

# **PUBLIC PETITIONS COMMITTEE**

Monday 4 December 2000  
(*Afternoon*)

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## **PUBLIC PETITIONS COMMITTEE**

### **18<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)

Dr Winnie Ewing (Highlands and Islands) (SNP)

\*John Scott (Ayr) (Con)

Mrs Margaret Smith (Edinburgh West) (LD)

\*Ms Sandra White (Glasgow) (SNP)

\*attended

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

Mr Michael Barclay

Stephen Borland (Y Netw ork Glasgow )

Mr Andrew Fraser (Joint Action Against the M74)

Mr Derek Keith (Tay Access Group)

Sean McLoughlin (Y Netw ork Glasgow )

Mr Donald Matheson (Joint Action Against the M74)

Mr James Pert (Greater Glasgow Private Hire Association)

Kevin Wells (Y Netw ork Glasgow)

Mrs Maire Whitehead

#### **CLERK TO THE COMMITTEE**

Steve Farrell

#### **ASSISTANT CLERK**

Jane Sutherland

#### **LOCATION**

Glasgow City Chambers



## Scottish Parliament

### Public Petitions Committee

*Monday 4 December 2000*

*(Afternoon)*

[THE CONVENER *opened the meeting at 14:07*]

**The Convener (Mr John McAllion):** I welcome everybody to the 18<sup>th</sup> meeting this year of the Public Petitions Committee of the Scottish Parliament. This is the first meeting that the Public Petitions Committee has held in Glasgow. I would like to thank Glasgow City Council for its hospitality and for the excellent facilities that it has made available to members of the committee. The rooms are superior to those that we use in Edinburgh every week, but I would say that, as a son of Glasgow who was born and raised in the city. I am delighted to be back in Glasgow.

I remind members that we have a fairly heavy agenda. We have six different groups of speakers and 15 petitions to address. I ask members to keep their questions tight and to the point. Please ask questions of the petitioners, rather than make statements.

We have received no apologies.

### New Petitions

**The Convener:** The first petitioner is Stephen Borland, on behalf of Y Network Glasgow, who is here to speak to PE311. The subjects of the petition are: the Scottish Qualifications Authority and the exam results crisis; the evaluation of the effect of social inclusion in relation to the lives of Glaswegian young people; the measures that the Parliament will implement to ensure that student finance is fair and open to all; and how the Parliament proposes to tackle the issue of transport safety in the greater Glasgow area.

We have three speakers. They are Stephen Borland, Sean McLoughlin and Kevin Wells. Usually, we allow three minutes for opening statements before moving on to questions, but given the fact that there are three different speakers and that the petition has been supported by the community education service of Glasgow City Council and the Parliament's education service, we will allow the speakers a little leeway.

**Stephen Borland (Y Network Glasgow):** How does the Scottish Parliament intend to avoid a repeat of the recent SQA exam results crisis in future years? Will the SQA become more accountable to young Glaswegians who use its

services? We want to know whether results will be made available—through either schools or colleges—to young people and parents to reassure them that such a crisis will not happen again.

**Kevin Wells (Y Network Glasgow):** What steps will the Scottish Parliament take to evaluate the effect of social inclusion on the lives of Glaswegian young people? "Social inclusion" is a catchphrase that is being used in Executive policy. How will social inclusion policies affect young people on the streets of Glasgow, and how will the work be evaluated?

**Sean McLoughlin (Y Network Glasgow):** What measures will be implemented by Parliament to ensure that student finance is fair and open to all? The young people of Glasgow whom we have spoken to are concerned about the reforms to student finance. They are unsure about current anomalies with regard to people who are already at university. For example, people who are in their second year will still have to pay the fees that they were paying.

**Stephen Borland:** In light of the recent Motherwell train incident, what does Parliament intend to do about transport safety in the greater Glasgow area? A lot of young people who we know travel on trains to go to school, work, college or university—we want to know whether they will be safe. That is an issue for us, because we represent young people.

**The Convener:** That was a model of an introductory statement to the Public Petitions Committee. It is the first time that it has been done within three minutes and we did not have to tell the petitioners to wind up—thank you. It is now open to members to ask questions. There are four different themes in the petition. Are there any questions?

**Ms Sandra White (Glasgow) (SNP):** I will begin. I spoke to the Y Network last Wednesday in Cannonball House and was asked a number of questions. However, as the convener said, I must not make a statement—I must ask questions. I want some clarification. Stephen, you mentioned results being made available to parents and students alike. Did you mean the results of the on-going inquiries, or exam results in future years?

**Stephen Borland:** I meant the results of the inquiries.

**Ms White:** I thought that. As I said, I cannot make a statement, but I can say, on behalf of the committee, that the on-going inquiries, which are basically completed, will be transparent and open. I am sure that the results will be available for all to see. If they are not, I am sure that members here and in Parliament will make sure that they are made available for all to see.

**Pauline McNeill (Glasgow Kelvin) (Lab):** You put a good set of questions in your petition. I seek information on points 2 and 3 of your petition. After questions, we will discuss what we propose to do with the petition. On evaluating the effects of social inclusion, if the committee decided to pass this petition to a committee or to a minister, would you want anything specific to be said to the minister about what you think those effects are?

Student finance is a different issue. We would therefore send the petition to a different committee or different minister, but is there anything that you would like us to emphasise if we did that?

**Kevin Wells:** It is early days for social inclusion, especially social inclusion partnership boards, of which we have some experience. However, what will social inclusion do for young people? Brilliant schemes are being set up, but are they working? How will social inclusion affect local young people? Will socially excluded young people benefit? That is what we are trying to find out, because these are the young people at whom social inclusion is targeted.

On student finance, there are still anomalies. For example, people who were in further education and moved into higher education must pay student fees. We want to clear up whether they will continue to pay student fees in the remaining years of their course or whether they will become part of the new endowment system.

**John Scott (Ayr) (Con):** Are you happy with the proposed student fee arrangements?

14:15

**Kevin Wells:** I think that endowment is a better system than student fees, because it will lead to a reduction in student loans. Because of student loans, by the time I finish my education I will be in debt to the tune of between £11,000 and £13,000. Under an endowment system, the burden of repayments would be reduced for a number of students in Glasgow.

**The Convener:** In an ideal world, would you like the Cubie report to be implemented in full?

**Kevin Wells:** Yes. The Cubie report contains many good points. It just happens that I am affected by a particular anomaly.

**The Convener:** So you would like your anomaly to be sorted out first.

**Kevin Wells:** The anomaly affects not only me, but many young people in Glasgow.

**The Convener:** The matter is relevant not only to Glasgow, but to the whole Scottish education system.

**Ms White:** I will not ask about student finance,

as the petitioners have already answered the question about the Cubie report that I planned to ask. You mentioned the need to evaluate the effects of social inclusion policies. Do you think that results should be published through Y Network or youth groups, perhaps every six months? That would indicate exactly what has happened in the partnerships.

**Kevin Wells:** That would be a good idea, as long as such reports were written in terms that young people could understand. There would be no point in publishing big reports that young people could not understand, as has happened before. Even when reports have been de-jargonised, they still contain too much jargon for young people.

**Pauline McNeill:** And for us.

**The Convener:** It is not only young people who are mystified by some of the jargon that is used.

Thank you very much. That was an excellent contribution, which was much appreciated by members of the committee. We will now discuss what to do with the petition. You are welcome to listen to that discussion. We will keep in touch with you about the progress of your petition through the Parliament.

The petition contains four different elements, so there are four different recommendations. We will deal with those recommendations one at a time. The first relates to the Scottish Qualifications Authority. It is suggested that we pass a copy of the petition to the Executive and ask it to respond directly to the petitioners on that issue. Is that agreed?

**Ms White:** I agree with that recommendation. I suggest that we add to it the suggestion by the Y Network that the findings of the inquiry be made publicly available.

**The Convener:** Is that agreed?

**Members indicated agreement.**

**The Convener:** The second recommendation relates to social inclusion for young people. The recommendation is that we pass the petition to the Social Inclusion, Housing and Voluntary Sector Committee for consideration, so that it can respond to the petitioners. I know that that committee is examining the issue of social inclusion partnerships. It will therefore be interested in the petition.

**John Scott:** The young people made a valid point. I am not aware of how the effectiveness of the social inclusion strategy is being evaluated. It is important that a procedure for doing that, including benchmarking, be put in place. Such a procedure might already exist. If so, I would like to be made aware of it.

**The Convener:** Absolutely. It is the role of the Social Inclusion, Housing and Voluntary Sector Committee to monitor the Executive's policy on social inclusion. It must ensure that there is benchmarking and evaluation. The process must be comprehensible by the Scottish public. Do we agree to pass the petition to the Social Inclusion, Housing and Voluntary Sector Committee?

