

# **PUBLIC PETITIONS COMMITTEE**

Tuesday 4 July 2000  
(*Morning*)

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## PUBLIC PETITIONS COMMITTEE 12<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)

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

\*John Scott (Ayr) (Con)

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

\*Ms Sandra White (Glasgow) (SNP)

\*attended

### THE FOLLOWING MEMBERS ALSO ATTENDED:

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP)

Mr John Munro (Ross, Skye and Inverness West) (LD)

Alex Neil (Central Scotland) (SNP)

### WITNESSES

David Bryce (Calton Athletic)

Michael Farrell (North Lanarkshire Direct Labour Organisation)

Norma MacLeod (Staffin Community Council)

Jim Menzies (St Vigeans Parents Group)

Alasdair Russell

Alistair Sutherland (Glencoe Action Group)

Ian Tennant (Technology Teachers Association)

### SENIOR ASSISTANT CLERK

Steve Farrell

### ASSISTANT CLERKS

David Igoe

Jane Sutherland

### LOCATION

Cannonball House



## Scottish Parliament

### Public Petitions Committee

*Tuesday 4 July 2000*

*(Morning)*

[THE DEPUTY CONVENER *opened the meeting at 11:09*]

**The Deputy Convener (Pauline McNeill):** I welcome you to the 12<sup>th</sup> meeting in 2000 of the Public Petitions Committee. I am standing in for John McAllion, who did the right thing and has gone on holiday this week. We were due to finish in line with the school holidays but, as Parliament is so busy, the recess will start a week later. John sends his apologies. Helen Eadie also sends her apologies. I think that Margaret Smith will be able to attend.

I apologise for having to convene the meeting earlier in the week than usual. Parliament is especially busy this week; it is meeting all day Wednesday, so several of the committee meetings had to be rejigged to avoid a clash.

We have quite a lot of business to get through. I remind you of the practice that we have adopted, which is that where petitioners have asked to speak, we will allow them to make a brief presentation. If members want to speak, we will give them a minute or two to speak to the petition. We will then ask the committee to ask questions and it will decide what action it proposes to take.

### New Petitions

**The Deputy Convener:** The first petition is PE216 from Ronald McLeay on behalf of Staffin community council. The petition calls for the Scottish Executive to investigate the possibility of funding being made available to Highland Council to carry out essential upgrading of the road link, the A855, between Staffin and Portree.

**Norma MacLeod (Staffin Community Council):** I am the chairperson of Staffin community council.

**The Deputy Convener:** You can take a minute or two to make a presentation to the committee.

**Norma MacLeod:** Good morning. I thank you for this opportunity to speak to this petition.

Our community of Staffin is located on the north-east side of Skye. It is a fragile community, which relies on the benefits of the tourist industry to sustain and support our economy. We require an adequate infrastructure, which we do not have.

The condition of the road as it is at present—I presented the committee convener with photographic evidence—will not continue to service our community.

A traffic survey that was carried out in October 1999 gave the daily flow as 597 vehicles per day. That equates to 1,100 vehicles per day in August. We have stunning scenery with historical attractions and a culture and heritage on which the Scottish nation was built. The Old Man of Storr attracts 18,000 visitors annually. Duntulm Castle, which is the ancient seat of the clan MacDonald, attracts 30,000 visitors annually. The road was built in 1910—90 years ago—and can no longer sustain the volume of traffic indicated by the above statistics.

We are a progressive community, which recently completed the Columba 1400 initiative and raised money towards the total cost of £2 million. The slipway cost £300,000, of which £10,000 was raised locally. Staffin is not a community that sits back on its laurels. It is a far-seeing, far-reaching community. However, we cannot access funding for the upgrading of this road, which is four miles long. That is why we require this committee's assistance in taking this petition to Sarah Boyack, to get support and funding for this stretch of road.

Highland Council does not have the funding. Its revenue budget has gone from £28 million in 1993-94 to £18 million in 1999-2000. If you allow for inflation, that is a 50 per cent cut in its funding. Its resurfacing programme has gone from 35 years to 110 years; it will not be resurfaced in our lifetime. We require the committee's support to send this petition to the Scottish Executive. We require financial assistance and we require this to be made a priority. We hope that the committee will give us the support that we require to take this initiative forward.

**The Deputy Convener:** Thank you very much for making such a clear presentation.

**Christine Grahame (South of Scotland) (SNP):** Have you, as the community council, written to Sarah Boyack?

**Norma MacLeod:** Yes, and we also met various MSPs in Staffin. They have seen the state of the road.

**Christine Grahame:** What was the response from Sarah Boyack?

**Norma MacLeod:** We are still waiting for her reply.

**Christine Grahame:** I see.

**Ms Sandra White (Glasgow) (SNP):** You mentioned the large number of tourists, who are obviously important for the community. The single-track section of road is only four miles, which is

nothing compared to some other roads, but how does that influx affect the local community and its way of life with regard, for example, to deliveries or to your own journeys?

11:15

**Norma MacLeod:** The road is in such a poor state of repair at the moment that we imagine that, in six to 10 months, it will completely deteriorate, and it will no longer even be possible to deliver feedingstuffs for our local crofters or to transport animals. We are also greatly concerned that the fire tender, when it is completely full of water, has a heavy axle weight. Our community would be cut off from the fire service, from the ambulance service and from all medical services.

**The Deputy Convener:** Thank you very much. We will now discuss the petition to decide what action we will take.

Members will note from Norma MacLeod's presentation that a letter has already been sent to the Minister for Transport and the Environment. The suggested action is for us also to write to the minister to ask her to comment on the issues raised in the petition.

**Christine Grahame:** I think that there is a wider issue regarding other transport links. I think that this is also a community matter, and I would like the matter to be brought to the attention of the Rural Affairs Committee. Staffin is a small community. The A855 is its arterial link, and is very important for its daily business and its tourism development. I think that this is more than just a transport matter.

**The Deputy Convener:** Could you clarify that, Christine? Are you recommending that the information be passed to the Rural Affairs Committee?

**Christine Grahame:** I think that we should bring the petition to the attention of the Rural Affairs Committee. I also wish to draw attention to the ancillary material, which we do not have, in the presentation about the impact on the community of the failure to attend to the road. I am asking for the petition to be referred in full.

**The Deputy Convener:** To the Rural Affairs Committee?

**Christine Grahame:** Yes, because of the impact on the economy and on the community.

**Ms White:** The recommendation is to write to the Minister for Transport and the Environment. I would like the petition to go to her as well as to the Rural Affairs Committee. The Transport and the Environment Committee and Sarah Boyack should have the petition.

**John Scott (Ayr) (Con):** Should we not wait

until after we get Sarah Boyack's response, rather than burdening the Transport and the Environment Committee with this petition at this time? Sarah may come up with a response.

**Ms White:** I do not see any harm in writing to Sarah Boyack, even for information. It would be ideal for the petition to go to the Transport and the Environment Committee, to start the ball rolling, and to the Rural Affairs Committee. We could pass on any information that returns to us to the Transport and the Environment Committee.

**The Deputy Convener:** We have to designate the committee that we think should take the lead on this matter. It has to be either the Rural Affairs Committee or the Transport and the Environment Committee. I think that it would be useful to write to the Minister for Transport and the Environment, saying that we note that the petitioners have already sent her a letter and asking her to give due attention to that.

**Christine Grahame:** I think that it is a matter of rural affairs: it is about a rural community, its survival and how it thrives. The road is a priority for it. The issue is the impact of the state of the road on the committee. I would say that it is a matter for the Rural Affairs Committee.

**Ms White:** I do not have a problem with the petition being referred to the Rural Affairs Committee. Pauline McNeill has spoken about the need to designate a lead committee. If anyone is going to come up with the money for improving the situation, it is the Minister for Transport and the Environment, Sarah Boyack. If we are writing to Sarah to ask her to reply to the petitioners' letter, the matter should go to the Transport and the Environment Committee. I would prefer it to go to both committees, but my preference is for it to be treated as a transport matter.

**The Deputy Convener:** I will try to make sense of this and make everybody reasonably happy. I think that we are agreed that we will write to the minister.

**John Scott:** Yes.

**The Deputy Convener:** In that letter, we should make the minister aware that we note that a letter has already been sent to her, to which we intend to add our weight. Would it be useful to wait and see what Sarah Boyack's reply is?

**John Scott:** Yes.

**The Deputy Convener:** Albeit our stated intention is to let the Rural Affairs Committee have a look at the petition.

**John Scott:** That is how I would proceed. We should wait and see what the minister's response is. She has had no opportunity to respond. Thereafter, if the response is not satisfactory, I

would pass the petition to one or other or both of the committees, and let them put pressure on their respective ministers.

**The Deputy Convener:** Is that all right with you, Christine?

**Christine Grahame:** The Rural Affairs Committee will not meet until September. I do not see the harm in proposing that the petition come on to their agenda in September.

Sarah Boyack has a large team behind her. I should perhaps have asked when contact was made with her, but my experience with ministers is that they are not quick to reply. I would like to put a bit of push behind this matter by saying that we have also referred it to the Rural Affairs Committee for it to place on its agenda after the recess.

**The Deputy Convener:** Are we agreed that we will write to the Minister for Transport and the Environment, saying that we are aware of the existence of the letter that has been sent to her, that we will consider further action and that there is a sense of urgency? We will be able to make the right decision as to what to do next when we meet again.

**Ms White:** If you are not willing to send the petition to the Transport and the Environment Committee, convener, I will go along with Christine Grahame's preference, to send it to the Rural Affairs Committee, as it is not meeting until September.

**The Deputy Convener:** We could ask the Rural Affairs Committee simply to note that we have discussed this. Ultimately, the committee will make its decision, on the record, when we return after the recess.

**Mrs Margaret Smith (Edinburgh West) (LD):** Presumably, if there is no action from the minister after the recess, we could pass the petitions on to the relevant committees then, with a sense of urgency.

**The Deputy Convener:** That is a fair point. If we had not received a reply by the next time that we met, that would influence what we did next.

Before we move to the next petition, I welcome Margaret Smith to the committee.

