past, we received funding from the Scottish Office through urban aid; the remainder of our funding came from West Lothian Council. We successfully applied for money through the European social fund—that money represented 45 per cent of our funding. However, the council funding remained at the same level—25 per cent—and we were forced to use our cash reserves to make up the shortfall. This year, the council has decided not to fund us. As no other matched funding is available and our cash reserves are almost spent, we would like the committee's help and support in influencing the council to continue to fund us. That would allow us to seek other sources of funding. We believe that this option could be fruitful in the long term. It would allow us to keep our existing resources intact and enable us to avoid the expense of starting from scratch.

I am a project user who has benefited from the project. I am dyslexic. There are no comparable projects to TAIC in West Lothian; it is unique in many ways. The service is user led, with a strong

commitment to social inclusion. Its closure would not only be a travesty of justice. It would leave a huge gap in the daily lives of disabled citizens in West Lothian and would be an affront to our civil rights.

With others, I have been fighting a long, hard battle since 1998 to save this valuable resource for the benefit of generations to come. Struggling with a disability on a day-to-day basis is hard enough without West Lothian Council closing down a lifeline for one of the most marginal groups in society. Convener, we issue a heartfelt plea to the committee to use the powers vested in it to help us to survive.

**The Convener:** Thank you. When does the funding for the project run out? Is it at the end of the month?

**Colin Williamson:** We are meant to be out of our present home on 31 March. On the day that the council announced its budget package, we were, effectively, dissolved. Others with disabilities and I have fought a long, hard battle. In 1998 we wrote letters to Tony Blair, to all the major leaders at Westminster, to all our councillors, to community councils in West Lothian and to Churches. We sent copies of all the replies that we received to the committee. We petitioned people and lobbied our MSPs.

Fiona Hyslop and Tommy Sheridan are hoping to lodge a motion in Parliament. We have met our leaders in West Lothian Council—the provost, the deputy provost and the council leader. Only this morning we pleaded with them on behalf of our project. The deputy provost claimed that the local authority ruling group was not responsible for closing us down, which astonishes me.

I feel strongly about the issue, because I have fought with a learning difficulty all my life. Thanks to this project, I am going to Newbattle Abbey College in September to do an access course so that I can go to university. Without the project I would not be going there. The project is a success story—it won a Scottish Television national award for its services to the disabled.

Our local council will shut the project down on the grounds of lack of financial viability. That is not a fair yardstick to apply to a project such as ours, which helps disabled people to move on in their lives. It is a unique project. Learning packages are tailored to our needs and no other project in West Lothian does that. We would not have made our case to you if we did not feel so strongly about the matter. If the project is allowed to go, there will be holes in the lives of disabled people in West Lothian and that void will not be filled.

I went through the education system and I was 16 when I was found to have dyslexia. I know the struggles that that brings, and I know that other

people with disabilities suffer the same struggles and lack of confidence in their day-to-day lives. TAIC is a unique project that serves the whole county. If it goes, that will be devastating. I plead with you, as I did with Fiona Hyslop and Tommy Sheridan, to help us to stay open.

We have no funding now and the council will not listen to us. The closure of the project flies in the face of social inclusion. The Government talks about the importance of bringing in from the edge people who have disabilities and problems, but the evidence on the ground is that that is not happening. Please make it happen for us. Help others in West Lothian to have the opportunity that I have had to become a more confident citizen and to go to study at Newbattle. Please help us—this is about people's lives. I urge the committee to help us in any way that it can. I rest my case.

16:45

**Christine Grahame:** That was very eloquently put. I am not defending local authorities, but I know that there is a background of cuts to the matter. We are not supposed to comment on the subject of the petition, but this is an education issue as well as a social inclusion issue, and it should be dealt with in an education budget, and not by the hand-to-mouth budgeting of local authorities. I do not know whether there are other projects like TAIC in Scotland, but they should be part of the education remit. This petition should go to the Education, Culture and Sport Committee.

**The Convener:** The project is for adults.

**Christine Grahame:** Does not that committee deal with adults? I meant to say the Enterprise and Lifelong Learning Committee, but I mentioned the wrong committee—you know what I am talking about.

The petition should go to a committee that deals with education, as well as one that deals with social inclusion. In that way, the matter can be addressed in relation to a national rather than a local budget.

**Colin Williamson:** We petitioned Wendy Alexander some weeks before we petitioned West Lothian Council. We also petitioned our local councillor, and we met Richard Wallace, a senior civil servant, which is how we came to know about the committee. I welcome warmly the recommendation that the petition be sent to the Enterprise and Lifelong Learning Committee. The Social Inclusion, Housing and Voluntary Sector Committee could also help.

**Christine Grahame:** Yes—that is the obvious committee.

**Ms White:** Thank you for putting your case, Colin. I agree with Christine Grahame that the

petition should go to the Enterprise and Lifelong Learning Committee and to the Social Inclusion, Housing and Voluntary Sector Committee. You mentioned that the project is to close on 31 March, which is four days away. The letter that you received from Mary Mulligan, dated 15 March, says:

“The project users have all been offered an individual assessment of needs together with alternative support.”

What does that mean? What is to happen to all those people who, on 31 March, will be thrown out of the premises? Have you been offered alternative support?