**Members indicated agreement.**

**The Convener:** On student finance, the recommendation is that we ask the Executive again to respond directly to the petitioners on its proposals. We could send the Executive a copy of the *Official Report* of this meeting to draw its attention to the particular anomaly that was highlighted in evidence and we could ask it to give a direct answer on that. Is that agreed?

**Members indicated agreement.**

**The Convener:** On transport safety, the recommendation is that we ask the Executive to consider the petition and to respond directly to the petitioners on the points that are raised.

**John Scott:** I believe that transport safety will require railway tracks to be fundamentally redesigned. I think that Railtrack is considering that matter. I would ask the Executive to look carefully at the design of the rails. I am sorry—I am not meant to make a statement, but that is what I am doing.

**The Convener:** So, as well as asking the Executive to respond to the petition, we will ask it to comment on the current design of railway tracks.

**John Scott:** Yes. The matter relates to corner gauge cracking. There are new types of strains because of the increased weight of engines. I think that a complete redesign of the rail is probably needed.

**The Convener:** Is my suggestion agreed to?

**Members indicated agreement.**

**Ms White:** As the petition deals with transport safety, is there any point in sending it to the Transport and the Environment Committee as well as to the Executive?

**The Convener:** We could send the petition to that committee for its information.

The next petition, PE297, is from Donald Matheson on behalf of the joint action against the M74 campaign. The subject of the petition is the M74 northern extension. Mr Matheson is here and is accompanied by Rosie Kane and Andrew Fraser.

The petitioners will have heard the previous petitioners. It is usual for the committee to allow

three minutes for an opening statement. After two and a half minutes I will ask you to wind up. That implies no criticism; rather it is something that I have to do. I will then open up the meeting to questions from members of the committee.

**Mr Donald Matheson (Joint Action Against the M74):** Thank you very much for the opportunity to raise this issue with the committee. I will give three reasons why we have submitted the petition before I discuss the more substantive issues that relate to the impact of the motorway—it will perhaps be better to address those in the questions.

We have approached the committee because it has a brief that extends across subjects. It is not a transport committee or a social inclusion committee. The question that is of greatest concern to us—the impact of the motorway on the communities of Glasgow—is not being addressed in any other forum. We ask the committee to take that question up on behalf of Parliament. The M74 is not a road that has a huge impact on the natural environment, but environmental statements must be written. However, the road has an impact on the communities of Glasgow, but no community impact assessment has been written during the planning process or at any other stage.

Secondly, from our perspective, the Public Petitions Committee is concerned about the plight of the individual, rather than with only the macro questions that relate to strategic roads, economic growth and the other claims that are made for roads such as the M74. The people who live in the community and the small businesspeople there will experience the most severe impact as a result of a road of such a scale. The experience of the M8 going through Glasgow shows that when small and medium-sized businesses are relocated, they tend not to survive. The extension of the M74 would sound a death knell for many businesses as well as communities.

Thirdly, the committee is an independent group. The Minister for Transport, Sarah Boyack, has come out in favour of the road, so we are concerned about her role as an impartial adjudicator on planning and finance issues. We have similar concerns about the councils that are deciding on the scheme and are its promoters. We ask Parliament to ask the questions that we feel no one else in the planning process or in politics is in a position to ask.

I would like to give members a sense of the scale of the proposed extension. The road will be five miles long; that is not long, but in places it will be 100 ft wide to allow for between six and ten lanes, and it will be built on 40 ft stilts. It is projected that it will carry about 110,000 cars a day. About 100 businesses and 50 homes will be destroyed to make way for it—in addition to the

many homes that have been destroyed since the 1960s. The blight on the south of Glasgow is already considerable, even although no decision has been made.

I will stop there and let committee members pick up on any points they wish to address.

**The Convener:** Thank you—you kept well within your time.

**John Scott:** If I heard correctly, you said that the issue had not been addressed at the planning stage. I am surprised that there has not been an environmental impact study.

**Mr Matheson:** I am sorry—not mentioning that was an error that was caused by trying to get through the material too fast. Five years ago—in 1995—an environmental impact assessment was done. Renfrewshire Council, on behalf of the other interested councils, is in the process of asking for the consent, which has now lapsed, to be renewed without a new environmental impact assessment.

The planning process does not seem to consider the impact on people when a large motorway passes close to them or cuts through their community. Pedestrians and cyclists seem to be of peripheral concern and the needs of small businesses and residents are not addressed. People's right to keep their homes is not considered.

**Ms White:** I am on record as supporting the extension of the M74, but this is an independent committee, regardless of the feelings of individuals, and we are here to ask questions that relate to the petition.

You said that 50 homes and 100 businesses would be destroyed by the extension. What type of businesses would be affected? If the extension went ahead, would compulsory purchase orders be placed on those homes and businesses? You may have more background information than I do.

**Mr Matheson:** One example springs to mind—it might be more useful than statistics. I spoke to a businessman who owns a fairly large property in the middle of the proposed route. For the past 15 years, because of the road, he has not been able to develop his property. He has not been able to get planning permission for food premises and about 30 per cent of his property has lain empty.

Two historic buildings and three churches lie in the road's path and they will be demolished. The figures could have been a lot higher had not we started asking the questions that we did not ask during the 1960s, before a number of buildings were demolished. In places such as Toryglen—a housing estate on the route—residents are concerned that no maintenance has been done on their properties because the council wants to demolish them.

**Ms White:** Is it because the road question is hanging over people's heads that they have been unable to get planning permission for 15 years?

**Mr Matheson:** Yes. I suppose that that is what is called planning blight.

**Pauline McNeill:** Is the central point of your petition the fact that the environmental impact survey was done in 1995, but you would like a new one to be done now?

**Mr Matheson:** I do not think so. The point is more that the impact on the communities of Glasgow—especially the neighbourhoods in south Glasgow that are on the route of the road—has not been addressed. An environmental impact assessment is not primarily intended to answer the wider questions. Motorways have been put through plenty of communities in Glasgow. In Townhead, for instance, the community has been fragmented and disrupted. No development is going on in that area, and it has become a motorway junction. What would happen to the south side? A major urban motorway should not be pushed ahead until questions about what would happen to the area that would be affected were asked. Moreover, the people who would be affected should be asked about their feelings about the scheme.

14:30

**Andrew Fraser (Joint Action Against the M74):** We feel that the issue has not been properly debated and that it has been considered only as a transport issue. A Scottish Enterprise survey was conducted, but was not fully published—that has been the extent of the debate. We would like a multi-agency and multi-committee approach because enormous social inclusion issues are involved. Health issues will be raised because, to build the motorway, old dumps of arsenic, chromium and lime throughout the south and east of Glasgow will have to be dug up. Obviously, transport and economic development matters are involved too. The chamber or the committees of the Scottish Parliament should debate the matter much more fully.

**The Convener:** In your opening statement, you said that the Minister for Transport was in favour of the road, and that more than one council was involved. Apart from Renfrewshire Council, which councils are involved?

**Mr Matheson:** The picture is complicated. Renfrewshire Council is seeking to renew the planning permission, acting as a successor to Strathclyde Regional Council, which made the original planning application in 1995. The two lead councils have been South Lanarkshire Council and Glasgow City Council.



**The Convener:** Are South Lanarkshire Council, Glasgow City Council and Renfrewshire Council all considering the matter as part of their planning processes?

**Mr Matheson:** Glasgow City Council and South Lanarkshire Council are the only planning authorities that are involved, because the motorway goes through their jurisdictions. They promoted the road, but they have stepped back from that role to allow Renfrewshire Council to apply to them for planning permission.

**The Convener:** So what is the role of Renfrewshire Council? Is it promoting the road?

**Mr Matheson:** Yes.

**The Convener:** On behalf of the Executive?

**Mr Matheson:** I do not know on whose behalf it is doing that—you would have to ask Renfrewshire Council. The three councils made an outline business case to Sarah Boyack when she was the Minister for Transport and the Environment. Therefore, they acted most recently as a threesome to promote the road.

**The Convener:** Is consideration of the road part of the councils' work? Are their planning committees studying it now?

**Mr Matheson:** The application has not reached the planning committee stage. Objections are still being gathered and solicited.

**The Convener:** So the matter is on-going?

**Mr Matheson:** Yes.

**John Scott:** Planning permission had been given, but it has lapsed, so the councils must now reconsider the proposal. Is not that likely to lead to public inquiries?

**Mr Matheson:** The decision on that is up to the Scottish ministers and the councils. I do not want to comment on the legal avenues that are open to the councils, but there is a possibility that the matter could be notified to the Scottish ministers. That is because the councils have a financial interest, because they own land along the route.

**The Convener:** Thank you very much. We will now consider your petition. Obviously, you are free to stay and listen to the committee's discussion.