We now come to petition PE230 from St Vigeans Primary School parents, against Angus Council's proposed closure of the school, calling

"on the Scottish Parliament to take the views of parents of children attending the school fully into account and support this excellent school."

Jim Menzies will speak briefly to the petition.

**Jim Menzies (St Vigeans Parents Group):** Thank you, convener and members, for the

opportunity to come here today and state our case in favour of St Vigeans Primary School which, as we have already heard, is under threat of closure by Angus Council. The two-teacher school is a cost-effective, fully subscribed, successful rural school in an historical village with a distinctive character. The standard of education that it provides is very high.

The main thrust of the council's argument for closure centres on the inadequacy of pupil toilet facilities and the cramped staffroom and office accommodation. Pupils have to walk outside the main school building to visit the toilets, which are of an inadequate standard. For many years, the parents have asked for action to be taken to improve the toilet facilities. Their requests have been ignored by the council, and the toilets have been allowed to deteriorate to their current inadequate condition.

Parents considered that the council's initial documentation supporting its proposal is materially inaccurate, and that all the supposed facts favour the council's preferred option of closure. The council's documentation is far from comprehensive, and chooses to ignore factors that do not support closure.

The council does not discuss any disadvantages of closing the school, other than to mention the disruption to the children's education. The council ignores the broader issues, such as the effects on the wider rural community. The council fails to make anything more than passing mention of demographic change. The parents consider that to be a significant factor, given the large amount of housing development in the catchment areas adjacent to that of St Vigeans.

The council has considered alterations to the school buildings. They would include options that go beyond what is required to provide adequate facilities. Parents have received inadequate drawings of the proposals, and considered the associated costings to be grossly inflated. Estimates obtained by parents for alternative proposals are in the region of £70,000, as compared to the council's options of £250,000 or £400,000. Parents consider that the criteria used by the council are not based on proportionate advantage and are prejudicial to the case for the retention of the school.

Parents call on the Scottish Parliament to take their views fully into account, and to support this excellent primary school.

**Christine Grahame:** Have you seen the report that the council made on 27 June?

**Jim Menzies:** The report that was presented to the education committee?

**Christine Grahame:** It is the one that deals with community factors on page 6.

**Jim Menzies:** Yes, we have seen that.

**Christine Grahame:** There is an educational argument for maintaining rural schools, but people also make a strong community argument. However, the council contends that

"it is difficult to argue that St Vigeans Primary School is a focal point for community life in this area."

I take it that you would not accept that.

**Jim Menzies:** There are a number of issues. The school participates fully in the village open day and the village hall, which works on a tight budget, relies heavily on the income that it gets when the school uses it. People in the area identify strongly with St Vigeans.

**Christine Grahame:** Is the main argument against its closure the fact that the community, rather than the children's education, will suffer if it closes?

**Jim Menzies:** St Vigeans provides an excellent education. People elect to send their children to the school and the school has to refuse applications because it is at its capacity.

**Christine Grahame:** Is there also a community-based argument?

**Jim Menzies:** Yes.

**John Scott:** With regard to the cost of upgrading the school, why is there a discrepancy between the council's figure of £250,000 and the figure that you give of £40,000 to £50,000?

**Jim Menzies:** We have asked the council for details of the costings. I believe that the breakdown of the council's figures adds up to only £190,000. The cost includes the replacement of doors, windows and partitions, which the parents do not think are essential elements of the upgrading. We do not understand how the council arrived at the figure of £250,000.

**Ms White:** The report says that the school considers placement requests and that 28 pupils from outwith its catchment area have enrolled, which brings the school roll up to 42. I know that the council is in consultation on the matter and I would not want to jeopardise that process, but is that factor perhaps why the council has said that the school is not viable in your area?

**Jim Menzies:** An important issue is that the school receives a large number of placement requests because of the high standard of education that its pupils receive. A number of pupils who had difficulty coping with the pressures in larger urban schools have moved to St Vigeans, where they have settled in well. I can think of two children in particular who have thrived in the

environment of St Vigeans and whose personalities have changed.

**The Deputy Convener:** What stage of the consultation exercise has been reached?

**Jim Menzies:** Our submissions must be sent to the council by the end of August.

**The Deputy Convener:** Has the council said when it intends to make a decision?

**Jim Menzies:** We have not been told when a decision will be made.

**The Deputy Convener:** Thank you for making your presentation.

It is important to note that we are in the middle of a statutory consultation process that is being carried out by Angus Council. We must make the council aware that we have this petition before us and allow it to comment. We could pass the petition to the Education, Culture and Sport Committee for information. Further to that, we could pass it directly to Jamie Stone, who is producing a report on rural schools and will be able to consider wider issues.

**John Scott:** There have been previous petitions on rural schools. Where did they go to?

**The Deputy Convener:** They went to the Education, Culture and Sport Committee as that is where the rural schools report is being developed.

**John Scott:** This one should go there too, unless this issue is different.

**The Deputy Convener:** It should go to the Education, Culture and Sport Committee. You are right, John. This will probably not be the last petition that we get on school closures, so it is important that we are absolutely consistent. It would seem right to take advantage of the fact that Jamie Stone is producing a report on rural schools at the moment.

11:30

**Christine Grahame:** I understand that more than 5,000 signatures have been gathered in support of retaining the school. However, our briefing paper tells us that there are only seven signatures and I would like the clerk to clarify that.

**The Deputy Convener:** We think that the original petition was submitted directly to the council.

**Jim Menzies:** It has not been submitted yet.

**Christine Grahame:** I would like that matter clarified. It would help the petition if it carried 5,000 signatures.

**The Deputy Convener:** We will note that in the correspondence.



**Mrs Smith:** If we are writing to Angus Council, we should bear in mind the interesting points that were raised by the petitioner. There is a need for clarification on the question of the difference between the cost suggested by the council and the cost suggested by the petitioner. I note also that there are questions about the distance between the school and the gym facilities and about the average maintenance cost. There are many points on which the petitioners take issue with the factual basis of the council's argument. We could raise that point, particularly on the fundamental issue of cost. There is a big jump between the parents' estimate that the cost will be £40,000 to £50,000 and the council's estimate that it will be £250,000.

**The Deputy Convener:** That point will be made as part of the consultation process. There is no reason why we cannot ask Angus Council to note that point. If we get a response on that, it would be appropriate to let the Education, Culture and Sport Committee have a look at it.

**John Scott:** As part of the consultation process, could we ask the council to explain why it thinks the discrepancies have arisen? The petitioners have had an opportunity to say what they think.

**Ms White:** I am always worried about asking questions during a consultation process. It is a matter of opinion, is it not? I am aware that Andrew Welsh has written questions to the Executive regarding capital costs of upgrading the school. The information is available. Given the fact that the result of the consultation process will be known by August, I do not think that we should ask detailed questions about individual costs.

**Mrs Smith:** I have a general concern and would like the matter clarified. In consultation periods, the wee guy is up against a bombardment of official figures from bodies such as education authorities and health boards. If the wee guy sees that there are discrepancies in the figures, that is important, because decisions will be made on the basis of those figures.

If petitioners tell us that something in the process is factually incorrect, that is wholly different from an opinion. If the figures that a council is using to make a decision or for a consultation seem to be incorrect, that is an important point on which we could ask for clarification. If the petitioners are saying their school is a great wee school, and the council is saying that that is not the case, that is a matter of opinion. However, if the council says that the capital cost of upgrading a school will be £250,000, but the parents say that the cost will be £50,000, that is a question of hard facts. What are the council's reasons for such a difference? There is a question of fact involved.

**The Deputy Convener:** That is a useful point on

which to end before we summarise what action we will take. Obviously, we have no powers to intervene, and we must allow the consultation exercise to take its natural course. We will refer the matter to a committee of the Parliament, so Margaret Smith is right to say that we could play a role in drawing out the issues to ensure that, at the very least, the decision that is taken is transparent to everyone. If there is no level playing field in the figures over which people are arguing, perhaps we could ask the council to make those figures a bit clearer. We could also refer the matter to the Education, Culture and Sport Committee.

We will write to Angus Council with the points that I have just made. We will pass the petition to the Education, Culture and Sport Committee for its information and inform it of the action we have taken. I will also pass the petition to Jamie Stone, who is preparing a report on rural schools in Scotland. Is that agreed?

**Members indicated agreement.**

**The Deputy Convener:** The next petition, PE227, from Alistair MacDonald, calls on the Scottish Parliament to approve an investigation into the actions of the public agencies and National Trust for Scotland as architects of the current proposals and policies for Glencoe. In particular, the petition asks that the Parliament examine public consultation and the future role of the National Trust for Scotland as a landowner.

**Christine Grahame:** Have we gone forward in the order of petitions we are dealing with?

**The Deputy Convener:** We are dealing with the petitions in a slightly different order than was planned. We have received additional papers on this petition.

I welcome Fergus Ewing and Alex Neil, who will be speaking later on.

I ask the petitioner, Mr MacDonald, to speak briefly about his petition.

**Alistair Sutherland (Glencoe Action Group):** My name is Alistair Sutherland, and I am a member of the Glencoe action group. Mr MacDonald is here today, but we agreed that I would present the paper on behalf of the action group, if that is in order.

I have distributed papers indicating in bullet form what this is all about, and I will take members through those points. The petition is from residents in and around Glencoe, which is one of the most historic and important tourist areas in Scotland. The petition arises because of certain proposals from the National Trust for Scotland, which is the landowner of the major part of the area. The National Trust owns 5,680 hectares in Glencoe in trust for the public. For 65 years, it has enjoyed good relations with the people in and around the

glen. In 1999, all that changed because of two developments, for which the trust had obtained permission and public finance and which, if they proceed, will alter radically the livelihoods of the owners of small business and the appearance of the famous glen.

First, a new visitor centre will be built, which will probably displace a number of locally owned and run businesses. The existing centre consists of a snack bar and a shop that sells books and souvenirs, as well as a historical and geological exhibition. The new centre will have a 66-seat restaurant plus shops, which, it is feared, will sell crafts, mountain gear, luxury foods and knitwear, in addition to what is sold already. There will also be an exhibition area. No environmental or economic assessment was required by the planners or by those who committed funding to the project.