**Colin Williamson:** On the board of directors of TAIC is a manager of Craigsfarm Community Development Project Ltd in Craigshill in Livingston. He put forward a proposal that TAIC and his community project merge, but that proposal has collapsed. He has also offered a small room in his project, which we visited last week. He has known about our problems since January. The disabled users looked at the space, but it was a mess. There were cables hanging out of the walls and there were problems with the lips of the doors. The room is nowhere near ready for disabled students to enter. As a result, disabled users at the project have met—they want an emergency meeting of the board of directors of the project this Wednesday so that they can tell the board clearly that they do not want to go there.

As I said to the provost this morning, this is a fifth-rate option. It is shoddy and adds insult to injury. There is also no funding imminent, so how would we survive if we moved there? It comes down to funding. Not only are we being moved from a fully accessible building into a room in a community centre that is not ready for us, but there is no funding. What is the point of going there? We cannot function on thin air.

**Ms White:** What will happen to the building that you are using at present and that you are being put out of on 31 March? Do the users—you included—feel that they are being left in limbo?

**Colin Williamson:** The building that we are in is owned by the council, but the property manager claims that nobody is ready to fill it immediately. This morning, I asked the provost if we could have a one-month extension, because it would be a terrible struggle to move at the moment. I also wanted to see what the Public Petitions Committee could do for us. Fiona Hyslop has been pressing Alex Linkston, the chief executive of West Lothian Council, to allow us breathing space until we see what happens. The Scottish Parliament might be able to influence the council to give us some funding. We are in a difficult situation.

**Helen Eadie:** I congratulate you on your

presentation. The material that you provided and your remarks have been helpful to your case. How many students have been involved in the training centre, and when was it established?

**Colin Williamson:** I have been involved with the project for four years, and it has existed for around seven years. Last year, 127 students went through its training programmes.

**Helen Eadie:** I will take a leaf out of Christine Grahame's book, and say that this petition should also go to the Equal Opportunities Committee, because that committee is supposed to deal with issues of disability and race, as well as gender. This would be a good petition to refer to that committee. You are right to say that it is vital that we send out the message that everybody in Scotland—whether disabled or not—is entitled to resources for training. That applies especially to disabled people, because not every college puts accessibility high on its agenda, which is a problem.

**Colin Williamson:** One of our users—on the ground of confidentiality I will not mention her name—self-harms. When she came to the project she stopped. Unfortunately, when she found out that the future of the project was in peril, she started again, and has ended up in hospital. I am sure that there are other examples of users of the project who feel a massive void in their lives, because there is no comparable project. We are facing a brick wall, despite the fact that Yvonne Grey—who is sitting behind me and is a stroke victim—and I have, as users, been fighting hard at local and national Government levels and using the democratic system as much as we can.

**Phil Gallie:** The case that Colin Williamson has put reminds me—it is safe to mention it now, after the Ayr by-election—of the situation we faced with Carrick Street halls, where a facility was being closed down by the council. Evidence has led us to believe that there is little that the Public Petitions Committee can do about that, because it is a matter for the local council. Having said that, and without wanting to raise expectations, would you like us to pass on the petition to other committees?

**Colin Williamson:** I would welcome any help that the committee can offer. Please take any steps that you can and use any powers that you have to help us to save our project. I would be grateful for that.

**Helen Eadie:** Before Colin Williamson goes—if the convener is inviting suggestions—I should mention that the Government has provided around £50 million for former mining communities for regeneration and training. Clearly, West Lothian has such communities. The contact person for those funds is Yvonne Lord, and she is based in

Alloa. It is a new fund, and Scotland's allocation from it is approximately £5 million. Colin Williamson might wish to contact Yvonne urgently—my office can provide him with her number at the end of the meeting.

**Colin Williamson:** Yes, please. We would welcome that, and any help that the committee can give us.

**The Convener:** Thank you, Mr Williamson. Your presentation was very effective.

**Colin Williamson:** Thank you once again for allowing me to speak. This is a wonderful example of democracy at work in Scotland. I was always a great supporter of the Scottish Parliament, and it is marvellous to be here and be part of the new democracy.

**The Convener:** It has been excellent. Thank you.

As Phil Gallie said, our powers are fairly limited. The problem with referring this petition to other committees is that their timetables are such that the project will be closed before they consider the matter. I have no objection to passing the petition on to other committees, but that will not help the petitioners, because the decision has already been made by West Lothian Council. One suggestion is that we contact the council directly.

**Ms White:** That is part of the suggested action. Given that—as Colin Williamson said—the premises are not being used, cannot we plead for TAIC to be given a one-month or two-month extension to find out whether other funding is available? Helen Eadie mentioned regeneration funding. Surely the council should contact the relevant body for funds to help the project. We should ask for a month's extension.

**Christine Grahame:** We have a precedent, because we asked the local authority to maintain the status quo on Carrick Street halls, although I do not know what happened. There is an issue about how such projects are funded. We should ask the local authority for a deferment. I would then like the Enterprise and Lifelong Learning Committee, or whatever other committees are involved, to look at the funding of such projects. The committee should look at whether those projects should be centrally funded as part of the education budget, rather than through local authorities. One hundred and twenty-seven people will pass through the project this year and will go on to lead a positive lifestyle, as well as benefiting from the other knock-on effects that Colin Williamson so eloquently expressed—I cannot believe that you had difficulties, Colin; you are terribly eloquent. That fact should be borne in mind, because the project makes a positive contribution to Scottish society.