We have heard the evidence. The recommendation is that we seek a statement from the Scottish Executive on its position on the issues that the petition raises and that we request details of how the Executive proposes to consult local communities and businesses to address their concerns. Are there any comments on that recommendation?

**Ms White:** You said that we should ask whether the Executive has consulted. If it has not, could we

also ask whether and how it proposes to consult?

**The Convener:** Okay, we can ask that.

**Pauline McNeill:** We must also establish that it would be the Executive that would consult, rather than the local authorities. Would it be in order to copy the correspondence to the council leaders so that they can comment if they want to? It may be their duty to consult.

**The Convener:** Shall we write to the Executive but copy the correspondence to the three councils involved, asking them to comment if they wish to?

**Ms White:** Yes, that would cover everything.

**John Scott:** I am surprised that we are still at the planning stage. From the announcement that was made, I had the impression that things were much further progressed.

**The Convener:** The Executive and the three authorities will have a chance to respond to the committee. We can then consider the petition further in the context of the replies that we receive from all those bodies. Is that agreed?

**Members indicated agreement.**

**The Convener:** Additional material on that petition was handed in at the beginning of the meeting, but it was too late to circulate copies to members. However, that additional material will be circulated to all committee members before we consider the petition again.

The next petition, PE300, is from Andy Scott on behalf of the Tay Access Group. The petition concerns wardens and the system of warrant cards for authorising their activities. Derek Keith will talk about the petition.

**Mr Derek Keith (Tay Access Group):** I am speaking on behalf of Mr Scott, who is unable to attend today.

The Freshwater and Salmon Fisheries (Scotland) Act 1976 is a charter for convicted paedophiles and sex offenders. There are hundreds of wardens in Scotland—private armies, vigilantes, call them what you will—with police powers. They have powers to demand names, addresses and dates of birth. They have the power to seize fishing tackle. They have the right to photograph people and car registration numbers, and they are not subject to any Scottish Criminal Record Office checks—[*Interruption.*]

**The Convener:** I am sorry for that interruption. I should have reminded everybody to switch off mobile phones and pagers. Please continue, Mr Keith.

**Mr Keith:** The wardens have strong legal powers and unsuitable people may be tempted to obtain warrant cards. Given the isolated nature of

fishing and the strong penalties for obstructing a warden, being a warden provides an ideal opportunity for those people to get access to vulnerable children or women who may be fishing alone.

The Scottish Executive and the police have confirmed that the wardens are not subject to any Scottish Criminal Record Office checks. The 1976 act covers about 25 per cent of Scotland's land area or 13 river systems. We have asked the Scottish Executive twice in the past year to provide us with the number of wardens, but we have not even had the courtesy of a response. Our information suggests that there may be about 1,000 people in Scotland, give or take a few, with warrant cards. Those people are not subject to any SCRO checks.

Of course, anybody from anywhere in the world is entitled to buy fishing rights in Scotland. A few months ago, Mike Tyson, a convicted rapist, was here in Glasgow. He is legally entitled to buy fishing rights in Scotland. Under the 1976 act, he can appoint wardens or be nominated as a warden himself. If Mike Tyson with a warrant card, anyone nominated by him or anyone else like him asked a woman angler her name, address and date of birth and she refused to give those details, she would be guilty of a criminal offence and could go to prison for three months. We think that that is unacceptable.

I have here the guidance notes that are given to wardens on the Tay. They say that wardens should carry disposable cameras to photograph offenders and vehicles. They are told to say:

"I must warn you that failure to provide proof of your identity . . . is an offence for which you may be prosecuted. Do you understand?"

'What is your name, address and date of birth?'

'Have you any proof of identity with you?'

Those powers should not be given to people who have not undergone a SCRO check. Imagine if we gave similar people powers to tackle drug dealers and dangerous criminals in the crime-ridden areas of Scotland. There would be an uproar about vigilantes, yet we allow this to happen on our rivers. We want the Parliament immediately to cancel all the warrant cards, in order to protect vulnerable people on our rivers.

**The Convener:** Thank you. You referred to the wardens as the equivalent of a private army or vigilantes but their powers are legal powers given to them by Parliament.

**Mr Keith:** Yes. They are powers under the 1976 act passed by the previous Labour Government.

**The Convener:** What would be the implications if the Parliament were to decide to meet the petitioners' demands and cancel the warrant cards

of all wardens?

**Mr Keith:** Women and children would be safe.

**The Convener:** But what would be the implication for the monitoring of fishing in Scotland? Would it not break down completely?

**Mr Keith:** The wardens are not there to protect fish; they are merely there to protect the property rights of owners.

**The Convener:** What kind of bodies nominate wardens?

**Mr Keith:** They are voluntary organisations: landowners, fishery owners, angling clubs and so on. The former Deputy Minister for Rural Affairs, John Home Robertson, confirmed in a letter to Roseanna Cunningham that the Scottish Criminal Record Office is not asked about convictions and that there is no central vetting procedure for wardens.

**Pauline McNeill:** It seems a bit drastic to ask the Scottish Parliament to take away all warrant cards. Can you cite any examples of incidents you believe—

**Mr Keith:** I can give you an example from the Tay last week—

**The Convener:** Do not mention any names, because we are not covered by legal immunity.

**Pauline McNeill:** We are—you are not.

**Mr Keith:** That is a pity, as I would have given the names to you.

Last week, one of our members saw a woman and a child of 11, in an isolated part of the River Tay system, being observed by a warden. The warden followed them for half a mile or so in a Range Rover, keeping behind them the whole way. Every time the woman and child stopped, the car stopped. They were not fishing but, every time they went down to the riverside, the car pulled up. Nothing was said, but we consider what happened to be intimidatory. It would not be acceptable in Sauchiehall Street; it should not be acceptable on a riverside. I can give you the names and addresses of the people concerned, if you want them.

**Ms White:** You mentioned that there are 1,000 wardens. If a woman and a child are out fishing or walking by the riverbank, is there a need for wardens for protection?

**Mr Keith:** I have often found wardens to be aggressive—they are often Rambo-types. Because they have been given police powers, if you say "Boo" to them, you go to prison for three months. They do not even undergo a SCRO check, but if you do not give your name, date of birth and so on, you can go to prison for three

months and have your fishing tackle confiscated. That is unacceptable. We would not allow it on drug-ridden housing estates; why should we allow it in the countryside?

**Ms White:** If wardens had to go through a SCRO check and be interviewed by the police, would that be acceptable?

**Mr Keith:** No. Wardens should be employed by the state, like the police. Policing powers should not be given to landowners or to their vigilante, volunteer armies. We pay the police force a lot of money to police our rivers—that is what they are there for.

**The Convener:** As there are no further questions, I thank Mr Keith for attending. We will move on to consider the petition.

The recommendation is that we should pass the petition to the Executive for comment on the issues raised and to ask for the Executive's views on whether the implementation of part V of the Police Act 1997 and the proposed establishment of a statutory consultancy index would address the petitioners' concerns.

14:45

**John Scott:** New evaluation procedures are being put in place for voluntary workers and young children. Perhaps it would be worth waiting to see whether those procedures are appropriate.

Pauline McNeill asked whether incidents had taken place, but I would like to know whether such incidents have been taken to court and resulted in successful prosecutions. I have yet to find out why those wardens were put in place under the 1976 act in the first place—there must have been a reason.

**The Convener:** Do you want us to ask the Executive to provide us with the information that it holds on whether wardens have been prosecuted?

**John Scott:** Yes.

**Pauline McNeill:** I do not think that, in the short time available, the petitioner demonstrated any risk to women and children, and I am not willing to pursue that matter, due to the lack of evidence. However, if warrants with powers are being handed out, checks should be carried out, as that would protect everyone.

I am a bit worried about the evidence that has been given to us, as there have been no prosecutions. I do not mind asking whether there is a relationship between the prosecutions and the powers awarded under the warrants, but I do not think that that test has been satisfied.

The petition raises another question that must be addressed: if we are handing out powers to

people who are not under the jurisdiction of the police, some kind of check must be carried out. The Police Act 1997 deals with people who work with children and, in my view, there is no relationship between that act and the Freshwater and Salmon Fisheries (Scotland) Act 1976. I do not think that the committee should go along with the petitioners' request. The Executive may think that we are mistaken, but I am quite clear that there is no such relationship.

**The Convener:** It would be helpful if we could get the Scottish Executive to confirm the position, as it knows a great deal more than we do about the context in which the wardens operate, the legal powers that they hold and whether checks are carried out on them.

We are not taking sides on the petition—we will simply ask the Executive to clarify the position on the matters that the petition highlights. That will enable us to satisfy ourselves about what to do with the petition.