The site for the new centre was acquired from the Forestry Commission for £218,000, without anyone else being allowed to offer for it. Scottish Natural Heritage contributed £175,000, which was 75 per cent of the total. This was the third time that SNH or its predecessor, the Countryside Commission for Scotland, had grant aided secret purchases from the Forestry Commission in Glencoe. I have listed the two other occasions in the paper. Grant aid and tax relief for the project have been estimated at £825,000.

Under the second development, the entire floor and lower slopes of the pass of Glencoe will, by the exclusion of sheep, cattle and wild animals such as deer, be changed from open grazing land to scrub with trees such as birch and rowan. Access is likely to be restricted and the world-famous vistas of the glen will almost certainly be radically altered, at least when viewed from the main road.

The Forestry Commission has awarded a grant of £338,000 for the first 60-hectare stage of the development, and the millennium forest trust—lottery money—has provided £148,000. If, as the papers that were filed for consultation indicate, the final project increases from 60 hectares to 767 hectares, the total cost to the Exchequer could be in excess of £3 million.

You may ask what objections the local people could have to those proposals. I have listed them in the paper. There has been no adequate consultation on either development. The consultation about the visitor centre was about a concept very like the present centre, but at a very late stage it emerged that the concept had changed completely between consultation and the grant of planning permission. The chairman of the National Trust has likened the centre to a new supermarket, but supermarkets are not funded by grants and tax relief. The woodland regeneration

scheme consultation consisted of a document that was made available in the local post office for a fortnight. Few people knew about it until it was too late.

All the sheep farming tenancies have come to an end without any genuine attempt to re-let. No locals are now involved in the small trust sheep operation. No locals or even Highlanders are employed full time in the visitor centre or in the ranger service. Locals are given only seasonal part-time employment.

Local tourism-related businesses fear that the near absence of any sort of animals and birds of prey, and the fact that tree cover will restrict visibility along roads and make access to the hills more difficult, will lessen the attraction of the glen. Plants and trees have their place, but not to the exclusion of everything else. Some plants thrive only on land that is grazed.

The glen is the scene of the Glencoe massacre in 1692, which was one of the most important events in Scottish history. Some of the worst atrocities took place just where the new centre is being built. The descendants of the Inverigan MacDonalds, of whom the petitioner is one, clan Donald generally, and many Highlanders think that it is the wrong place for the new centre. The National Trust states that it stands for “places of historic interest.”

I have given you a breakdown of our calculations on the public finance that is involved, which are based on the National Trust's figures. I will not go through the figures in detail, but total public finance is anywhere between £1.5 million and £5 million.

Local feeling is that the National Trust enjoys an over-cosy relationship with many state-controlled bodies. As I have said, acquisitions of land have taken place behind closed doors and the trust's woodland regeneration scheme has been waved through. Scottish Natural Heritage pays for a large percentage of everything and the perception is that the National Trust is not subject to the same restrictions that apply to tax-paying citizens.

Finally, the petition is a plea for a review of the role of the National Trust. The trust has grown hugely from its idealistic and popular beginnings in Glencoe in 1936. It now owns 188,000 acres of Scotland and is one of Scotland's largest landowners. Government agencies pay for a large part of its operations. On its Highland properties, there is considerable friction between local populations and conservationists with a largely non-Highland agenda.

I hope that that is sufficient background with which to present the petition.

**The Deputy Convener:** Indeed. Thank you. I will let Fergus Ewing address the issue.

11:45

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** Mr Sutherland has presented his case moderately and effectively. There are two issues of substance. One is the local concern that the scale of the development, involving a 66-seat restaurant and substantial shops, will displace local businesses. Of course, substantial public money is being sought by the National Trust for Scotland. The second is the effect on the environment, as has been mentioned, which raises the issue of the role and influence of local people in rural and Highland Scotland. As Margaret Smith said earlier, this is a case of the wee guy against officialdom. Those are serious concerns.

I have only one minute, so I will be brief. What should happen now? The petition seeks an investigation. There are hotly disputed issues of fact and, in those circumstances, an investigation is appropriate. I am the constituency MSP. Mary Scanlon appeared with me at a public meeting and I believe that she broadly supported the sentiments that have been expressed today, so there is cross-party concern. I hope that the Public Petitions Committee will signal its concern about these serious issues by considering a visit to Glencoe to hear more details from the public. That is why the Scottish Parliament exists; to give the people of Scotland a fair hearing. I hope that the committee will agree that on this occasion a visit is appropriate.

**The Deputy Convener:** Thank you, Fergus. It is important that members have seen the additional paper and the response from the National Trust for Scotland. I invite committee members to ask questions.

**Christine Grahame:** I second what Fergus Ewing said. This is a serious issue, not just for the people of Glencoe, but for the whole of Scotland. I am concerned by what is in our papers and by the reply from the National Trust for Scotland on 3 July. Have you seen it, Mr Sutherland?

**Alistair Sutherland:** No I have not.

**Christine Grahame:** Perhaps it is just as well, because you would be incandescent if you read it. The last paragraph is presumptuous:

"In respect of this petition we have endeavoured to correct the misrepresentations that have been made"—

and this is the glorious ending—

"and would also state that a majority of the signatories were not aware of what they were really signing."

That is an outrageous statement to put in a letter.

No doubt that will hang round the neck of the National Trust for Scotland. I am shocked by that attitude. Would it be of advantage to the committee to go and hear the people of Glencoe, who no doubt would be able to tell us if they did not know what they were signing?

**Alistair Sutherland:** On behalf of members of the action group, and anyone else with an interest, I am sure that that would be the right thing to do.

**Mrs Smith:** Can I clarify a point? If the Public Petitions Committee goes to Glencoe, will we be able to hear from the National Trust for Scotland, or will we be able to hear only from the petitioner?

**The Deputy Convener:** We will consider that point when we have finished questioning. For Mr Sutherland's benefit, I should clarify that we have conflicting information from him and the National Trust for Scotland, so we have to work our way through it.

**John Scott:** Can you tell me about the siting of the visitor centre? Were alternative sites proposed, or has it just been put down in the middle of Glencoe?

**Alistair Sutherland:** The background is that the present centre was built for the trust in the 1970s by the Countryside Commission for Scotland on land that the trust already owned. After it was built, there was a lot of opposition from the climbing community, whose members disliked looking down from the hills to see a great slab of tarmac and buildings in an area that they thought should have been left unspoilt. So, for many years, the trust was considering where to place the centre. I do not know of any other site in its ownership on which it considered siting the centre. I know that it considered siting it on someone else's land at one stage.

**John Scott:** So the new building is being put at a different site from the old one.

**Alistair Sutherland:** Yes. The old one will be demolished and the site will be grassed over.

**John Scott:** In your view, which is the more appropriate site? Why would you not build a new building on the site of the old one?

**Alistair Sutherland:** My understanding is that the climbing community placed considerable pressure on the trust to remove the building from the current site.

**John Scott:** Now the local community is objecting to the new site, whereas the locals did not object to the siting of the first centre.

**Alistair Sutherland:** That is right.

**The Deputy Convener:** You have not seen the comments from the National Trust for Scotland. We will ensure that you get a copy before you

leave today, but I am sure that you will be able to respond to a couple of points. The trust's first point is:

"The petition is signed by some 230 people, approximately 50% of whom do not reside in the Lochaber area and, with respect, may not have a complete understanding of the Trust's proposals."

What do you say to that?

**Alistair Sutherland:** I cannot comment on what people were thinking about when they signed the petition, but most signatures were obtained in the River Coe Restaurant, where the owner is in severe danger of having his business wrecked. He would not obtain signatures without signatories understanding what they were signing.

**The Deputy Convener:** It is important to get this on the record so that you get a chance to respond on the record. The trust also says:

"Attached to the petition are three documents which are presentations given at the public meeting in Glencoe Village Hall on 29 April 2000. There was an undertaking that all the presentations (5)"—

so there must have been five presentations in total—

"would be appended to the Petition and given that the presentation by Mr Robin Campbell was in full support of the Trust we would suggest that an unbalanced picture has been submitted."

Would you like to respond to that?

**Alistair Sutherland:** I do not think that the petition presents an unbalanced picture. Mr Campbell is a member of the National Trust for Scotland and the Mountaineering Council of Scotland, and is regarded by the trust as the Mountaineering Council of Scotland's voice in the trust. Mr Campbell was 100 per cent in favour of the trust's proposals, as far as the woodland regeneration side was concerned. The balance of the meeting was not too bad. The majority of speakers were against the proposals, but there was one in favour.

**The Deputy Convener:** Thank you. There are a number of issues that we have to consider, the first of which is the fact that it is not clear what powers or authority we have over the National Trust for Scotland. We need to obtain an opinion on that. The trust receives some public money indirectly, but we need a legal opinion on the authority that that gives the Parliament over the National Trust for Scotland.

**Mrs Smith:** Where do we stand in terms of the timetable for action? We have a recess soon, which means that taking action at Public Petitions Committee meetings or at subject committee meetings will be a problem. I would be interested to know whether the clerk has any indication about the timetable.

I also seek further clarification of my earlier point. I have a great deal of sympathy with Fergus Ewing's suggestion that the committee go to Glencoe, but my sense of justice tells me that, for such a visit to be meaningful, we would have to ensure that the National Trust had an opportunity to put its case. Would we be able to do that, given that the trust is not the petitioner? Could we balance both sides of the argument, or would we go to Glencoe to hear only the petitioners' point of view? Valuable as that may be, we need to find some way of hearing both sides of the argument.

**The Deputy Convener:** Before we consider whether the committee should go to Glencoe, I insist that we examine the issues to make absolutely sure that we have jurisdiction and consider what kind of action we can take.