**Helen Eadie:** I support Christine Grahame. This is fundamentally an equality issue. That is why I would like the petition to go to the Equal Opportunities Committee as well as to the Enterprise and Lifelong Learning Committee.

**The Convener:** I am quite happy with that. However, the full title of the social inclusion committee is the Social Inclusion, Housing and Voluntary Sector Committee. I am a member of that committee. At some point in the future, we will address the organisation of voluntary organisation funding across Scotland. That work would deal with precisely this issue. The petition may therefore be of interest to the committee from the perspective of the voluntary as well as from the perspective of social inclusion.

**Mrs Margaret Smith:** There are two sides to the issue. Immediate action is one.

**The Convener:** The Public Petitions Committee can write to West Lothian Council asking it to consider a month's extension to allow further consideration to be given to saving the project. In the interim, we will refer the petition to the Social Inclusion, Housing and Voluntary Sector Committee, the Enterprise and Lifelong Learning Committee and the Equal Opportunities Committee. We must be honest though. The Scottish Parliament cannot pull the project out of the fire. It is not in our power to do that. It is really a matter for local authorities.

**Christine Grahame:** In the letter to the local authority in which will we ask it to defer for one month, would it be appropriate to say that we are passing the petition to those committees, asking them to examine how such projects are funded? We should let local authorities know that we are sympathetic to their funding problems and are asking the Parliament's committees to examine other funding for such programmes. Perhaps it is time that funding was shifted to the education budget or whatever.

**Helen Eadie:** I want to qualify that. We need to emphasise to the voluntary group, which is here today, that it ought to contact the regeneration trust without delay. All the other bodies will take time. That will give the group the breathing space to get a more principled, strategic decision on the way forward. We are talking about disability issues and the next 50 years, not just about today.

17:00

**The Convener:** Okay. The best way forward is to write to West Lothian Council to ask it to consider an extension for the project to allow alternative sources of funding to be explored. We should also draw to West Lothian Council's attention the fact that we have referred the petition to various committees of the Parliament.

**Mrs Smith:** To allow assessments to be continued and to consider the possibility of alternatives.

**The Convener:** Is that agreed?

**Members indicated agreement.**

**The Convener:** The next petition is PE137 on bus corridors in Glasgow. I believe that Mr Magennis from Partick Traders Association is here to address us.

**Mr Denis Magennis (Partick Traders Association):** Convener and members of the committee, I first heard about the Faifley to Baillieston bus corridor in November 1999. I also heard that an £8 million grant had been obtained by Glasgow City Council prior to any consultation. I was aware that other bus corridors had been laid down elsewhere in the city, in Maryhill Road and Victoria Road. I was also aware of the detrimental effects that those bus corridors had had in those areas. I was determined that the same thing would not happen in Partick. That was when Partick Traders Association was formed with the main purpose of objecting to bus corridors citywide.

In December 1999, I attended a publicity caravan arranged by the city council. All the information seemed to be biased towards bus corridors. I was informed that the intention was to deter traffic other than buses from using Dumbarton Road. No survey work was done on the effects the proposed bus corridors would have on business, residents or the general environment. The bus corridors would be the death knell for traders in the area, leading to boarded-up premises and a slum environment.

We met local councillors, who seemed to be unaware of retail developments proposed for the Partick area. It was obvious to us—the traders—that the intention was to remove through traffic from Dumbarton Road to service the proposed new retail developments. At that point, we realised that we were getting nowhere with the city council and our petition to Parliament was started. There are in excess of 200 small family businesses in the area. The petition has in excess of 9,000 signatures, which indicates that not only businesspersons, but the public, do not want a bus corridor.

Thank you for your kind attention.

**The Convener:** Thank you very much, Mr Magennis. Are there any questions?

**Ms White:** Thank you, Denis, for sitting through the whole afternoon, which has been long, although important. There have been some good presentations.

Denis, I think you were in the public gallery last Wednesday when this issue was debated during

members' business. We have also had a reply to the Shettleston traders' petition. Openly and honestly, what are the feelings of the people in the Dumbarton Road, Byres Road and Partick areas regarding the bus lanes?

**Mr Magennis:** I have a shop in Dumbarton Road. I get customers from Maryhill Road who signed the petition because they do not want what happened to them to happen to Dumbarton Road or to any other road in the city. The bus corridors are killing business and pulling down communities. We will fight until we stop them, because they will be the ruination of the district and of business.

**Christine Grahame:** I have a practical question. There are bus corridors in Edinburgh—in Corstorphine, for example. There are bays at the side where cars can pull in so people can do shopping. Has there been any investigation into how the bays have affected local shops in parts of Edinburgh where bus corridors are already in operation?

**Mr Magennis:** We have not communicated with Edinburgh shops, but in Maryhill Road, since the bus corridors have been introduced, an awful lot of businesses have shut down. If you drive up Maryhill Road, it is all for sale and to let signs.