**Ms White:** I agree entirely, convener.

**The Convener:** Are members agreed?

**Members indicated agreement.**

**The Convener:** Petition PE302 is from Mr David Brown, on behalf of the Greater Glasgow Private Hire Association. Mr James Pert will briefly address the committee in support of the petitioners. The petition urges Glasgow City Council to take steps to give private hire cars the same rights of access to Glasgow's bus lanes and restricted roads as are enjoyed by hackney taxis. Mr Pert, you have three minutes.

**Mr James Pert (Greater Glasgow Private Hire Association):** We began the campaign to get access to bus lanes in 1995. In October 1995, Strathclyde Regional Council agreed to give us access to its millennium plan, which consisted of a series of bus lanes and bus gates in the city centre, subject to our finding a suitable means of identification agreeable to the trade, the police and the council. That decision was endorsed in May 1996 by Glasgow City Council, which succeeded Strathclyde Regional Council. It took until August 1999 for the council to agree on identification for private hire vehicles and a further eight months to issue the new plates, which had been agreed.

At that point, we renewed our efforts to get access to the bus lanes. The council changed its policy and offered us an experiment instead. The experiment was supposed to be designed to answer the objections of various groups, such as the bus companies, the police and cyclists. The experiment has been under way since June 2000 and we feel that the monitoring data that have been gathered more than answer the legitimate concerns of the various groups. We are petitioning

the Scottish Parliament for its support and for recognition that private hire vehicles form an important part of public transport. We need that recognition to give the millions of people who use our services each year the fair deal that they deserve.

**Pauline McNeill:** I read some of your correspondence this morning; you must have written to all MSPs on the matter. I want to ask about the identification of vehicles travelling in bus lanes. How can private hire vehicles be identified if there is no standard vehicle?

**Mr Pert:** The police have always been concerned about that issue and that concern has been echoed by councils up and down the UK. They expected an enforcement problem because other private motorists who drive similar vehicles would follow private hire cars into the bus lanes. We argued that that would not happen if the identification were strong enough. Eventually we agreed on an identification scheme involving bright yellow plates on the front, back and sides of the private hire vehicle. Data showed that, using such identification, the follow-my-leader effect did not materialise.

**Pauline McNeill:** Are you saying that the experiment demonstrates that people do not follow private hire cars into the bus lanes?

**Mr Pert:** The results show that the abuse figures fell during the experiment.

**Pauline McNeill:** Are standards imposed in relation to the type of vehicles that can be used for private hire?

**Mr Pert:** Yes. It varies between different licensing authorities, as do the conditions for hackney carriages. In Glasgow, a private hire vehicle must have an engine capacity of 1600cc, four doors and adequate luggage capacity; the vehicle must also be 40 inches across the back. That opens the door for the use of most family vehicles.

**Ms White:** How many private hire cars are there in Glasgow?

**Mr Pert:** About 2,000.

**Ms White:** You mentioned the identification of private hire vehicles using large, bright yellow plates that would be easily seen. When driving around Glasgow, I have often wondered whether I could go through the bus gate into Hope Street.

**Mr Pert:** The current situation means that if we are dropping off a disabled person in a bus lane, we will incur a penalty, as has already happened.

**Ms White:** The police report mentions the fact that accidents may arise from other cars following private hire cars. As I said, I have often been tempted to do that, but I never have. Do you have

evidence of any such accidents?

**Mr Pert:** The only accident that happened during the experiment involved a private car and a bus. The police are concerned about an increase in near-side lane accident figures, simply through having a greater volume of traffic in the bus lanes. However, that did not materialise during the experiment.

**Ms White:** Have you heard of any other vehicles apart from taxis being allowed to use the bus lanes?

**Mr Pert:** Taxis, buses and emergency vehicles are allowed to use bus lanes. To us it seems illogical to allow taxis but not private hire vehicles to use bus lanes—we do the same job.

**Ms White:** Are motorcycles allowed access to bus lanes?

**Mr Pert:** Motorcycles do not have access, but cyclists do. Cyclists are among the people who object to our getting access to bus lanes. Their objection is based on the idea that more traffic will mean that they are at greater risk.

**The Convener:** In your opening remarks, you said that Strathclyde Regional Council approved access to bus lanes by private hire cars, and that in 1996 that decision was endorsed by Glasgow City Council.

**Mr Pert:** That was subject to the identification issue being resolved.

**The Convener:** Once you had resolved that issue, the council withdrew its approval.

**Mr Pert:** Yes, it changed its policy. It moved the goalposts.

**The Convener:** Under the experimental traffic order, does the council intend to do anything about that?

**Mr Pert:** Land services in Glasgow City Council will produce a report on the monitoring data, which have been gathered independently. That is being done now. Most members have received the report that I wrote on the results of the monitoring. Land services were due to meet this month—tomorrow, in fact—but that meeting has been cancelled because of the strikes.

**The Convener:** Is Glasgow the only local authority that has this policy, or is it common to all councils in Scotland?

**Mr Pert:** No council in Scotland permits private hire vehicles to use bus lanes and bus gates. We are petitioning Parliament to recognise us as part of the public transport network, so that in future we can be considered for access to bus lanes and bus gates. It is not logical to allow hackneys, but not private hire vehicles, to use them. That is the

basis of our argument.

**The Convener:** You said that there were 2,000 private hire cars in Glasgow. Have you any idea how prevalent private hire cars are in other big cities in Scotland?

**Mr Pert:** I do not have figures for that.

**The Convener:** There will be a substantial number of private hire cars in Aberdeen, Edinburgh and Dundee.

**Mr Pert:** About 220,000 people are employed as private hire drivers in the UK. In Glasgow in 1999, private hire drivers carried about 15 million passengers. There is a massive demand for the service. We provide a service to the people.

**The Convener:** The only difference between private hire vehicles and hackneys is that you cannot pick up people on the street.

**Mr Pert:** That is the only difference. We carry disabled people, school kids and the vulnerable. We can get SCRO approval for our drivers. Like hackneys, we provide the links and go to the places that buses and trains do not go to. That is why hackneys get access to bus lanes. For the same reason, so should we.

**The Convener:** Thank you very much. The committee will now consider your petition.

The recommendation is that, before we consider how finally to deal with the petition, we ask Glasgow City Council to comment on the issues raised by the petitioners and to provide further details of the recommendations that may be made following the trial that is taking place in the city. Is anybody opposed to that?

**Ms White:** I am not opposed to the recommendation. However, given that it has been highlighted that the problem affects not just Glasgow, but other cities, perhaps the petition should be referred to the Transport and the Environment Committee.

**The Convener:** The petition is from Greater Glasgow Private Hire Association and relates to the situation in Glasgow. However, we could copy it to the Transport and the Environment Committee for information.

**Ms White:** John Scott has said that we should await the council's response. I had assumed that the meeting on 5 December would go ahead, but we have now been told that it will not. Given that we will not now have a response from that meeting, I would like the petition to be copied to the Transport and the Environment Committee.

**The Convener:** As there are no objections to that, we will copy the petition to the Transport and the Environment Committee for information. However, in the first instance we will write to

Glasgow City Council. Is that agreed?

**Members indicated agreement.**

**The Convener:** Petition PE309 is from Mrs Maire Whitehead and relates to the Victoria infirmary. As usual, the petitioner will address the committee briefly in support of the petition. You have three minutes, Mrs Whitehead.

**Mrs Maire Whitehead:** I will do my best. I am grateful for the opportunity to address the committee, however briefly. I will keep as much as possible to the subject raised by the petition, of which I assume all members have a copy.

We are concerned about Greater Glasgow Health Board's apparent lack of accountability. The board has carried out what it refers to as its acute services consultation. It responded to many requests to extend the time available by granting an additional 10 weeks for the first phase, which lasted until 8 September. The second phase of consultation will close on 8 December, which is this Friday.

It is our contention that, because Greater Glasgow Health Board did not issue any information about the size and design of hospital that was being discussed, the public could not make an appropriate judgment on the board's case. We are convinced that if any logically thinking person—certainly a member of this committee—were to examine a map of the south side of Glasgow, they would find it almost impossible not to see that the current site of the Victoria hospital is almost slap bang in the middle of the area that is served by the south side hospitals. The catchment area covers the south side of Glasgow plus Giffnock, Newton Mearns, Rutherglen and Cambuslang, which are outwith the city boundaries—the area stretches from Govan up to Carmunnock and Cambuslang.

15:00

The Victoria infirmary is almost at the centre of that area. The board has admitted that the travelling time for people from Castlemilk—which is not the furthest point from the Southern general—would be increased by a factor of three if they had to go to the Southern general hospital instead, which is the board's preferred site. The board acknowledged that, if the new south side hospital were to be located on the site of the Southern general, it would need to ensure additional local health care provision for Rutherglen, Cambuslang and Castlemilk.