**Christine Grahame:** Why are we asking whether we have jurisdiction? As I understand it, the National Trust for Scotland is publicly funded. The Scottish Parliament has jurisdiction over the funds that are expended by the Executive in Scotland. I would have thought that it is obvious that we have jurisdiction to investigate the actions of any public body. For what it is worth, my view is that we would not be entitled to hear people other than the petitioners, but that is a matter for discussion. We went to the Borders to hear from people in the community there about a range of issues and to get a feel for how they felt. The issues that arose then went to other committees. That set a perfectly legitimate precedent. My only problem is with the time scale. We need to know how we will fit a visit in, but I think that it would be valuable to go there.

**The Deputy Convener:** For clarification, our next meeting will be on 12 September. There is nothing stopping us going to Glencoe, but we need to try to be balanced and fair about the evidence that we have in front of us. We have conflicting information, so we have to sort that out somehow. We could refer the matter to a subject committee, but first and foremost we must establish how we deal with the conflicting views.

**John Scott:** Am I right in thinking that the proposed new building will be built on what is arguably a war grave—a site of enormous significance?

**The Deputy Convener:** Yes.

**John Scott:** That is happening at the behest of the National Trust and of mountaineers. The local people, who should be taken into account, are perfectly happy for a building to be built to replace the existing building on a different site. Is that correct, Fergus?

**Fergus Ewing:** There are a number of concerns about the proposed new building. One is that it is being built with public money. The effect of a 66-

seater restaurant—as opposed to a hole in the wall with a few bench seats as there is at the moment—will be to terminate existing businesses. Local enterprise companies accept and implement the principle of displacement, which prevents them from supporting businesses where there are existing businesses in the same field. I have had clarification from the Executive that the displacement policy should apply to all bodies, whether they are charities or other businesses.

The second concern is, as John Scott said, that the new building might be built on a sacred site. I understand that the National Trust is willing to participate in a debate. On Margaret Smith's point, I would be surprised if the National Trust did not accept an invitation to put its side of the case. Natural justice might merit such an invitation, should the committee decide to accede to the suggestion that the matter is worth investigation.

**The Deputy Convener:** I know that you have not had a chance to read the papers, Fergus, but they say:

"The Trust's original architect's brief stipulated a food outlet seating approximately 60 people. This has been maintained with the current proposal of a 66 seat café."

**Fergus Ewing:** The National Trust has said that that is true, but local opinion is that the National Trust's initial plans did not include a 66-seater restaurant and that the plans were not effectively communicated to the local community. I accept that there are two sides to any case. The community expresses one view and the National Trust expresses another. Surely an investigation is required where there is a difference of opinion.

12:00

**Ms White:** Lots has been said about the validity of the case, about how we go forward and about whether we should invite the National Trust to come along to a public meeting if we decide to go to Glencoe. Natural justice would require that we contact the National Trust to invite it to a meeting.

We have concentrated on the restaurant, but the matter is about more than that. I did not get an opportunity to question Alistair Sutherland but I wanted to ask about consultation. It seems to me that there has not been enough consultation of the local community. There is mention of the fact that the National Trust contacted the community council, but people are saying that they did not get a chance to respond. According to the National Trust, the proposals were advertised in the local paper, but people say that they were not.

There are lots of questions to ask both groups. The matter is not just about the restaurant; it is about the National Trust's approach. It is important that we go to Glencoe, consult the local people and ask the National Trust to come along to that

meeting. We need to hear both sides of the story. The issue is not just about Glencoe. Next week, the same could happen somewhere else. It would be advantageous to the committee and Parliament to hear what the National Trust has to say about the matter.

**John Scott:** Is this ultimately a planning issue? Should not we refer the matter to the committee that deals with such issues?

**Ms White:** The agenda is bigger than that. The matter is not just about planning permission for a restaurant; it is about forestry and so on.

**The Deputy Convener:** We have to come to a decision. The advice that we have been given is that we should establish whether we have jurisdiction to investigate, albeit that we wish we did. We have to seek an opinion on whether we have powers to investigate the funding of the National Trust.

**Christine Grahame:** I would like clarification on who we will seek an opinion from.

**The Deputy Convener:** We will seek an opinion from the Scottish Parliament's legal team. We need to establish whether the Parliament has the right to investigate the matter. If we can, someone will have to address the issue of the conflicting information. I agree with John Scott's suggestion that we should refer the matter to the relevant subject committee.

**John Scott:** What purpose will be served by visiting the site? I would like to find out more about the issue for my own information, but it will not be up to us to make a decision; it will be up to the relevant committee.

**Ms White:** There are an awful lot of assumptions going about. The assumption that I would make—and the assumption of most MSPs and the Scottish people—is that the Parliament can investigate whoever it likes, particularly a body such as the National Trust. We are elected to serve the people of Scotland. It is not right to say that the Parliament has to check who it can investigate. We should have the power to investigate whoever we like. If the National Trust decides that it does not want to come along, fine, but at least we will have made the initial move. I do not think that it can be said that we cannot investigate them.

**Christine Grahame:** It is rather demeaning to talk about Glencoe as a planning issue. Glencoe is a national and international sacred site—it is a historic area. This is a major issue. What causes me the most concern is the lack of consultation and consideration. With respect to the deputy convener and the clerk, I do not think that we need to get an opinion from anybody.

We can hear the petitioners expand on the

issues that they have addressed at a committee meeting. Having talked informally to the clerk, I believe that we can also hear the National Trust's views. We can come back with those views, like pollen gatherers, and put them to the committees of the Parliament. This is more than a planning matter; it relates to culture and heritage.

**Mrs Smith:** I agree with what other members have said. My understanding is that we have the power to investigate any public body that spends public funds. I urge the committee to take a decision today based on that assumption. If the decision is found to be incorrect, we can think again after the recess. However, if we work on the basis that we do not have such a power and we go to Glencoe, we will not be able to take any action until after the recess.

On the time scale, I understand that the proposals have already been through the planning procedure and that the National Trust for Scotland can take action any time it likes to put them into practice. We should not hang about and wait until after the recess to decide whether we have the power.

**The Deputy Convener:** There is no intention to hang about. The information that we have been given by the Scottish Parliament's legal department is that it has not established whether the NTS is a public body. The committee can make that assumption if it so wishes.

**Mrs Smith:** If we assume that it is, we can hit the ground running if we get the go-ahead. If we do not do that, we will have to revisit the matter. Our timetable, however, means that that would probably be the best option.

I am concerned about the points that were made about consultation. The question is whether it would be more fruitful for the committee to investigate the matter or for the relevant subject committees of the Parliament to take it on board. Given the depth of the investigation that might be required, it might be better for the subject committees to do it, although I understand that they are overloaded. There is the problem about the time scale and the recess. I would welcome the opportunity for the Public Petitions Committee to take the matter forward, at least as an information-gathering exercise. We must bear in mind the importance of hearing the National Trust for Scotland's side as well.

**The Deputy Convener:** We have been advised to take an opinion. Let us act on the assumption that the Parliament has the power to investigate what is going on. The next decision is how the committee intends to pursue that investigation. My feeling is that the matter should go to a subject committee. There is conflicting information and going to Glencoe will not sort that out—we will still

be faced with a conflict between the National Trust and the community. The matter needs more time. I know that the subject committees are overworked, but more time would produce more detail, which is, ultimately, what the petitioners are asking us for. We must make a decision on the matter quite soon.

**Ms White:** I take on board what Pauline McNeill is saying. It is difficult to convene a meeting and to express one's own opinions. The matter should eventually go to a subject committee. However, the Public Petitions Committee should go to Glencoe. We should write to the National Trust, inviting it to a public meeting.

The subject committees will see that we are working—they often complain that we hand petitions over to them without following them up. We will check the matter out and come back to deliberate on which subject committee it can go before. I propose that we go to Glencoe for a public meeting. We should contact the National Trust and, if it wishes to come along, it can. We can hear all the evidence and make up our minds on the basis of that.

**The Deputy Convener:** It has been proposed that the petition goes before a subject committee and that we go to Glencoe prior to doing that.

**Christine Grahame:** I agree with Fergus Ewing that we should go to Glencoe. It is important that people see that the Public Petitions Committee is accessible, that the Parliament is listening and that we gather information. A precedent was set when we went to Galashiels for a meeting on the Borders rail petition. It was useful to the Public Petitions Committee and to the petitioners that the petitioners had the opportunity to speak to members of the Scottish Parliament and to the MPs who attended. It did not prevent other committees considering the petition thoroughly.

It is important that we go to Glencoe to see the full picture from both sides. We will come back informed enough to be able to send the petition to certain committees, as we did with the Borders rail petition.

**The Deputy Convener:** Can Fergus Ewing clarify the time scale? Is there one?

**Fergus Ewing:** The time scale for what, convener?

**The Deputy Convener:** For dealing with the matter.

**Fergus Ewing:** For visiting Glencoe?

**The Deputy Convener:** For the planning issue, in particular.

**Fergus Ewing:** I could not speak for the NTS, but the sooner we visit after the end of the recess, the better. If the committee is minded to hear the

local community's case, a visit would send a strong message.

**The Deputy Convener:** I am not asking for your opinion. It is an important point. We need to clarify that—

**Fergus Ewing:** It would be wrong for me to speak for the National Trust for Scotland.

**The Deputy Convener:** Let us clarify the time scale.

**John Scott:** It has not been made abundantly clear that the National Trust and the National Trust for Scotland are two separate entities.

**Ms White:** I just say National Trust—it is obvious that we are speaking about the National Trust for Scotland.

**The Deputy Convener:** We need to know the time scale. I am not clear whether the committee should decide now. There is a difference of opinion about what we should do.

**Ms White:** I have a proposal on the table—someone else might have another—that we go to Glencoe for a public meeting and that we inform the National Trust of that meeting.

**The Deputy Convener:** There are two proposals on the table. How soon do we have to make a decision? Can we discuss in our meeting on 12 September whether to go to Glencoe?

**Ms White:** I would like the letter to be sent out as soon as possible and to have a date set before we meet on 12 September.

**Mrs Smith:** If the National Trust for Scotland has planning permission, it is either considering action or is in the process of taking it—it will not be telling us that it is taking no action. In either case, it would be to the benefit of all sides for us to act as quickly as possible. That allows us to do exactly what Pauline McNeill suggested. There is a need for clarification on points of information. We would be doing a service to the subject committees—which might have the petition put before them in due course—if we gathered information as early as possible.