You had another point.

**Christine Grahame:** I mentioned the bays, which allow people to pull in, park and do their shopping. There are half-hour limits.

**Mr Magennis:** Originally, they wanted to remove the traffic from Dumbarton Road. A bay would be hopeless. If there is no through traffic, we do not get business.

**Christine Grahame:** I see.

**Mrs Smith:** I want to pick up on Christine Grahame's point about the bus lanes in Edinburgh, particularly in Corstorphine, which is in my constituency. It would be fair to say that the jury is still out on greenways and bus lanes in Edinburgh. The response has been quite mixed. For my constituents who use the bus to commute into work every morning, the bus lanes have shaved 15 minutes off the journey time from the Drumrae roundabout, through Corstorphine and into the city centre, which has really increased the number of people using the buses.

However, if you were to speak to traders in Corstorphine, Leith Walk, Tollcross and Gorgie, where bus lanes have been introduced, you would get a very mixed response. Changes to the bays and the length of time people could stop were made in response to representations to the city council by some traders on Leith Walk.

The situation is not uniform across Edinburgh. Some bus lanes operate all the time, whereas the

Corstorphine one operates only for part of the day and seems to have had less impact on traders than some of the others. There is not a uniform council strategy. The situation varies across the city and changes have been made as a result of representations, usually by traders, having seen how the bus lanes work. For the travelling public who use the buses and the bus companies, bus lanes have had a certain amount of success. It is a mixed situation in Edinburgh. I am not necessarily giving the full picture, given the time, but hopefully that is a useful bit of information.

**Mr Magennis:** No one has said that there has been an improvement for business because there is a bus corridor. They have said that the situation is not as bad as it could have been—that things could be worse—but no one has said that the bus corridor will bring more business and that everything will be rosy.

**Ms White:** Mr Magennis, I know that the traders and the petitioners have had a wee bit of bad press, particularly from Glasgow City Council. There was a phone-in on BBC Radio Scotland yesterday. I was listening to the programme and phoned in, but did not get on. Can you tell us about the reactions of the people who phoned in?

**Mr Magennis:** The programme was the Lesley Riddoch show. It was on for about 40 minutes and not one person phoned in to support the bus corridors. The people who live in Glasgow outnumber the shopkeepers by many thousands to one, yet there was not one phone call to support the bus corridor. The problem is that the idea of the bus corridor is to move people from outwith the city into the city centre. The people who live in the corridors do not have that problem, especially in Partick, where we have a train and an underground service, so we do not use buses. We are being put out of business to speed the flow of traffic moving through.

**The Convener:** Thank you.

This petition is very like the one we received from Shettleston Traders Association, which we passed to Glasgow City Council to be included in its consultation exercise on bus corridors. A response from the council has been received and is in the pack that was sent to members before this meeting. The clerk has spoken briefly to council officials about the Partick petition. It appears that much of the response to the Shettleston petition applies equally to the proposals for the Partick area. Page 2, paragraph 2 of the letter from the council makes it clear that a workshop has been held in relation to the Shettleston area proposal. The letter advises that

“there was agreement that neither bus gates nor bus lanes at the shops in Shettleston were options which should be considered in any more detail. A further workshop meeting will be convened to discuss other possible enhancement

measures in more detail.”

That seems to rule them out, and it would appear from the letter that they will be ruled out in Partick as well.

I want also to put on record the fact that there was recently a debate on this matter in the Scottish Parliament. In responding to the debate, Sarah Boyack, the Minister for Transport and the Environment, said:

“Bus lanes cannot be introduced regardless of public opinion, which is where the key issue of consultation comes in. The comments of many members present about the consultation in which they have already been involved are extremely important. I stress that this is pre-consultation that is taking place in advance of the statutory procedures. The councils should be commended on the extent to which they have been prepared to engage with individual members of the public and the business community. Significantly, a number of workshops have been held. Those are not about signing on the dotted line, but about enabling members of the community—of the business and shop communities in particular—to express their views on the detail of the proposals.”—[*Official Report*, 23 March 2000; Vol 5, c 1034.]

The council and the Scottish Executive have taken the issue on board. We should pass the petition to Glasgow City Council to ensure that it is taken into account as part of the consultation. We should also send the letter from Glasgow City Council to the petitioners for their information.

Sandra, did you want to suggest something?

**Ms White:** No, convener. I was going to agree with you. I wonder whether it would be wise also to send Sarah Boyack a note of the petition, as this is the second that we have had from Glasgow. In defence of the people who submitted the petition, who have had a bad press, I hope that what Sarah Boyack has said does not come back to haunt her. The only reason the council went for consultation was that people knew nothing about the proposal. The idea was mooted in August last year, yet the council spoke to people only in December. That is why there is so much concern.

I would like to send copies of this petition and the one from the Shettleston Traders Association to Sarah Boyack—if that has not already been done. I hope her words will not come back to haunt her. Consultation will take place and something will come out of this.

**The Convener:** There is no problem with doing that, but the key thing is for the petition to be included in the consultation exercise that Glasgow City Council is undertaking. We can send it to Sarah Boyack too. Is that agreed?