We have been informed that Glasgow City Council would look favourably at giving all the Queen's Park recreational grounds to Greater Glasgow Health Board. That would give us the existing site of the Victoria infirmary, plus the site

of the former Queen's Park secondary school, plus the recreation ground. We are not quantity surveyors, but we gather that that comes to approximately 35 acres. Surely it is good practice to evaluate the potential sites and to instruct on the hospital that should be built to fit that site.

Our research gives no compelling reason—other than fashion—for a hospital to be a single storey, or two or three storeys high. That gives rise to hospital sprawl, with long corridors. Alternatively, a hospital with five or six storeys is compact, and the highest storeys can be readily accessed by lifts. That is what happens in modern hospitals in other parts of the civilised world—Hong Kong, South Africa and America, for example. We believe that there has been a lack of commitment towards a genuine examination of the Victoria infirmary site.

I realise that I went a wee bit over my allotted time.

**The Convener:** No, your timing was absolutely excellent. We should have all our meetings in Glasgow—people speak more briefly here than they do in Edinburgh.

**Ms White:** Thank you for your presentation, Maire. You talked about Greater Glasgow Health Board. How many public meetings and consultations have taken place with the health board, its chief executive Mr Spry, officials, groups such as yours and residents of Castlemilk and of other areas that will be affected?

**Mrs Whitehead:** To its credit, Greater Glasgow Health Board has hosted a large number of meetings. At every one that I or any members of the Friends of the Victoria Infirmary committee attended, it was made clear to Mr Spry and to the rest of the board that the vast majority of the public are totally opposed to its recommendation that a new hospital for the south side should be located at the site of the Southern general. For the benefit of those members who are less familiar with the geography of Glasgow, I should add that the Southern general is situated at the extreme north-west of the catchment area. It is handier for people from Renfrew or even Jordanhill than for some of the folk that it serves.

Many meetings were organised by the Friends of the Victoria Infirmary committee and by other community interest groups to discuss this matter. I noted that we had 15,000 signatures, but I was informed that I had forgotten that a further 9,000 people had signed at a later stage. All those people were seeking a new, centrally situated hospital for the south side. By no stretch of the imagination could anybody say that the site preferred by Greater Glasgow Health Board—the site of the current Southern general—is centrally situated. I am sure that it is centrally situated for somewhere, but certainly not for its catchment

area.

**Ms White:** Thank you for your full answer on consultation. Your petition states:

"We urge that a genuinely open-minded investigation of the possibilities of a hospital designed to fit this site be instructed by the Parliament."

Could you tell us what you mean by that?

**Mrs Whitehead:** We know that the site of the Southern general has had capital investment of more than £66 million in the past decade or so—I could not tell you exactly how many years. It seems unlikely that, in the deepest recesses of their hearts, members of Greater Glasgow Health Board would be happy to walk away from that sort of investment. I asked Mr Spry that at a well-attended public meeting—several hundred folk were there. He said that, if it seemed the best option, the board would happily walk away from that kind of investment, but I must say that we had our doubts.

**Ms White:** Is that what you are basing the investigation on?

**Mrs Whitehead:** Yes. It was really a self-fulfilling prophecy.

**Pauline McNeill:** Is not the problem that there is no consensus among people in the south side catchment area on where the new build should be?

**Mrs Whitehead:** I would not say that every person totally agrees that it should be on the one site. If you live across the road from the present site of the Southern general, you would obviously prefer it to stay there. However, as I tried to say in our submission, I have not yet met anyone from the south side catchment area who disagrees that the hospital should be centrally situated. There is consensus on that point. The difference of opinion is over the site.

Greater Glasgow Health Board has dismissed the site that we suggested, saying that it is not big enough. Our question in reply to that was, "Not big enough for what? What are you proposing to build? What design of hospital do you need?" What is suitable for one site is not necessarily what one would choose for another site. What is the saying? You must cut your suit to match your cloth. We do not think that the health board has considered the situation open-mindedly. We think that it knew exactly what it wanted and where it wanted it, no matter what was said in the expensive consultation exercise. The health board has spent in excess of £120,000—advertising in the papers with an insert and flying folk out to San Diego, for example—to push the case for the Southern general hospital site with what they call an ambulatory care and diagnostic unit at Victoria and on the other side of the river at Stobhill. An

ACAD unit is not a hospital.

**Pauline McNeill:** I am not saying whether I agree or disagree, but I put it to you that the people of the west of Glasgow, who will lose the Western infirmary, are being told that the Southern general would serve their catchment area. The Southern general might also serve people through the Clyde tunnel, not just people on the south side.

**Mrs Whitehead:** I know. People on that side of the city are concerned about how they would get to the site if the tunnel is blocked or if the Kingston bridge has gone to pigs and whistles, as it frequently has. That is a major concern.

The great concern on the part of the medical profession is whether any of the proposed hospitals will actually be big enough for the vastly increased work load. Another factor that is often cited is that the Southern general is easily accessible by motorway. The motorway is certainly close to it, but nobody goes to the hospital by motorway.

**Pauline McNeill:** Can I stop you there? I am not quite clear about what you want us to look at. Are you saying that it is hard for anyone to make a decision about the best option without seeing what the building would look like and how much it would cost? Is that what you want?

**Mrs Whitehead:** That is exactly what we want. We want the health board to look open-mindedly at the site that we believe is available in the central location, part of which happens to be where the Victoria infirmary is now, and provide us with some idea of the sort of hospital that could be provided on that site.

**John Scott:** You said that grounds were available, including up to 35 acres of playing fields. How close to the existing Victoria site are those pieces of ground? As I understood it, the whole reason for the Victoria site being unsuitable for the south side hospital redevelopment was that there was not enough ground to build an integrated hospital complex.

**Mrs Whitehead:** That is what the health board has always said. However, there were plans at one time to build some sort of emergency admissions area on the site of the old Queen's Park secondary school, which is part of the ground that we are talking about. The Queen's Park secondary school ground is separated from Queen's Park recreation ground by a road that is no wider than the distance between you and me in this room—pretty close. It is certainly a lot closer than walking from one end of the Southern general site to the other; you need a bus to make that journey.

**John Scott:** How much more land would that school ground make available?

**Mrs Whitehead:** I am not sure how much additional land it would make available, but the total amount would be 35 or 36 acres.

**The Convener:** You said that there were 15,000 names on this petition and that there were another 9,000 names that you had forgotten to include in the total. We have already received a petition from the Friends of the Victoria Infirmary on this issue. Are other petitions in the pipeline?

**Mrs Whitehead:** Not that I am aware of. However, other protest groups may have petitions too.

**The Convener:** I understand that there are protest groups other than the Friends of the Victoria Infirmary.

**Mrs Whitehead:** The Friends of the Victoria Infirmary has been going for a couple of decades, because efforts were made to close the hospital once before. We are not Johnnys-come-lately to the campaign; we have been around a while. Friends of the Victoria Infirmary sounds an awfully twee name, but we have stuck with it.

**The Convener:** We referred the previous petition to the Health and Community Care Committee, which decided to note the petition but to take no further action.

**Mrs Whitehead:** My information is that the Health and Community Care Committee felt that we were still waiting for the consultation process. We are now almost at the end of that process, so I do not know what is happening. I have also heard—I can only repeat what I have heard; I cannot vouch for its veracity—that the Health and Community Care Committee is reluctant to take on an issue such as this. The committee feels that it is a local issue and that taking action on it would open the floodgates and allow people from the catchment areas of every other health board in the land to go to the committee.

There is a big question here. If the Public Petitions Committee cannot put this petition to the Health and Community Care Committee—or, indeed, to the Parliament, as we have asked—to whom is Greater Glasgow Health Board, or any other health board, accountable?

**The Convener:** The formal answer to that is to the minister and through the minister to the Parliament. That is the formal answer; I am not commenting on it, I am just saying that that is what it is.

**Mrs Whitehead:** It is a big question.

**The Convener:** It is indeed.

**Ms White:** This question relates to what John Scott said about the Queen's Park area. You said that Glasgow City Council was more than happy to give the land over to the health board.

**Mrs Whitehead:** Yes, we were informed of that.

**Ms White:** To your knowledge, does Mr Spry—or does the health board—consider the land to be a realistic prospect?

**Mrs Whitehead:** I have not really looked into that. In the first response to the consultation paper, the health board said that using the land would entail getting planning permission, speaking to sportscotland and doing various other things. I interpreted its response as meaning that, because getting the land would entail all those things, it would not do anything about it.

**The Convener:** Thank you for your contribution. We will now consider what to do with your petition.

As has been said, this is a matter for Greater Glasgow Health Board; it is not for the Parliament to intervene. In view of the decision that the Health and Community Care Committee has already taken on a previous petition on this issue—to take note of it but to take no further action—we have to decide whether we should take no further action on this new petition and simply tell the petitioners that they should pursue the issue with Greater Glasgow Health Board, or whether we should pass the petition to the Health and Community Care Committee for its further consideration.