**The Deputy Convener:** Is it the feeling of the committee that, before we send the petition to a subject committee, the Public Petitions Committee should visit Glencoe?

*Members indicated agreement.*

**The Deputy Convener:** Taking into consideration all that has been said about the petition being dealt with timeously, shall we leave it to the clerk to sort out when that visit should take place?

*Members indicated agreement.*

**The Deputy Convener:** I warn members that I shall now speed through the rest of the agenda, as it is 12.10 pm.

The next petition is PE235 from the shop stewards at North Lanarkshire's direct labour organisation, calling for the Scottish Parliament to investigate the handling of the privatisation of the DLO by North Lanarkshire Council.

Will the person who is speaking to the petition please introduce themselves and take a minute to outline their case?

**Michael Farrell (North Lanarkshire Direct Labour Organisation):** Thank you, convener and members of the committee. I am the convener of the unions at North Lanarkshire Council and this is Graham McNab, the vice-convener.

In June 1998, as members are probably aware, North Lanarkshire had a deficit. On 23 July, Donald Dewar presented us with a 19(b) notice, effectively closing our department and putting 1,600 members of our unions out of work.

Over the past two years, there have been amendments to the 19(b) notice. It has not been lifted, which has meant that our members have had to transfer to different public-private partnerships.

So far, we have lost three different partnerships through natural wastage. People are leaving the department because of uncertainty—we have lost up to 800 people. The partnerships were supposed to transfer jobs under the Transfer of Undertakings (Protection of Employment) Regulations, but I can assure members that those transfers did not go through properly and that people's rights have not been protected. The DLO is now performing well: last year, it made a profit of £1.6 million and the projected profit for this year is £1.4 million. In September, we are supposed to be transferring to a private partnership.

I have no doubt that members are aware that councils have only to return a 6 per cent profit. Our department is producing that for the council and for the taxpayers of North Lanarkshire. The 19(b) notice should be overturned and replaced by a 19(a) notice, which many other councils in England and Wales have been given in the past, and which would have allowed us to turn the situation around.

12:15

If a 19(a) notice were issued, we would be allowed to remain a DLO. We would be able to protect the workers and to ensure that the community in North Lanarkshire benefits from the money that is spent in North Lanarkshire. If everything is privatised, that money will go automatically into the pockets of private

companies that will be brought in by North Lanarkshire Council. Our members will be transferred out of the council. They have been told that those transfers will be TUPE transfers, and that they will retain their pension rights. However, that sort of thing simply does not happen.

Our petition asks the committee to talk to the appropriate ministers and committees, to ask them to reverse the decision that was made on the 19(b) notice and to turn it into a 19(a) notice. That would allow us to remain a DLO and to perform as we have done. We have documentation with us that backs up our figures—I did not just make them up in my head—together with a business plan, which I would like to present to members; perhaps they could examine the papers later.

**The Deputy Convener:** Thank you, Michael.

I understand that Alex Neil would like a minute to talk about the petition.

**Alex Neil (Central Scotland) (SNP):** Thank you for inviting me to the Public Petitions Committee. I will underline what the petition calls for.

The Scottish Executive is enforcing a decision on North Lanarkshire Council that does not allow the council to keep the DLO within its remit and that will force privatisation on the DLO. That has a number of implications. First, North Lanarkshire Council could set a precedent by not being allowed to run its DLO in the way that it sees fit. Secondly, council tax payers have already picked up the tab for the problems that the DLO in North Lanarkshire experienced. Now that the workers in the council have turned the DLO round and made it into a profitable operation, the beneficiaries should be the workers and the council tax payers who invested in that turnaround, rather than some private profiteers who will walk in and pick up all the juicy bits.

Thirdly, there is a threat to jobs. As Michael Farrell said, 800 jobs have been lost from the DLO. Nearly 1,000 more jobs remain, but if the full-scale privatisation of the DLO goes through, I guarantee that many of those jobs will disappear over a period of two to three years, although there is talk of guaranteed work worth up to £17 million as some kind of incentive to persuade private companies to take over the DLO.

I suggest that the situation in which the council has been placed will not be in the interests of the workers, the council tax payers or the general taxpayer, who, at the end of the day, contributes to the work of all councils in Scotland.

I hope that the committee will accept the petition and, as a matter of urgency, write to the Minister for Communities and to Frank McAveety, the Deputy Minister for Local Government, to ask them to lift the 19(b) notice and replace it with a

19(a) notice. That would allow North Lanarkshire Council to decide the best way forward for the DLO. I also hope that the committee will urgently refer the petition to the Local Government Committee, asking that committee to back it.

**The Deputy Convener:** Thank you, Alex. Do members have questions—not statements, please—for Michael Farrell?

**Christine Grahame:** What is a 19(b) notice? In whose name was it served?

**Michael Farrell:** A 19(b) notice states that the department will no longer continue. Donald Dewar issued it, when he was the Secretary of State for Scotland. Now he is the First Minister.

**Christine Grahame:** So, is the situation the responsibility of the Scottish Executive now?

**Michael Farrell:** We are having a little difficulty trying to find out who is responsible. When we asked the Scottish Executive who could change the notice, it replied, the council. When we asked the council, it said the Scottish Executive. Perhaps the committee could clarify that point for us.

**John Scott:** What are the accumulated losses of the DLO? Is that information in the business plan? What does the business plan cover—one year, five years or 10 years?

**Michael Farrell:** We lost £4.7 million in 1998, for which a lot of people blamed the work force and the bonus system that was in operation. However, as members can see, surpluses were put back into the council and the bonus system was examined. The management was changed drastically—new management was brought in to turn around the system. The same workers using the same bonus system made a surplus two years running. Therefore, the previous deficit was not the fault of the workers or of the bonus system.

**John Scott:** Are you saying that in all other years, apart from 1998, the DLO made a profit?

**Michael Farrell:** Before 1998, we were in different authorities. Then we were brought in to the new North Lanarkshire Council. I am not aware of any council that made a loss in the area before then. My previous authority—Motherwell District Council—had made surpluses and had upgraded all its buildings with those surpluses. Therefore, there was plenty of money available—the business that moved to North Lanarkshire Council was healthy and so there should not have been a problem. Perhaps the deficit was the fault of the management.

**Ms White:** You mention in the letter that you sent to the Public Petitions Committee that you were concerned that

“North Lanarkshire Council has not followed the guidelines for the transfer and protection of employees and their



pension rights to the private sector".

Will you explain that, please?

**Michael Farrell:** That is to do with the window factory. The workers at that factory are part of the first major transfer to the public sector—it happened just last week, after a long argument about pension rights and whether or not those rights were transferred under TUPE. We argued that the transfers should have gone through with the workers' pension rights intact. Admitted body status is due to be signed by the end of July and that will allow companies to buy in to the local government pension schemes, which would have made the transfer of pension rights easier. At the time of transfer, the workers were still carrying out work for North Lanarkshire Council. We argued, therefore, that they were entitled to be part of that pension scheme. The council said, "No. There is no need for that." James Walker (Leith) Ltd took on the business and offered the guys a pension scheme that was worth less than the scheme that they were in before. That company expected them to just accept the new scheme.

We did everything we could, but the council went ahead and transferred the men despite the problem about pension rights. From the start, TUPE has not protected the workers as far as the unions are concerned, but the council still went ahead with the transfer. Perhaps admitted body status would have helped, but it was delayed.

**The Deputy Convener:** Are you aware of any other DLOs in Scotland that have transferred to the private sector?

**Michael Farrell:** So far, North Lanarkshire DLO is the first to transfer. I know that Glasgow City Council is talking about transferring its housing stock, which will also be a TUPE transfer. However, North Lanarkshire DLO seems to be the guinea pig.

Until now, the transfers have not gone well. Nearly all the people who went through the first two transfers no longer work for the companies to which they transferred. The council knows that those companies are using self-employed and scab labour—whatever you want to call it—on sites and it condones that behaviour. We have said repeatedly to the council that it should not go down the transfer road. Our members think that TUPE will protect them, but it will not. The council is allowing their conditions to be eroded so much that the men cannot work.

**The Deputy Convener:** Would I be right to say that workers in North Lanarkshire would be excluded, if they were to be transferred to the private sector from the national agreement on—

**Michael Farrell:** All the workers' conditions of service are supposed to transfer with them—the

national agreement is supposed to ensure that. However, once they are employed by a private company, they have no protection in law. The TUPE regulations are supposed to ensure that employees have the same conditions after a transfer, but once the new contractor has a small group of people, it is easy to split them up and erode their conditions. If that happens in North Lanarkshire, it will happen in DLOs throughout Scotland and there will be a lot of very unhappy people.

**The Deputy Convener:** Thank you for your presentation—it was excellent.

**Michael Farrell:** I will leave these documents for you.

**The Deputy Convener:** We will have to clarify where the 19(b) notice came from, specifically whether it came from the Scottish Executive.

**Ms White:** Have we received a reply from North Lanarkshire Council?

**The Deputy Convener:** No, we have not.

**Ms White:** I suggest that we should write to them again.

**John Scott:** Once again, we are in the odd situation of hearing only one side of the argument. We have not heard from the council and we have not heard from the Executive, both of which should be asked for their comments.

**The Deputy Convener:** We should certainly let North Lanarkshire Council comment on the petition. We should also write to the Executive and ask it to clarify its position on where the notice came from. We can then have a look at the answer and take further action.

**Christine Grahame:** We should ask Frank McAveety.

**John Scott:** We should ask him for his reasons—or ask them for their joint reasons—for issuing the notice. Somebody has to take responsibility and that person should be asked the reason for issuing the notice. That would give us the other side of the argument to set against the argument of the petitioner.

**The Deputy Convener:** John has made an important point. I would add that, when we ask for the reason, we should ask for it to be given in the light of the profit margin that we have just heard about.

**Christine Grahame:** The time scale is important. With the recess coming, we need to know how quickly we will get the answers and how much is already in train. I should have asked the petitioner, or perhaps Alex—

**Alex Neil:** This is a matter of urgency. As Michael Farrell said, the window factory was transferred last week. We cannot wait till the end of the recess—we have to get answers from ministers now, and urge them to take appropriate action.