**Members indicated agreement.**

**Helen Eadie:** Sarah Boyack has emphasised that we are at the stage of pre-statutory consultation. This is an informal consultation. It is

very commendable that the council is doing informal as well as statutory consultation.

**The Convener:** The next petition is PE138 from Mr Andrew Stuart Wood who, I believe, is here. I thank Mr Wood for his patience. Would you like to address the committee?

**Mr Andrew Stuart Wood:** Good afternoon. I want to thank the convener and committee members for sparing the time to go over this issue. As most of you will be aware, everybody who produces goods must have a good promotional body. Scottish agriculture has had a good promotional body, called the Scotch Quality Beef and Lamb Association—SQBLA.

For reasons that we do not know, Ross Finnie and the National Farmers Union are trying to drive through a new promotional body. Indeed, they have already started, naming it first the Scottish quality meats council. They then decided that that name was not good enough, so it has been changed to Quality Meat Scotland. While all that has been going on, the new body still does not have a new chief executive, nor is there a chairperson. Why should I be concerned about the situation? Because there are 69,000 farmers in Scotland, of whom 12,000 are members of the Scottish quality assurance scheme.

Of the 12,000 farmers who are members, approximately 4,000 are members of the National Farmers Union of Scotland. Why is the NFU being given so much say in something that is so important for the industry? The moneys that are collected by the Meat and Livestock Commission, and which go towards the promotional body, are collected through levies. Those levies are applied to every animal that is produced in Scotland, including more than 5 million lambs and more than 560,000 cattle.

All the farmers I have spoken to who are members of SQBLA but not of the NFU agree with me that there is a silent majority who do not wish things to proceed as they are now set to. They are more than happy with the present situation; all they wish is that now there is a devolved Parliament, there is no requirement for the MLC to collect the levies and that that is done through our own Scottish quality assurance scheme.

**Christine Grahame:** Hello, Andrew. I am trying to get my head round this: you are saying that, at the moment, the levy is from the Meat and Livestock Commission, but that you want the levy to come through SQBLA.

**Andrew Stuart Wood:** That is one point, yes.

**Christine Grahame:** The second point is that the negotiations or discussions about setting up the new body are not democratic.

**Andrew Stuart Wood:** That is correct.



**Christine Grahame:** Because 8,000 who are in SQBLA but not in the NFU are kept out.

**Andrew Stuart Wood:** That is absolutely correct.

**Christine Grahame:** So you are making two points.

**Andrew Stuart Wood:** That is right.

On the first point, if sections 13 and 14 of the Agriculture Act 1967 can be repealed, that would give the power to the other promotional body—to the Scottish quality assurance body.

**The Convener:** So we would require legislation to be changed?

**Andrew Stuart Wood:** That is absolutely right.

**Christine Grahame:** I am trying to deal with terms that I was not familiar with. Is everybody who produces beef and lamb automatically a member of SQBLA?

**Andrew Stuart Wood:** No. It is a voluntary promotional body. People have to meet high standards, and there are set criteria.

**Christine Grahame:** What percentage of producers of Scotch beef and lamb are members of SQBLA? Do you know?

17:15

**Andrew Stuart Wood:** I honestly do not know.

**Phil Gallie:** The particular label that is currently in use has been in place for some time.

**Andrew Stuart Wood:** That is correct.

**Phil Gallie:** Do you consider it to be successful?

**Andrew Stuart Wood:** Yes, and I believe that a lot of other farmers do—12,000 other farmers certainly do. SQBLA is continually taking on members. Since the BSE crisis, farmers have been focusing on the promotional element, and there has to be accountability and traceability. This is one way to do it.

**Phil Gallie:** Do you feel that the pressures for a change of name have come from the Scottish Executive rural affairs department, or have they come from the NFU? If so, why?

**Andrew Stuart Wood:** There are concerns that the change has been partly driven through by the rural affairs department. The MLC may end up with no remit in Scotland. The NFU is losing membership like snow off a dyke. It requires to get subscription or moneys from somewhere. There are concerns that those moneys may come through the back door through the new body. I do not know whether that is fact or fiction, but it is certainly something that the committee should consider.

**Ms White:** You have talked about the change of name and mention that the Meat and Livestock Commission has driven the likely forthcoming change to Quality Meat Scotland. Forgive my ignorance—I am not a farmer and you have enlightened me about some of the things that you think will take place—but how will the MLC drive that through? Will it be through a vote? How will the change of name take place?

**Andrew Stuart Wood:** The change of name has more or less taken place, but I do not know how. No consultation with the ordinary farmer who is not a member of one of the organisations that sit on the board of the new body has been permitted.

**Ms White:** You are saying that the change of name has taken place, or nearly taken place, but that nobody knows how it has happened that way. You are also saying that if you do not get a change to legislation to enable SQBLA to get the moneys in from the farmers who are paying the levy, all the money will go into the new body. Is that what you are saying?

**Andrew Stuart Wood:** No, sorry—I had better try to explain myself more clearly.

**Ms White:** Sorry about that.

**Andrew Stuart Wood:** At the moment, because we have the MLC collecting the levies, some levies—in the region of £4 million to £5 million—go out of Scotland and go down south into MLC for match funding. Only approximately £2 million to £3 million comes back to Scotland. I am suggesting that I want the money produced in Scotland to stay in Scotland for the promotion of Scottish products.