**John Scott:** It would be reasonable to ask Greater Glasgow Health Board for the reasons behind its decisions. It might give that information more readily to us than it would to the petitioners. If it has a site of choice that is not the Victoria, I presume that it can justify that. No one on this committee is in a position to judge the best site. Pauline McNeill is right: depending on where they live, people will favour the Victoria infirmary, Cowglen hospital or the Southern general hospital. If the health board has good reasons for favouring one site over another, we should be made aware of those reasons and so should the petitioners.

**The Convener:** Are you suggesting that we contact Greater Glasgow Health Board and ask for its reasons for choosing a particular site?

**John Scott:** Yes.

**The Convener:** We could comment on the point that is made in the petition about the lack of detailed plans.

**John Scott:** I do not think that the health board would necessarily draw up detailed plans if, for some good reason, it had ruled out one site or another.

**Ms White:** The workings of the health boards have concerned me for a number of months, even years. I have attended many meetings on the reorganisation of the health service in Glasgow—Pauline McNeill, too, has been busy on that issue. It is of great concern to me and folk in Glasgow

that the right plans should be followed, whether the Victoria infirmary, the Western infirmary or Glasgow royal infirmary is involved. There has been consultation, but I would not say that it has been proper consultation.

The convener said that the minister is the only person who can consider this matter. I would be more than happy to send the petition to the minister for comment or even to seek a meeting with Mr Spry. We should bear in mind the fact that 24,000 people have signed the petition. In the case of Stobhill, we asked to meet Mr Spry and we delayed the process. Maire Whitehead said that 8 December was the last date of the consultation period. That is only a few days away, so the decision will be a fait accompli unless we get some answers now or obtain a moratorium until we have heard from Mr Spry or the minister.

This is an important issue, not just because of the Victoria, but because of the whole issue of health in Glasgow. We should do in this case what we did with Stobhill, given the number of signatures on the petition. I suggest that we write to Mr Spry asking for a moratorium, invite him to the next meeting of the committee to discuss why the Queen's Park area has not been considered, and write to the minister asking her to examine the matter.

15:15

**The Convener:** The problem with that proposal is that we have already received petitions on this matter, which have been considered by the Health and Community Care Committee.

**Ms White:** I did not ask that the petition should be passed to the Health and Community Care Committee. We have exhausted that process.

**The Convener:** In the case of Stobhill, we asked for a postponement of the process until the Parliament could consider the petition. The Parliament has already considered petitions on this issue.

**Ms White:** We were fortunate in that Mr Spry could not attend a meeting, so we could postpone it and have a moratorium.

**The Convener:** You are drawing comparisons with the case of Stobhill, but the difference is that Parliament did not have time to consider the petition in that case. That was why there was a confrontation with Greater Glasgow Health Board. In this case, the Parliament has considered a similar petition and has decided not to act until the end of the consultation period is reached on 8 December.

**Pauline McNeill:** I do not support what Sandra White suggested. Technically, the petition is inadmissible, as the Scottish Parliament cannot



require Greater Glasgow Health Board to do anything. In fact, we do not have the authority to do much on this petition. The petition makes an important point, which I accept whole-heartedly: how can the community evaluate the options that are open to it if it does not have information on the costs of the alternatives to the option that the health board has chosen? I think that the committee should put some points to the health board. We can then decide on appropriate action. I do not think that much will be achieved by writing to the minister, as we will be told that we are in the middle of a consultation process. Writing to the minister would delay things.

I could go on about the meetings that I have attended, but it is not for us to rehearse the rights and wrongs. We have somehow to get the petitioners' points into the process to assist the debate. One way in which that can be done is to put the important point that I mentioned to the health board. The issue is not about consultation, as people have been consulted plenty. However, how can they decide on one option or another if they cannot evaluate them? It would be legitimate to submit the petition with a note asking for that information.

**Ms White:** Would it be submitted to the health board?

**The Convener:** Yes. I can tell Sandra White right now that, if we passed the petition to the minister, she would write back to say that the decision was a matter for Greater Glasgow Health Board.

**Ms White:** I know that technically the matter is for Greater Glasgow Health Board to decide, but it is time that something was done about health boards and their powers. That is a different subject, on which someone else might submit a petition.

The problem is time. I am sure that the petitioners will have raised financial questions with Mr Spry and others at public meetings and have not received an answer. Pauline McNeill is quite right that every piece of information must be passed on. My worry is that, if we submit the petition to the health board, it will reply that it has considered it but that, as 8 December is past, it will not do anything.

**The Convener:** We will ask for reasons why the health board prefers the Southern general site and for information on the lack of costed details and alternatives. We could also say that the petition should be considered as part of the consultation process by Greater Glasgow Health Board. That would mean that it would have to consider the petition and reply to us. We could act further once we have that information.

**John Scott:** What you are saying is right,

convener. If there are demonstrably good reasons for the decision, the sooner they are in the public domain the better. The petitioners would accept that. If there are no good reasons, that is a matter of concern.

**The Convener:** Either way, the issue will come back to the committee.

**Ms White:** On time scales, if the health board comes to a decision on 8 December—

**The Convener:** We are talking about a consultation process; the board will not come to a decision. I understand that the chance to take part in the consultation ends on 8 December, but the decision will not be made then.

**Ms White:** I will not be a dissenting voice; I will go along with what the committee says. However, I know the health board, and usually the end of a consultation period means that people are told within a couple of weeks what will happen.

**Pauline McNeill:** If the board wishes to close the Southern general hospital, or any hospital, it is legally obliged to hold a further three-month consultation on the closure.

**Ms White:** I know that the board would do that, but realistically, life tells you—

**Pauline McNeill:** Our positions are not that far apart.

**The Convener:** No, they are not.

**Pauline McNeill:** I do not believe that the matter ends on 8 December, because I have relevant constituency issues, which I will not talk about today.

**Ms White:** We all have issues.

**Pauline McNeill:** It would be helpful for us, and the petitioner—

**Ms White:** I will not be the dissenter; I will go along with the committee.

**The Convener:** Is it agreed that we write to Greater Glasgow Health Board, asking it to consider the petition as part of its consultation process and to respond to our questions, providing reasons for its choice of the Southern general hospital as the site for the new hospital? Is it also agreed that we comment on the point that was made in the petition about the lack of detailed costed alternatives to the Southern general hospital and ask why they were not made available?

**Members indicated agreement.**

**The Convener:** I have just been passed a note from the petitioner informing me that Greater Glasgow Health Board's decision will be given on 19 December, not 8 December. We meet on 19

December. The last time that we had such a tight time scale with Greater Glasgow Health Board, it got its fingers badly burned, so perhaps it will not arrive at a decision until it has responded to us.

Petition PE310 is from Gerald Eve, chartered surveyors, on behalf of Michael D Barclay and others, on telecommunications masts. Mr Barclay will briefly address the committee in support of the petition.

**Mr Michael Barclay:** A copy of the text of what needs to be said is available, so it can be taken as read. In the interests of brevity, I will concentrate on one or two of the main points.

The aim of the petition is to ensure that the rights and concerns of individuals are adequately catered for and receive equal consideration with those of the telecommunications industry. Many of actions that the industry takes in going about its legitimate business unfortunately conflict with and infringe on the rights of the individual.

I think that it was 10 days ago that the Minister for Environment, Sport and Culture, Sam Galbraith, introduced the Scottish Executive proposals for tighter controls on mobile phone masts. In doing so, he said that he was bringing forward proposals that accepted the central recommendations of the expert reports by both the Stewart group and the Transport and the Environment Committee. In practice, what the consultation process discloses is some way short of that.

The consultation papers state that the Scottish Executive has no plans to pursue either a moratorium on masts, pending new legislative provisions and guidance, or any new controls that could become retrospective. The Executive also supports the continuing expansion of the telecommunications networks. The draft regulatory impact assessment, which is part of a consultation package, states:

"The continuing rollout of 2<sup>nd</sup> generation equipment by mobile phone operators and the rollout of 3<sup>rd</sup> generation technology will result in additional base stations numbered in the tens of thousands over the UK as a whole."

In response, Mr Galbraith said:

"What our policies seek to do is strike a balance on this difficult issue. I look forward to receiving views on them."

We are asking the Public Petitions Committee for active support to alert the Minister for Environment, Sport and Culture to several issues. The minister cannot ignore the sensitivity of the siting of base stations either on the ground with masts or on the roofs of buildings in residential areas. The planning guidance that will regulate these matters must make specific reference to those concerns.

It must be emphasised to the minister that the

consultation procedure must provide the appropriate opportunity for the rights of individuals to be expressed. That is an important part of the process. Someone must listen to our concerns and ensure that changes to enable reforms are introduced. Members will find the rest of our views expressed clearly and concisely in our submission.