**The Deputy Convener:** Okay—we will treat this as a matter of urgency.

**Ms White:** I was going to ask about the Local Government Committee, but we will wait—

**The Deputy Convener:** There will not be meeting but we will treat this as a matter of urgency and make a decision on 12 September when we meet. We should be ready then. John's points about asking for reasons may help to draw out some of the information that the petitioners want.

Petition PE233 is from the Technology Teachers Association and calls on the Scottish Parliament to advance technical/technology education within Scottish secondary schools as a national priority. Ian Tennant will speak briefly about the petition.

**Ian Tennant (Technology Teachers Association):** We would like to thank the Public Petitions Committee for allowing us to address it on the issues in our petition. I will introduce my two colleagues—Mr Jim Johnston, who is the vice-president of the TTA, and Mr Robert Geddes, who is the immediate past-president. Any questions on our petition may be addressed to any of us.

The Scottish Executive—and, we believe, the Scottish Parliament—recognises that, for this country of ours to succeed in the future, we must grasp the opportunities that new technology offers, both in its development and as a wealth-creating platform in manufacturing to provide a sound economic base. As technical teachers, we feel that we must enthuse our pupils at an early age to study courses that will achieve that end. The craft, design and technology courses that we offer utilise the skills that pupils gain in English, mathematics and science; using a problem-solving approach, pupils build up their expertise in a variety of courses ranging from working with wood and metal through to designing electronic control systems on computers.

The skills that we endeavour to foster in our pupils are readily sought by industry. In our new advanced higher graphic communication course, pupils are now expected to produce 3-D modelling layouts on AutoCAD, a commercial programme that is used worldwide for computer-aided draughting.

We must stress that technology does not mean only computers—although access to the internet provides our pupils with an avenue to design web pages and it provides us with wider information on

products for higher craft and design as well as technological studies.

As members will have seen in our petition, we feel that more must be done to promote such courses. The difficulties that we face in education are illustrated by the following facts. Technological studies is one of only two subjects in secondary schools that introduce students to the study of electronics. As part of our drive continually to update our courses to take account of new developments in the outside world, the technological studies standard grade course was recently revamped. It was subjected to a consultation exercise, the course structure and accreditation levels were agreed and a new course was written. Sponsorship was attracted from the United Kingdom Offshore Operators Association for the provision, for every school in Scotland, of a basic stamp kit necessary for the course. Teachers were told, both formally and informally, that the course would run from June 2000. A national launch took place in February in Dundee. The courses were offered in schools, class lists were made up for them and then suddenly, in March, the course was postponed for a year by the Scottish Qualifications Authority without, as yet, any reason being given.

It is in that climate that the TTA is asking the Public Petitions Committee to support it in its quest to ensure that pupils are given the opportunity to study the series of courses that we have highlighted and that they are supported to a high level in every school in Scotland, as our petition requests.

12:30

**Christine Grahame:** I have to declare an interest—I was once a secondary teacher and I was once married to a technical teacher. Do you agree that technical studies, or technology as you call it, is often seen as the cinderella of secondary school subjects and of lesser status than, say, physics or chemistry?

**Ian Tennant:** Yes.

**Christine Grahame:** I found the comments in your paper about the skills deficit interesting. Do you think that we should remit this petition at some stage to the Enterprise and Lifelong Learning Committee, rather than just to the Education, Culture and Sport Committee?

**Ian Tennant:** Yes.

**The Deputy Convener:** The suggested course of action is to send the petition to the Deputy Minister for Children and Education and seek his views. I think that we should do that. As Christine Grahame suggested, it would be a good idea for the petition to go to the Enterprise and Lifelong Learning Committee.

**Christine Grahame:** The skills deficit and the lack of status for this subject are real issues.

**The Deputy Convener:** Should we wait until we have had a response from the minister?

**Christine Grahame:** No.

**The Deputy Convener:** Should we refer the petition to both the committee and the minister at the same time?

**Christine Grahame:** Yes.

**Ms White:** We should refer it to both at the same time.

**Christine Grahame:** Convener, what is your view?

**The Deputy Convener:** I think that it would be an interesting issue for the Enterprise and Lifelong Learning Committee to discuss. I am always wary about adding to that committee's work load, but it might be useful for it at least to note the issue. In the light of the reply that we get from the minister, we can pursue matters further.

**Members** *indicated agreement.*

**Christine Grahame:** If we send this petition to the members of the Enterprise and Lifelong Learning Committee and say that we are seeking a response from the Deputy Minister for Children and Education, that would give them advance notice and perhaps allow them to slot it in. It is a busy committee.

**The Deputy Convener:** We will move on to petition PE237, which is from Mr David Bryce on behalf of Calton Athletic Recovery Group. It calls on the Scottish Parliament to investigate alleged discrimination in terms of the public funding of Calton Athletic and to facilitate a meeting with the relevant Scottish Executive ministers to allow Calton Athletic to outline its concerns.

Mr David Bryce will speak to the committee. Before he does so, I should apologise. I know that I have skipped ahead, but we will come back to Alasdair Russell. Mr Bryce, you have two minutes to speak to your petition.

**David Bryce (Calton Athletic Recovery Group):** I am the director of Calton Athletic Recovery Group, on behalf of which I am presenting the petition to the committee. As it would take a lot more than two minutes to explain fully the discrimination against the group, I will stick to the main issue of discrimination in public funds.

Why does such discrimination exist? We have a track record that is second to none and over the past year we have provided a service in communities across Scotland. Although we pride ourselves on being a community-based project,

the reality is that, for the past three years, 95 per cent of our resources have been spent in other people's communities. We deliver services to a range of schools and provide rehabilitation for people across Scotland. Indeed, we are the only organisation that provides instant access to rehabilitation, despite being starved of statutory funds. In the past five years, we have self-generated £1 million, which has gone straight into initiatives at Calton Athletic. None of that money went to a professional fundraiser, who might have taken 20 per cent of it; everything went straight into the services, which have been—and still are—open to research and evaluation. However, the Scottish Executive has only now decided to evaluate all projects and initiatives. That is sad, as our funding ended in May. Despite that, our work has continued to the end of June and we have filled in the order book for schools across Scotland. In five years of bringing our services to schools, we have never had a complaint.

It is strange to have reached a position where Calton Athletic is not included in the Scottish Parliament debate on drugs. Since 1985, we have provided a service with an international reputation. However, there is still a lot of misinformation. When I was explaining our situation to John McAllion, the convener of the Public Petitions Committee, whom I met a few years ago, he said, "David, I heard yesterday that you had shut." It is tragic to find that the Scottish Parliament is under the impression that Calton Athletic is not providing a service. Fifty primary schools in Edinburgh are aware that we are still providing a service, because we have visited them in the past two years.

Much of the discrimination stems from Glasgow City Council, and I fear that some of it has come to the Scottish Parliament. I do not believe that the whole Scottish Parliament is against us; I believe that we have a lot of support, otherwise we would not have been able to provide a service to schools across Scotland, as far north as Inverness and Aberdeen and as far south as Dumfries and Galloway, as well as in the central areas of north and south Lanarkshire. However, there are some areas that we are socially excluded from.

I am here today to look for an end to this discrimination. We are asking only for equal opportunities. If we had a level playing field, we could show exactly what we can do through research, evaluation and monitoring. The sad fact is that Calton Athletic is socially excluded from social inclusion, which is terrible, because the policy of social inclusion was designed for groups such as ours. I look to the Scottish Parliament to give us justice, to help us on to that level playing field and to let us live up to our track record.

**The Deputy Convener:** Thank you very much;

that was very clear. Do members have any questions for David Bryce?

**John Scott:** Why has this discrimination taken place?

**David Bryce:** That is a good question. A high-ranking police officer asked me the same question before we took part in the "Choices for Life" anti-drugs event at the Scottish Exhibition and Conference Centre. We had to fight like mad to get on that agenda; we were successful through the co-operation of Jim Orr of the Scottish Drug Enforcement Agency. However, we were let down, because we thought that we were getting evaluated on the day that we were at the event; indeed, that evaluation would have told a story. Although the initiative did not get evaluated, 20 different schools—10 from Edinburgh and 10 from Glasgow—approached us after the event. The impact was tremendous.

Someone asked whether the discrimination stemmed from my background or lack of academic qualifications. That is a good question; the answer is probably both, and it might also have something to do with professional jealousy—a lot of that goes on in the drugs field.

**Ms White:** You have been going for a long time and I know the work that you do. You never really received funding before so-called big companies allowed you to access it. One of your papers states that you have proof that, during the past couple of years, your particulars have been removed from the national drugs helpline. If you were to be granted a meeting with a minister or the committee, would you be able to provide that proof?

**David Bryce:** Sure thing. We sent the documentation to the Scottish Executive more than a year ago when the discrimination first happened, and were reassured that it would never happen again. Lo and behold, exactly the same thing happened a couple of months ago. Such an action does not discredit just Calton Athletic; it discredits people and families who want to get their kids off drugs and schools that want our services. The proof is available in black and white for everyone to read. The Scottish Drugs Forum asked the national drugs helpline to replace our particulars with a blank piece of paper. Although that is hardly credible in this day and age, that is exactly what happened. The national helpline sent us copies of the Scottish Drugs Forum's letter.

**The Deputy Convener:** The petitioners are asking for a meeting with the relevant minister and for our assistance. We should write to the Deputy Minister for Justice and ask him to meet them urgently on the basis of their petition.

**John Scott:** Perhaps he can also write to us about why this apparent discrimination has taken

place. He must have a view as well.

**Christine Grahame:** I would like to hear the Deputy Minister for Justice's comments on both the petition and the evidence that will be on record today.

**The Deputy Convener:** Okay. We will ask for the relevant minister's response to the comments on the record today about the apparent discrimination. We will also urge the Deputy Minister for Justice to meet Calton Athletic Recovery Group. Are members agreed?