**The Convener:** That is clear.

**Ms White:** And you would need the legislation changed for that?

**Andrew Stuart Wood:** Yes.

**The Convener:** Thank you very much, Mr Wood, that was excellent.

**Andrew Stuart Wood:** Thank you very much for your time.

**The Convener:** The recommendation that has been made is, I think, the right one: that this matter should go to the Rural Affairs Committee to consider the merits of the proposals in the petition. It should be for that committee to decide how to approach the Scottish Executive.

The petition seems to have merit and is well worth referring to the Rural Affairs Committee. Is anyone otherwise minded? If not, that is agreed.

I do not think that anyone is here to speak to petition 139, from the Platform Adult Learning Centre, about translation services in the Scottish Parliament. It calls

“for the Scottish Parliament to provide translation services for meetings of the Parliament and Committee meetings for the deaf, deaf/blind people and for people with hearing difficulties.”

I think that the Scottish Parliament already has a contract with the Edinburgh and East of Scotland Deaf Society to provide interpreting services at meetings of the Parliament and at committee meetings in cases where a specific requirement has been identified. Those services were provided for the members’ business debate on British Sign Language, which was held in the chamber on 16 February.

Parliamentary staff have met the society since the debate to obtain feedback from deaf people who attended that debate, with a view to fine-tuning arrangements for future debates or meetings. An induction loop system is installed in the chamber, which can be used by the hard of hearing at any time.

The proposal is that the clerk should write to the petitioners, providing details of all the services that are already available, which I suggest go some way to meet the aims of the petition. It will have to be made clear in the letter, however, that there are currently no plans to make sign language translation facilities available at all meetings of the Parliament. Whether we want to put that on the agenda of the Parliament is another matter, but is anyone opposed to the line of action that I have outlined?

**Christine Grahame:** My mind was ticking there—I do not know why, at this time of night.

Would it be possible to make approaches to the broadcasters? I am not sure whether the questions at question time appear on screen. They have advance notice of the questions. That might be quite useful. It would at least be something.

**The Convener:** Are there any views on that? Are you suggesting, Christine, that we approach the broadcasting unit of the Scottish Parliament and ask it if questions can be put on screen?

**Christine Grahame** *indicated agreement.*

**Ms White:** I appreciate that the broadcasting unit would have to be approached, but I want to consider the last part of the recommendation. It says that it will have to be made clear in the letter that there are currently no plans to make sign language translation facilities available at all meetings of the Parliament. Is there anything we can do to hurry that up and to ensure that plans are made in the not-too-distant future? Is there any committee that we could refer this too? Perhaps the Equal Opportunities Committee?

**The Convener:** It could be an idea to refer this to the Equal Opportunities Committee, and to ask it if it wishes to pursue the matter further with the

authorities of the Parliament. That would be the appropriate committee.

**Ms White:** I would be happy about that.

**The Convener:** Are we agreed?

**Members** *indicated agreement.*

**The Convener:** The final petition is from Doreen Thomson, on behalf of ancillary workers at Border general hospital, about resources in the national health service in Scotland. Doreen has come a very long way this afternoon. [*Laughter.*] She has been very patient—thank you very much for waiting so patiently, Doreen. Perhaps you would like to address the committee now.

**Doreen Thomson:** Thank you for staying so long as to hear me.

I am here today to hand over a petition with more than 6,500 signatures regarding the low pay in the NHS. We are the forgotten people; we feel that we are a big cog in the wheel of all hospitals. If we were not there, hospitals would be closed because of infection and dirty wards. There would be no movement of patients between departments; there would be no food and no clean laundry; no rubbish collections would be made from wards or departments; internal mail and patients’ records would not be delivered. The list is endless.

All we are asking for is a fair wage for a fair day’s work. In the past, there have been substantial wage rises for nurses and doctors—but what about the low-paid, forgotten people? We do not want or expect the same wage as trained staff. However, I have had a rise of only 12p this year, which brings my hourly rate to £4.01. Since 1997, our hourly rate has gone up by only 21p. I received my backdated money three weeks ago from April. I worked 1,350 hours and took home £110. Is that all we are worth? Since we started our campaign in February, petrol prices have risen twice, mortgages have risen three times, council tax has gone up by 8.2 per cent and the cost of TV licences has also gone up. How are we expected to pay for those rises out of our wage?

In last week’s budget, the Government has put another £2 billion into the health service. Does that money include help for the low-paid workers? Will it increase our level of staff, as well as that of nurses? We have also had big staff cuts.

**The Convener:** Thanks very much, Doreen.

**Euan Robson:** I congratulate Doreen on her efforts to draw this matter to the attention of local politicians and to that of the general public in the Borders. The response by the general public has been tremendous, and I believe that the number of people who have signed the petition is now 6,500.

**Doreen Thomson:** Yes, there are now more

than 6,500 signatures.

**Euan Robson:** As we all know, the ancillary workers at hospitals provide a vital service, but I was not clear about how vital that service is or about the range and extent of activities that ancillary workers undertake. When my colleagues and I recently spent a day at Borders general hospital, we saw exactly what is done. I went around the hospital with someone who delivers blood specimens. If specimens get mixed up, we can imagine the impact on patients.