**The Convener:** A copy of your submission will be made available to members.

**Pauline McNeill:** Your petition calls for the revocation of the permitted development rights for all mobile phone base stations in sensitive areas. What do you mean by "sensitive areas"? Does that refer to residential areas or do you mean something more than that?

**Mr Barclay:** The Transport and the Environment Committee report identified sensitive areas. Those areas include what are called "other areas", such as residential areas, hospitals and schools. The planning guidance note that will accompany the legislation makes no reference to residential areas, householders or even people. That is a shortcoming.

**Ms White:** You will be aware that councils take different views on the erection of mobile phone masts. Have you petitioned Glasgow City Council on its approach?

**Mr Barclay:** One of the problems is that much of the development takes place under the general development order of permitted development, which effectively precludes the council planning authorities from dealing with such matters. The Scottish Executive policy is based on moving the threshold, so that masts at least will require full planning consideration. There is some dubiety about whether aerials on the rooftops of buildings will get the same treatment. We believe that the erection of such structures in residential areas should get the same treatment and be subject to the full planning process.

**John Scott:** How much difference is there between the draft national planning policy guidelines on radio telecommunications and the findings of the Transport and the Environment Committee?

**Mr Barclay:** The main difference is that the committee was able to be specific and could define what it meant by sensitive areas, whereas the NPPG has a 16-page guidance note, which talks generally about wetlands, moorlands, open areas, sites of special scientific interest and so on. However, there is no mention of residential areas, which is where I suspect the main problems have occurred.

**The Convener:** You said that you wanted our support in alerting the minister to the problems. Would you prefer the committee to approach the

minister rather than the Transport and the Environment Committee, which is producing its own report and would be concerned about the matter?

**Mr Barclay:** The issue is open to consultation until 21 February. The matter is practical but the submission refers to my working experience. A convenient excuse at the end of the consultation process would be to say that it is too late for fresh ideas. I saw such a practice used when I was involved with the then Scottish Office and the department that dealt with transport in England. It would be appropriate to make representations now, so that whoever advises the ministerial team can start thinking effectively about the matter at the beginning, rather than the end, of the process.

**The Convener:** Are you suggesting that by the time the Transport and the Environment Committee got round to discussing the petition, it would be too late to take action?

**Mr Barclay:** Yes. The committee must go straight to the minister, because practical considerations are involved. The root of the policy statement seems to be that the neighbour notification process will assist public debate. That will not work for a telecommunications site, because only the neighbours in contiguous property or within 4 m of the boundary of the application site are notified under the existing procedure. That is nonsense when one is considering facilities that have a catchment of 150 m to 250 m. The sooner the practical suggestions are brought to people's notice, the sooner they may be heeded.

15:30

**Pauline McNeill:** Are you saying that, ideally, you would like legislation to specify that steps must be taken before the erection of any mast?

**Mr Barclay:** The Stewart group suggested that any mast that had permitted development status should be reviewed. I do not think that we want things to go that far. We say simply that any mast that would be categorised as sensitive and that will continue to exist—because the permitted development status is the key—should be reviewed. There must be several that cause real problems for people.

**Pauline McNeill:** Do you have any idea how many masts are being erected at the moment? I think that a lot are going up now. What is the scale of the problem?

**Mr Barclay:** I do not know the number. The issue is how close a mast is to somebody's house or garden—that is a personal issue. However, it is a potential problem and there is injustice in the situation. I have not dwelt on compensation, but

we must bear it in mind that we are dealing with statutory code operators. If they fail to secure an agreement for a site, they can—and do—go to the courts to obtain a measure that is similar to compulsory powers. If the property of neighbours is diminished as a result of a development on a site, there should be provision for payment for injurious affection, as exists for other statutory undertakers. That would all be part of a balanced policy. People could take issue with nothing that is in the paper that has been produced in terms of practice or implementation.

**The Convener:** Thank you very much. The committee will now consider the petition.

The original recommendation was that we should pass the petition to the Transport and the Environment Committee for its consideration of the points that the petition raises, especially those about the Executive consultation document's treatment of the recommendations of that committee's report on telecommunications developments. The evidence from the petitioner suggests that it might be an idea to pass the petition directly to the Minister for Environment, Sport and Culture and copy it to the Transport and the Environment Committee, asking for its comments.

**John Scott:** I have a feeling that the Transport and the Environment Committee has already made its recommendations to the minister. It is now up to him to put the necessary laws in place. The Stewart inquiry reached firm conclusions, as did the Transport and the Environment Committee. Dare one say that this is a wake-up call to the minister: "Please get on with the job that you have been asked to do."

**The Convener:** I accept that, but the Transport and the Environment Committee would be interested to see this petition, because it highlights the gap between what it recommended and what has been included. It is up to that committee to decide what it wants to do about that.

We will send the petition to the minister, as recommended, and ask for it to be included as part of the consultation process. Is that agreed?

**Members indicated agreement.**

**The Convener:** That is the last of the petitions for which there are witnesses. We now move to the petitions for which the petitioners are not present.

The first, PE287, is from Mr Frank Harvey, on organ retention. It calls on Parliament to oppose the suggestion that there should be an opt-out policy in relation to organ retention, where persons who do not wish to donate their organs after death must carry a card stating their objection.

Members will be aware that recently we issued

revised guidance on the submission of public petitions. Petitioners are expected to take action to resolve issues of concern before submitting petitions to Parliament. It is clear from Mr Harvey's petition that he has not done that and it is suggested that the committee ask the clerk to write to him to bring to his attention the new section in the guidance notes and to suggest that he raises those issues in some other way before petitioning the Scottish Parliament. Is that agreed?

**Members indicated agreement.**

**The Convener:** Petition PE288 is also from Mr Harvey. It concerns roll-on-roll-off ferries and calls on the Scottish Parliament to ask the Ministry of Defence to explain why its contract to build four such ferries was awarded to a German shipbuilder. It is suggested that we note the petition and take no further action, although we could pass the petition to the relevant UK Government minister. However, as with the previous petition, Mr Harvey must understand that he must pursue other avenues before coming to the Public Petitions Committee.

**Ms White:** I agree with your suggestion, convener. The matter has been debated in Parliament by members anyway.

**The Convener:** Is that agreed?

**Members indicated agreement.**

**The Convener:** The next petition, PE289, is also from Mr Harvey. It concerns British Army uniforms and calls on the Scottish Parliament to seek an explanation from the Ministry of Defence of why it awarded a contract for manufacture of the uniforms to a German firm. The contract was subsequently withdrawn because of poor workmanship. Like the previous two petitions, it is suggested that we note the petition and take no further action.

**Members indicated agreement.**

**The Convener:** The next petition is—again—from Mr Harvey. Petition PE290 concerns amphibious vehicles on the Clyde and calls on the Scottish Parliament to ban such vehicles from transporting passengers, especially children, on that or any other river in Scotland.

Initially, we thought that—as with the other petitions—it should be drawn to Mr Harvey's attention that he should raise the issue elsewhere. However, because there are health and safety implications, we could write for reassurance on the safety of the amphibious vehicles that use the Clyde. We could draw the petition to the attention of Glasgow City Council, which might be the responsible authority.

**Members indicated agreement.**

**The Convener:** The next petition is also from Mr

Harvey. Petition PE296, on the Cairngorm funicular railway, calls on the Scottish Parliament to recommend suspension of construction of the railway until the completion of the inquiry into the Austrian ski train accident that occurred on 11 November. Like the previous petitions, it is suggested that we agree to note the petition and take no further action.

**Members indicated agreement.**

**The Convener:** Petition PE298 is from Mrs Avril McKen. In light of the proposal to relocate the Forres ambulance unit to Elgin, the petition calls on the Scottish Parliament to recommend that the unit should remain at Leachnail hospital, Forres, and that it should be upgraded to a 24-hour service. The petitioner is concerned that, because of delayed response times, the decision to move the unit to Elgin will endanger lives, especially during extreme weather conditions.

A list of people have been approached by the petitioners, including MP and MSP Margaret Ewing, MSPs Mary Scanlon and Rhoda Grant and a number of councillors, among others.

A letter has been sent to Grampian Primary Care NHS Trust, seeking its comments on the issues that are raised in the petition. We have received a response, a copy of which is attached. Members will note that the trust states that there has been consultation with interested parties on its proposals to redesign the ambulance service. It is the trust's understanding that there will be improved ambulance cover for Forres and the surrounding areas. The trust has been advised that direct deployment from Elgin will improve response times in the Forres area.

The issues that are raised in the petition are a matter for the NHS trust—we do not have any locus to intervene in the operation of that local service. However, we may wish to consider whether we should copy the NHS trust's response to the petitioners and take no further action, or whether we would like to obtain additional views on the proposals for revising the ambulance service.

**Ms White:** I do not live in the area, so I do not know a great deal about the distances between Forres, Elgin and so on. Once again, we are dealing with a petition relating to a health board.