*Members indicated agreement.*

**The Deputy Convener:** I now call Alasdair Russell to speak to petition PE234, which calls on the Scottish Parliament to create a regulation to ensure that all councils publish an annual one-page summary of councils' allowances and expenses in the respective council magazine. I apologise for skipping past you, Alasdair; please take a couple of minutes to present your petition.

**Alasdair Russell:** Everybody knows that councils are public bodies and deal in public money. Anyone who wants to know how much money a councillor has earned over the financial year has to look out for a small advertisement that appears once in the local paper. Under the Local Authorities etc (Allowances) (Scotland) Regulations 1995, anyone can visit the council offices and inspect those figures. However, my proposal, which is simple, straightforward and reasonable, will cost little or no money and will involve amending the regulations or introducing new ones. Councils throughout Scotland produce council magazines—such as this one from Renfrewshire Council—that include miscellaneous items such as, for example, information on councillors and their photographs.

Because we are dealing with public money—and if social inclusion, openness and transparency are to mean anything—councillors' allowances must be a wee bit more above board and a wee bit easier for people to see.

There are a lot of elderly and disabled people in the community, and people lead busy lives. I would like to know how many people ask the council how much their councillor is earning. The public record of allowances, which is already available but is not easy to get hold of—people have to go and get it—should be included annually in every council magazine up and down the land. It would be easy to do that. Such magazines even include puzzles. It would be possible to put the financial figures for 40 councillors on one page at very little cost. That is a reasonable proposition.

In light of the Kerley report and the fact that councillors may get more money, such action would be timely and would induce councillors to

keep on their toes, as I am sure many councillors do. There is room for improvement and councillors should have to fight for their wards much more determinedly. That is my proposal.

12:45

**The Convener:** Thank you. I invite brief questions to Alasdair Russell on the petition.

**Ms White:** You mentioned Renfrewshire Council. You obviously know that certain members of that council would need more than a wee page devoted to them—their allowances would take up about three or four pages. Have you approached any individual councillors with this idea or have you come straight to the Parliament?

**Alasdair Russell:** I have come straight to the Public Petitions Committee, after picking up a leaflet in the library.

**The Deputy Convener:** It is helpful for us to know that. You are the first person of whom we have asked that question. Perhaps we should ask more people that.

The petition is quite clear. It seems reasonable and sensible. It has been suggested that we pass it on to the Local Government Committee for further consideration. Are we agreed?

*Members indicated agreement.*

**John Scott:** Are we allowed to endorse it?

**The Deputy Convener:** No, but members can attend the Local Government Committee meeting.

I want us to finish by 1 o'clock, as another committee is meeting at 2 o'clock. We will try to speed through the next petitions. We may have to defer consideration of item 2, as we cannot continue beyond 1 o'clock. Would that be okay?

*Members indicated agreement.*

**The Deputy Convener:** Petition PE225 is from William Ackland, on noise and environmental pollution. The petition calls on the Scottish Parliament to take steps, including the introduction of legislation if necessary, to protect the human rights of residents in homes that are adjacent to quarrying from vibration, noise and environmental threats. It is suggested that we write to the Minister for Transport and the Environment and ask for her comments on the protection that is currently available for residents. Depending on her response, we may refer the petition to the Transport and the Environment Committee. Are we agreed?

*Members indicated agreement.*

**Ms White:** Do not local councils have an involvement in granting planning permission for quarrying?

**The Deputy Convener:** I think that they must follow national guidance, but we can ask for that information from the minister.

The next petition, PE228, is from the Anderston Tenants Association. I declare an interest, as I have been involved in this issue. The petition calls on the Scottish Parliament to examine Scottish Homes and its double-glazing programme in the Anderston area. We have written to Scottish Homes, requesting its comments on the matter, and it is suggested that the petition be considered only after that information has been received. We want to know what Scottish Homes has to say before we decide what action we can take. Are we agreed?

*Members indicated agreement.*

**The Deputy Convener:** Petition PE229 is from Lawrence Stewart and calls on the Scottish Parliament to introduce legislation to require financial institutions to place investors' money in the highest-bearing account when account types are changed by financial institutions. You will know that such issues are reserved matters, so we do not have any powers to legislate, but we could send the letter to the relevant UK Government minister so that the point is not lost.

**John Scott:** I think that we should send it with our endorsement. This is a good idea, but there are complications in relation to traceability if one moves accounts around. A huge difficulty is bound to arise when someone thinks that they have an account only to discover—perhaps 20 years later—that the account has been moved.

**The Deputy Convener:** We will write to the UK minister and we will add in the letter that we think that it is a good point for them to address. Is that agreed?

*Members indicated agreement.*

**The Deputy Convener:** The next petition, PE231, is from Desmond Divers and is on car parking charges in Dunoon. We have an additional paper on that, which contains comments received from Argyll and Bute Council on the issues raised in the petition. We have written to Argyll and Bute Council, which is why we got that reply. We can now decide what we want to do with the petition.

Argyll and Bute Council is saying that, following statutory notification and full statutory consultation, a hearing was held on the car parking proposals. It heard nine objections, including one objector representing those who had signed a petition. After hearing what was said, it modified the scheme. The local area committee will receive a report in September or October and there will be an opportunity to consider whether further modifications are required.

We know that car parking in Dunoon is an issue

for the council to consider, but it seems to have acted responsibly in taking into account points made by the objectors, including our petitioners. I think that we should close the matter at that.

**Ms White:** The final sentence in the letter mentions

“a further report after the summer”,

so the council might give a further response to people in Dunoon.

**The Deputy Convener:** I am sure that they will pick that up with this committee if they feel that the matter is not finished. Is it agreed that we follow the suggested course of action?

*Members indicated agreement.*

**The Deputy Convener:** Petition PE236 is from the Solway Shellfish Hand Operator's Federation and is on suction dredging in the Solway. It calls for the Scottish Parliament to consider the employment and environmental implications of permitting the reinstatement of suction dredging for shellfish in the Solway.

It is suggested that we write to John Home Robertson to request his comments on this issue. We must understand the technical nature of these methods.

**Christine Grahame:** I spoke to Alasdair Morgan, the MSP for the area, who has concerns about this. He cannot be here today because the Rural Affairs Committee is meeting. It might be worth remitting this to the Rural Affairs Committee pro tem. This method has been used before and there will be great problems if it is reinstated.

**The Deputy Convener:** I am not against that.

I would be interested to hear what John Home Robertson says, so that we understand the points. We should note the petition to Alasdair Morgan.

**Christine Grahame:** If it is done now, it will not reach the Rural Affairs Committee until September.

**The Deputy Convener:** We should send it for information to both Alasdair Morgan, as the MSP for that area, and to the Rural Affairs Committee.

**John Scott:** Is there a time scale for considering this?

**The Deputy Convener:** A consultation is under way.

**John Scott:** I do not know what the time scale is. Alex Fergusson has lobbied me on this; he is very much in favour of the petition as well. It would appear that those who are connected with the area are in favour of the petition.

**The Deputy Convener:** We will ensure that all the MSPs for the area get a note of what we have

done at this committee, so that they can pick up on it.

We should make the point to the minister that we know there is a consultation exercise and that we would like a response before the consultation finishes.

**Ms White:** Will we send it to the Rural Affairs Committee as well?

**The Deputy Convener:** We will send it for noting to the Rural Affairs Committee.

**John Scott:** We should send it to Jamie McGrigor as well, since he seems to know more about fish than anyone.

**Christine Grahame:** No, we would be sending it to everybody.

**The Deputy Convener:** We will send it to the MSPs in the locality, as we know that Alex Fergusson and Alasdair Morgan have an interest in this. Other members can come to the next committee meeting, if we are picking it up.

*Members indicated agreement.*

**The Deputy Convener:** Petition PE238 is from Mr James A Mackie on behalf of the Forth Fishery Conservation Trust and is on environmental issues in relation to salmon and sea trout.

The petition calls on the Scottish Parliament to investigate a range of environmental issues relating to salmon and sea trout fishing stocks. The petitioner has asked that the issues that he has raised be considered as part of the Parliament's consideration of PE96, from Mr Alan Rennie. That would seem to make sense.

**Ms White:** I think that the official report is having difficulty keeping up with you, convener.

**Christine Grahame:** There is smoke coming out of the reporter's ears.

**Ms White:** I am sorry for interrupting you, convener, but I could see that they were having difficulties.

**The Deputy Convener:** My apologies to the official report.

**Christine Grahame:** They have to keep up with those west-coast folk who rattle on.

**The Deputy Convener:** I am sorry. That was my impersonation of someone whom I cannot mention on record.

The suggested action is that PE238 should be passed on to the Transport and the Environment Committee.

**John Scott:** It should also be passed to the Rural Affairs Committee, because there are many issues surrounding fisheries. Why has that not

been suggested?

**The Deputy Convener:** The Rural Affairs Committee has already passed it on to the Transport and the Environment Committee. I do not think that the Rural Affairs Committee asked us whether it could do that, but that is what has happened.

**John Scott:** The petition is all about fish.

**Ms White:** The subject of the petition is the way in which the environment affects fish.

**The Deputy Convener:** We have a commitment from the Transport and the Environment Committee to keep the Rural Affairs Committee informed of any developments.

**John Scott:** Should the petition also be passed to the minister?

**The Deputy Convener:** The Transport and the Environment Committee is conducting an inquiry and it might not be appropriate to ask the minister for comments at this stage. Is that agreed?

*Members indicated agreement.*

**The Deputy Convener:** PE239 comes from Donald Easton and is on the subject of the NHS pay review body. The petition calls on the Scottish Parliament to direct the Scottish Executive to take action to include bio-medical scientists working in the NHS in that pay review body.

**John Scott:** Why are they not included already?

**The Deputy Convener:** Some lab technicians and scientists are dealt with at a UK level. For historical reasons, some groups are not included in the pay review body. Everyone wants to be part of the pay review body because it is the only one to which the Government pays any attention.

**Christine Grahame:** I suggest that we send the petition to the Health and Community Care Committee for noting. It is part of that committee's remit to keep an eye on what the Minister for Health and Community Care is doing.