The tasks that are undertaken are responsible and important. The low pay for that group of workers is reflected in the local economy. If we can boost the purchasing power of local residents, particularly by increasing the pay in the public sector, that will help the local economy considerably. Something that was brought home to me forcibly during our visit to the hospital was that ancillary workers often deal with patients, and are there at critical moments.

I will give members a flavour of the sort of situation that ancillary workers have to deal with. They have to cope when someone in a ward is in distress and no medical staff are around. The ancillary worker has to go and find the medical staff. As if to emphasise that, as I was talking to one of the petitioners, Gill Shiel, very sadly, someone on the ward died at the very moment we were speaking about that aspect of the ancillary workers' work.

The stress that can be involved in the job should not be taken lightly. Often, ancillary workers have to deal with bereaved relatives, who may be under stress. They also talk daily to the patients on the ward. No counselling or training to prepare ancillary workers for that aspect of the job is apparent—Doreen will correct me if I am wrong. That alone shows that there is little recognition of the role ancillary workers play.

A three-year pay deal has been agreed, and a ballot has taken place. However, that ballot was held in the context of pressures on public expenditure and a squeeze on health service spending. Now that there has been a change of climate and a change of view, and Gordon Brown is releasing resources into the health service, it is important for the Scottish Parliament to make a case for some of those resources to go into that vital part of the health service.

Thank you for allowing me to make that brief statement and for accepting the petition. If the committee wishes to refer the petition on, I suggest that it should be referred to the Health and Community Care Committee.

**Mrs Margaret Smith:** I have done pretty well. We have dealt with a number of petitions, and only one is coming to me.

Doreen, you said that your increase amounts to 12p.

**Doreen Thomson:** Yes, for the past year. Since 1997, my wages have increased by 21p an hour.

**Mrs Smith:** What is the take-home pay for people in the jobs that you are talking about?

**Doreen Thomson:** I work 30 hours a week and take home £120.

**Mrs Smith:** Do you agree with Euan Robson that the public perception is that, while the jobs of auxiliary staff are not stress free, they are not particularly responsible? That is not really the case, is it?

**Doreen Thomson:** Definitely not—we have a lot of responsibility. Even giving someone a cup of tea can be a responsible job. If someone is a severe diabetic and an auxiliary gives them sugar, that could make them really ill. We must ensure that we know who takes what, right down to a cup of tea.

**Mrs Smith:** People have said to me that, at that level of pay, people continue to work for the health service almost despite the money. They do those jobs because they feel that they are worth while. People have to make ends meet by taking other jobs as well.

**Doreen Thomson:** Yes. A lot of people have a second job or try to get double shifts and so on.

17:30

**Christine Grahame:** Those are dreadful wages, whatever job is involved. I know that you do responsible work.

Mercifully, I have been in hospital only a few times and ancillary workers have made the time—to use a broad term—to talk to me, when I did not want to pester a busy nurse for something simple, such as a glass of fresh, cold water. They would come in to Hoover under the bed and would ask, "Would you like something?", which was wonderful. I know that those workers still give patients a big psychological boost.

In the broad, economic situation in the Borders, do you think that, given those dreadful rates of pay, people would work elsewhere in the Borders rather than stay in their present job, if better work were available?

**Doreen Thomson:** Working in a hospital is a job that one either can or cannot do. During the past three or four weeks, five new people started on the day shift that I am on, but three of them left, because of the wages, the travelling expenses or stress. People come into a hospital to do a cleaning job like mine and think that they will dust and Hoover the carpet and that that is the end of it.

They do not realise that the work involves a wide range of duties.

**Christine Grahame:** That raises two issues. Are you saying that the wages are too low, which is indisputable, and that people may come into those jobs for the wrong reasons, because there is nothing else? You are quite right to say that there is more to cleaning in a hospital ward, with new babies and so on, than cleaning in a domestic situation.

**Doreen Thomson:** Some people have worked in cleaning jobs in factories, offices and so on, and expect to do the same work in a hospital, but they are two completely different kinds of work.

**Christine Grahame:** I agree.

**Ms White:** Thank you, Doreen, for hanging on.

I am pleased to see your petition before the committee—it is a pity that it addresses the issue in the Borders only and not in the rest of Scotland.

**Doreen Thomson:** Well, actually—

**Ms White:** That was one of my questions. Are similar petitions being submitted?

**Doreen Thomson:** In a fortnight, I will be going to speak at the health conference. Unison has now decided to back us, after we have done the legwork. I hope that the Borders will be treated as a pilot scheme for Scotland.

**Ms White:** Great.

If we were to send your petition to the Minister for Health and Community Care, rather than just to the Health and Community Care Committee, would that be beneficial for you, for the workers in general and for the hospital?

**Doreen Thomson:** Definitely. The more people we can get to listen to us, the better.

**Ian Jenkins:** The covering letter that you sent with your petition has been sent to Susan Deacon.

I must advise members that Doreen Thomson is a formidable lady.

Borders general hospital is not easy to get to—can you tell us more about the travelling costs? People who take home only £130 or £120 have to consider travelling expenses. What are the travelling expenses for going back and forth between the hospital and Galashiels?

**Doreen Thomson:** Travelling from Galashiels to the hospital, leaving in the morning and returning at night, costs more than £10 a week. The bus fares have risen recently by an extra 10p a day.

**Ian Jenkins:** Do some people travel further than that?

**Doreen Thomson:** Definitely

**Ian Jenkins:** Forgive me, convener, as my next point is not a question. I visited Borders general hospital with Euan Robson and spoke to people who feel that they should be part of a team—that they are all in it together. Doctors and consultants supported that point of view. When Susan Deacon says, “I wish to pay tribute to NHS staff—this is no ordinary service and these are no ordinary staff”, I hope that she does not mean only doctors and nurses.

**The Convener:** I hope so, too.

**Doreen Thomson:** A lot of people think of a hospital as a place full of nice nurses, where doctors go about wearing white coats. They forget about the rest of the staff.

**The Convener:** We will not forget. Thank you for giving evidence and for being so patient waiting for us.

**Doreen Thomson:** Thank you.

**The Convener:** The recommendation is that the petition should be referred to the Health and Community Care Committee. It has also been suggested that we refer it to Susan Deacon, for her information. Is that agreed?

**Members indicated agreement.**

**Mrs Margaret Smith:** I am happy to progress the petition, as those workers do an essential job. The problem of low pay in the health service affects not only ancillary workers, but many others, such as those who work in laboratories.

## Current Petitions

**The Convener:** A few responses have been circulated on current petitions. We referred earlier to the response from Glasgow City Council in relation to the Shettleston Traders Association.

We received a response from the Deputy First Minister and Minister for Justice, Jim Wallace, on the petitions on the legality of nuclear weapons in Scotland. The minister's letter simply reaffirms the position that was set out in the former Lord Advocate's letter to the committee—that the sheriff's judgment is under appeal and no view can be expressed until that process has been completed—so we will have to wait.

I draw members' attention to Mr Frank Harvey's petition on the US Navy's target practice at Cape Wrath. We have received a letter from John Spellar, the UK Minister of State for the Armed Forces, which gives an explanation for the use of the range at Cape Wrath by the US Navy for three days in March. It is suggested that we copy that letter to the petitioner and that no further action be taken in relation to the petition. Is that agreed?

**Ms White:** I am laughing at the tone of the letter. [*Laughter.*]

**The Convener:** I am sure that Frank Harvey will go through it with a fine toothcomb.

The final petition to which I draw members' attention is PE23, from the Save East Wemyss Ancient Caves Society. We have received a letter from East of Scotland Water indicating that the position of the disused sewer adjacent to the East Wemyss caves has yet to be resolved. It is suggested that we forward that letter to the Transport and the Environment Committee and to the Education, Culture and Sport Committee for their further consideration, given that the petition was referred to those committees. Is that agreed?

**Members indicated agreement.**

**The Convener:** Do members have any other points to raise under this item?

**Christine Grahame:** Have we received a response from South Ayrshire Council about the Carrick Street halls, which was a fairly urgent matter?

**The Convener:** I have just been informed that we have received an acknowledgement from South Ayrshire Council, which says that the council will write to us. I hope that we will receive that reply by the next meeting.

**Christine Grahame:** I am concerned, as the petition asked for an undertaking for the status quo to prevail. Phil, do you know whether that has happened?

**Phil Gallie:** My understanding is that the day centre for the elderly will close on 1 April. There has been a move to continue to allow the hall to be used, but I understand that no funding will be provided.

**The Convener:** We will contact the council tomorrow to clarify the situation. If necessary, I will draw together two or three members of the committee, from different parties, to discuss the committee's response. Is that agreed?

**Members indicated agreement.**

## Convener's Report

**The Convener:** At our last meeting, we referred to a request from the Gauteng Provincial Legislature in South Africa to visit the Scottish Parliament and the Public Petitions Committee in particular. The Presiding Officer has responded to that request, indicating that he would welcome such a visit. We will keep members informed of progress and of when we are likely to meet the South African delegates who want to see us work.

**Phil Gallie:** I want to make a valedictory statement, convener, as I intend to resign from the Public Petitions Committee after this meeting. It is nothing personal. I hope that you will get someone who is a bit younger and more vigorous in my place.

**Mrs Margaret Smith:** It is difficult to think of anyone more vigorous than you, Phil.

**Phil Gallie:** I thank committee members; I have enjoyed being a member of this committee—it has been good all the way through. I wish you well for the future.

**The Convener:** Thank you, Phil. I speak on behalf of the committee when I say that we will be sad to see you go. You have been a valued and hard-working member. I hope that it was not today's three-hour meeting that finally persuaded you. [*Laughter.*]

I want to note for the record the committee's appreciation of Phil's work. We thank him very much for the way in which he helped to establish the committee on a firm basis.

**Ian Jenkins:** I would like to thank the committee for coming to the Borders.

I had a busy weekend in Dundee, where I got an awful fright—I was standing in a corridor, turned round and saw a big portrait of John McAllion.

**The Convener:** Thank you, Ian. It has been a delight for us to come down here today for a long but worthwhile meeting. I thank everyone for their patience and attendance.

*Meeting closed at 17:40.*



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