**John Scott:** I hope that Christine Grahame is not making a political point.

**Christine Grahame:** Not at all. That is what all the committees should be doing, in a cross-party fashion, in the spirit of the new politics.

**The Deputy Convener:** Perhaps we could ask the health department why bio-medical scientists are not included in the NHS pay review body, so that we are clear on that. John Scott is right, we should do a bit of work before we pass the petition to the Health and Community Care Committee—I know that that committee is rather overloaded. I, too, would like the reason why bio-medical scientists are not included to be put on record.

**John Scott:** There must be some reason; it will have cost those people money in terms of lost salaries.

**Ms White:** An individual member could put that as part of a written question.

**Christine Grahame:** There is nothing to stop you, Sandra.

**Ms White:** I know, we have done it before.

**Christine Grahame:** Yes. I have done it before.

**The Deputy Convener:** In the spirit of the written answer procedure, we can ask the minister for a speedy response to allow us to act on the petition. We could also ask the minister to specify any other health service groups that are not included in the pay review body. Is that agreed?

*Members indicated agreement.*

**The Deputy Convener:** George Lyon MSP and Ray Michie MP have submitted a petition on rural sub-post offices, calling on the Scottish Parliament to do everything in its power to secure a viable future for Argyll and Bute's rural sub-post offices.

Previous petitions on this subject have been passed to the Rural Affairs Committee and the Enterprise and Lifelong Learning Committee for further consideration. Consideration of the previous petitions by the Enterprise and Lifelong Learning Committee resulted in the petitions being noted and forwarded to the Rural Affairs Committee.

13:00

I will read out a note that George Lyon sent. He apologises for not being here and explains that he is unable to attend due to the time of the meeting changing. He says:

"I would like to point out to the committee how important rural post offices are to a constituency such as Argyll and Bute with large numbers of small rural communities and approximately 26 inhabited islands. There are 118 rural post offices in the area, many of which are virtually the only shop left in the community. They therefore provide an absolutely vital service to these very small rural communities and the people who will live in them.

I hope the committee will support this petition and recognise the strength of feeling in Argyll and Bute, as demonstrated by the large number of signatures that we received in support of the petition."

What do members feel the suggested action should be?

**Christine Grahame:** It should certainly go to the Rural Affairs Committee, but I cannot see why we are sending it to the Enterprise and Lifelong Learning Committee. My instinct is that it is a social inclusion matter for people in that area.

**John Scott:** To whom have previous petitions on rural post offices been sent?

**The Deputy Convener:** The Rural Affairs Committee, because it is conducting an inquiry into the matter.

**John Scott:** In that case, it would be consistent to send it to the Rural Affairs Committee.

**The Deputy Convener:** Yes. We have done that with about six of them already. Is that agreed?

**Members indicated agreement.**

**The Deputy Convener:** Petition PE241 is from Jim Douglass, on behalf of Better Government for Older People in the Scottish Borders, calling for the Scottish Parliament to ensure that rural fuel suppliers in Scotland are able to offer a pricing structure similar to that in urban areas and to urge the UK Government to take action to ensure that fuel duty policy does not discriminate against rural populations and older people.

The Enterprise and Lifelong Learning Committee is conducting an inquiry into fuel prices and it would seem appropriate to let them see this petition as well.

**Christine Grahame:** There are special issues for rural areas and special issues for older people who rely on cars to get them about rural areas. I would like the petition to be sent to the Rural Affairs Committee to note because of the difference in fuel prices in rural areas and in urban areas and the necessity of cars in rural areas.

The Rural Affairs Committee is going to love me.

**The Deputy Convener:** The Enterprise and Lifelong Learning Committee is driving this issue forward.

**Christine Grahame:** I will not press my point.

**The Deputy Convener:** Are we agreed to send the petition to the Enterprise and Lifelong Learning Committee?

**Members indicated agreement.**

**The Deputy Convener:** Petition PE242 is from Action of Churches Together in Scotland, the Scottish Refugee Council and Amnesty International and calls for the Scottish Parliament to give asylum seekers rights of access to various support services and to amend legislation to restore the entitlement of asylum seekers to accommodation and cash-based support.

It has been suggested that the petition should be copied to the Minister for Communities and that she should be asked to comment. We might want the Minister for Health and Community Care to comment, given that asylum seekers also get support from the health service.

**Ms White:** Perhaps it should be sent to the Education, Culture and Sport Committee, as interpreters are few and far between.

**The Deputy Convener:** Perhaps the best thing would be to ask the Minister for Communities to deal with all the aspects of support and indicate that we would be grateful if she spoke to other departments.

**Ms White:** Can we mention education, housing and health specifically in our letter?

**The Deputy Convener:** Yes. That concludes our consideration of the petitions. Do we want to finish off the agenda? How do members feel?

**Christine Grahame:** Will it take longer than 10 minutes?

**The Deputy Convener:** Less than.

**Christine Grahame:** Let us blast on, then.

**The Deputy Convener:** Are we all agreed?

**Members indicated agreement.**



## Current Petitions

**The Deputy Convener:** The first petition in this section is PE136 regarding Training Adults in the Community. We have received a letter from West Lothian Council in response to our request for further information on the support that has been provided for users of the service. You are invited to note the letter. We have agreed that we are unable to take further action.

**Christine Grahame:** I am disappointed by the penultimate sentence in the council's response. It says:

"The services provided by TAIC did not demonstrate Best Value."

If that chap from whom we heard in Galashiels was typical of the way in which TAIC worked, I do not know how the council works out best value. I want to put it on the record that I think that he was articulate and enthusiastic and he convinced me of the value of what the organisation was doing. Maybe we cannot do any more, but I am not content.

**The Deputy Convener:** We will note Christine Grahame's comments.

The next petition is PE111, from Mr Frank Harvey, about police vehicles attending 999 calls. Members will recall that we wrote about newspaper reports of a fatal accident in Aberdeen. We have received a thorough response from Grampian police, which I think we should send back to the petitioner. There is no need for us to take further action.

Petition PE116, from Mr James Strang, is on the compatibility of Scots law with article 6.1 of the European convention on human rights. Members have a copy of the response from the Minister for Justice on the issues that are raised in the petition. The petitioner had questioned the independence and impartiality of the Parole Board for Scotland in dealing with decisions about the release of certain classes of prisoners. The minister says that, following an appeals court judgment on the matter, the Executive is carefully considering various matters in relation to the membership of bodies operating in devolved areas, including the Parole Board. However, the Executive has not so far identified a weakness in the arrangements governing the appointment of members to the board. We should pass the minister's letter to the petitioner.

We have had a response from the Minister for Transport and the Environment on the issues that are raised in petition PE146, from Mr A McInnes, on roadworks in Golspie. The minister's letter talks about the remedial work that is still to be carried

out by the Executive and the Highland Council. We will copy the minister's response to the petitioner.

Petition PE167, from Kings Park and Croftfoot community council, is on telecommunications masts. You will recall the photographs that were circulated. The local authority believes that it acted correctly. Members will see that the local authority goes into quite a bit of detail. It is worthy of note that it was two years before any action was taken. We should pass a copy of the letter to the community council.

**Christine Grahame:** On a point of clarification, is the Parliament considering legislation on telecommunications masts?

**The Deputy Convener:** Yes. There is a report on the subject, but I do not think that the Parliament will deal with retrospective planning permission.

**Christine Grahame:** I understand that. Perhaps, in replying to the petitioners, we should tell them that.

**The Deputy Convener:** Yes. We can provide a copy of the report.

Petition PE193, from Mr Charles Thom, is on property boundaries. We have a response from the Scottish Law Commission, which goes into great depth. The commission feels that the recommendations were sound. It says that it has consulted and does not see what more it could have done.

**John Scott:** I agree totally with the recommendations of the Law Commission.

**The Deputy Convener:** We will close that petition there.

Finally, we will deal with petition PE196, from Dundee and Tayside Chamber of Commerce and Industry, on planning issues. We have the response from the Scottish Executive to the issues that were raised by the petition. The letter says that the current arrangements are sufficient to ensure notification to Scottish ministers of the type of development that is likely to have a significant impact on business or residents in a neighbouring area. Are there any views on that?

**Christine Grahame:** I would like this matter to be passed back to the Local Government Committee. An issue seems to be festering here.

**The Deputy Convener:** It would be the Transport and the Environment Committee.

**Christine Grahame:** Whoever it is that does planning—sorry. There appears to be an issue that requires to be dug into and redressed, notwithstanding the response that has been received.

**John Scott:** The response seems to be pretty satisfactory. The Executive appears to accept that it could do better. It is trying to do better. I would welcome a response from—whichever this response has come from.

**Christine Grahame:** A research report was recently produced into the scope for simplifying the order. There is a working group considering the matter. Because we have dealt so much with third parties, planning issues and what not, there is something that we could pass on.

**The Deputy Convener:** The feeling of the committee is that we should note the Scottish Executive's response, but that we do not feel that the matter is thoroughly closed. Do we want comment from the Transport and the Environment Committee as the most relevant committee?

**Christine Grahame:** We should also tell Mr McKinnon.

**The Deputy Convener:** We will let the petitioner know that we have not yet closed the matter.

**Christine Grahame:** See what we can do when we have to?

**The Deputy Convener:** The last piece of business is the dates of the Public Petitions Committee's meetings after the summer recess.

**Christine Grahame:** I thought that you were going to announce the date of the public petitions party, convener. Tonight—and the drinks are on you.

**The Deputy Convener:** Well, we have worked so hard. That is why John McAllion is not here—because the convener traditionally pays for the drinks. Okay. That is fair.

Can we agree the dates for the meetings after the recess? They are shown on the paper that members have in front of them. The first is scheduled for 12 September.

**Christine Grahame:** None of the meetings conflicts with meetings of the Justice and Home Affairs Committee. That will have been sorted out.

**The Deputy Convener:** Thank you, colleagues. We managed to get through that on time. Those members who are also going to the Justice and Home Affairs Committee meeting today will be able to get to up to the chamber for 2 o'clock. Thanks to the official report for keeping up.

*Meeting closed at 13.10.*

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