**The Convener:** Perhaps we should have a petition on health boards.

**Ms White:** I am considering that seriously. I might not be able to produce one, but somebody else might want to take up the cudgels. The trust's reply should be copied to the petitioner, but I do not want the committee simply to note it. Who would we ask for additional views? Perhaps the clerks could give us some guidance.

**The Convener:** We could ask the MSPs who have indicated that they support the petition.

**John Scott:** We should copy the trust's response to the petitioners and ask them whether they agree that the claimed improvement in service will take place. If so, the petition will have been successful. The petitioners—not we—are the best people to judge that. If they tell us that they do not agree with Grampian Primary Care NHS Trust's assessment of the situation and that they are still unhappy, we will have to write to the trust.

**The Convener:** That sounds like common sense to me. We will pass the trust's response to the petitioners and ask them to comment on the trust's claims of improved service. Well done, John. Is that agreed?

**Members indicated agreement.**

**The Convener:** The next petition is PE299, from Tricia Donegan, on dangerous driving. It calls on Parliament to investigate whether the additional driver offences of failure to possess the correct licence, MOT or insurance documentation should be taken into consideration at court hearings concerning fatalities that are caused by dangerous driving.

Earlier this year, we received petitions from Ms Donegan and other sources on that topic. We know that the Justice and Home Affairs Committee has been awaiting responses from the Department of the Environment, Transport and the Regions and from the Lord Advocate before considering those petitions further. This petition deals with an additional aspect of the problem. It is suggested that we might wish to consider writing to the Lord Advocate to request his comments on the specific issues that the petition raises. A copy of the petition could also be sent to the Justice and Home Affairs Committee—for its information only at this stage—as it is already dealing with related petitions. Alternatively, we could simply refer the petition to the Justice and Home Affairs Committee, to be discussed together with the previous petitions. However, this petition seems to raise a separate issue.

**John Scott:** The petitioner makes a very valid point. If people knowingly break the law by driving, without not only one document, but all the required documents, that should make their situation more difficult when they come before the courts after commission of another crime. The petitioner is right to say that the courts should respond differently in such circumstances. The Justice and Home Affairs Committee might want to consider instigating legislation, or the Lord Advocate might be able to instruct procurators fiscal to give greater weight to drivers' failure to produce the correct documentation. However, I doubt that he has the powers to instruct courts or procurators fiscal to

take that into account.

**The Convener:** Pauline McNeill is a member of the Justice and Home Affairs Committee.

**Pauline McNeill:** I have seen the petition previously and I am concerned that the petitioner is attempting to get the committee to consider an issue that it has already addressed. We do not consider individual cases unless they deal with an issue of a general nature. Before we refer the petition anywhere, I would like to ask the Lord Advocate whether road traffic legislation contains any provision that the courts can use in aggravated situations. I refer to cases in which not only is there drunk driving, but the driver does not have a valid MOT certificate, for example. The fact that the court did not make use of such provision in the case that is cited does not mean that it is not available.

At the end of the day, the Justice and Home Affairs Committee must determine whether there is a failure in the law or in procedure. We can only kick that question around, although perhaps we should raise it with the Lord Advocate. Could we ask if there are provisions in road traffic legislation for cases such as the one cited in the petition? If the answer is no, that would give us a reason to refer the petition to the Justice and Home Affairs Committee, because we would be able to say, "There seems to be a gap in the law. Would you look at it from that point of view?"

**The Convener:** Are you suggesting that we should write to the Lord Advocate without bothering to copy that letter to the Justice and Home Affairs Committee for information?

**Pauline McNeill:** I do not think that that would be necessary at the moment.

**The Convener:** So, we should write to the Lord Advocate to ask whether there are provisions under road traffic legislation to deal with other aggravations.

**John Scott:** I assumed that no such provisions existed, but if they do, then that is a fair suggestion.

**The Convener:** Do members agree?

**Members indicated agreement.**

15:45

**The Convener:** The next petition is PE305 from Mrs Dorothy McIlwraith, on behalf of the county federations of the Scottish Women's Rural Institutes. The petition calls on Parliament to ensure that proposed changes to the current benefits payment system will not lead to the closure of rural post offices.

We have received a whole series of similar

petitions and it was agreed at previous meetings that petitions that are identical to petitions that the committee has already received will be forwarded automatically to the relevant committee to be dealt with in the same way as earlier petitions.

This is such a case. The inquiry by the Rural Affairs Committee is almost complete—the clerks have passed the petition directly to the Rural Affairs Committee so that it can be included in its report as a supporting document.

Are members agreed?

**Members indicated agreement.**

**The Convener:** The final petition is from Mr Dougal Carnegie on behalf of the Scottish traditional music lobbying group. The petition calls on the Scottish Parliament to provide the necessary support and funding to promote traditional arts and culture in Scotland through their inclusion in the mainstream educational curriculum and the establishment of regional arts centres throughout Scotland.

The Education, Culture and Sport Committee will consider presently its work programme for the next year and it is possible that it might examine traditional arts and culture. In that context, it is suggested that the petition should be passed to that committee for consideration.

**Pauline McNeill:** I agree. Is it in order to send it to the proposed cross-party group on traditional arts, for members' information?

**The Convener:** We could certainly do that.

**Members indicated agreement.**

## Current Petitions

**The Convener:** The next item is responses to petitions that the committee has previously received, on which an additional paper has been circulated to members.

The first item is a response to the petition on asylum seekers that was received from Edinburgh Student Action for Refugees. Members will recall that we agreed to write to the Home Secretary and, after receiving the Home Secretary's response, we agreed to pass a copy of the petition and the response to the Minister for Justice for his comments on the treatment of asylum seekers in prison.

We have now received a reply from the Scottish Prison Service, which acknowledges that asylum seekers should not be held in prison. The SPS also states that the facilities in Scotland have been commended by a variety of groups, including detainees, the community relations council and others. Recently, Norman Godman—the local MP for Greenock and Inverclyde—was informed by the Home Office minister, Barbara Roche, that there are plans to provide a separate dedicated immigration centre in Scotland soon.

It is suggested that we should pass a copy of the response from the SPS to the petitioners and that we should take no further action, because the response appears to answer satisfactorily some of their concerns. I suggest that we should copy the response to the Social Inclusion, Housing and Voluntary Sector Committee, which is investigating asylum seekers in Scotland and which might be interested in the response for its information.

**Members indicated agreement.**

**The Convener:** The next response that we have received is in relation to PE248 from Robert Durward, which calls on Parliament to introduce legislation to compel slower drivers to use passing places. We passed the petition to the Minister for Transport and the Environment and copied it to the UK Minister for Transport.

As members will see, we have received replies from the Department of the Environment, Transport and the Regions and from the Scottish Executive. It is suggested that the committee should agree that the responses satisfactorily answer the issues that were raised by the petitioners, in relation both to landscaping and to passing places; that copies of the responses should be posted to the petitioners and that no further action should be taken. John, you do not look as if you are sure about that.

**John Scott:** I will have driven more than 100 miles to get here and back today and, on the way

here, I was stuck behind many slow moving vehicles, not the fewest of which were tractors. I must declare an interest, as I have been very frustrated by slow moving traffic.

The comments in the letter from the DETR might be all very well in relation to the south of England, but I am not entirely sure that such legislation should not be introduced for rural Scotland. The legislation would not necessarily have to be rigorously enforced by the police, because the police have always used their discretion—intelligently, in my view.

If a law existed that people were demonstrably and foolishly breaking, it would do no harm—pour encourager les autres, as they say—to draw off the road and allow the free flow of traffic.

**Ms White:** John Scott is right. One does get frustrated behind tractors and everything else, but public transport is available from Ayr and there is a good train service from Ayr to Glasgow.

**John Scott:** I was not in Ayr.

**Ms White:** Even if you were somewhere else, public transport is available. In all seriousness, how would the proposal be policed? That is my problem with the petition.

**Pauline McNeill:** I am somewhere between the two views. I realise that it is difficult to legislate but, as John Scott said, drivers become genuinely frustrated, which can be just as bad as driving at excessive speed. The committee considers petitions that deal with various problems on the roads. We talked about whether there should be a legal requirement to pull in when vehicles carrying blue flashing lights appear. We did not think that that would be practical, but there is a need for road awareness. This may be pushing our remit a bit, but I wonder whether we could tell the Minister for Transport that petitions keep coming in on issues that we think would justify a road awareness campaign, rather than legislation.

**The Convener:** The DETR's response suggested that it is not practicable to make pulling into passing places a legal requirement, because a driver could be prosecuted for not pulling over when he might argue that it was not safe to do so. It is hard for courts to decide on a legal remedy. Pauline makes a good point, however. We could refer the matter back to the minister to ask whether an awareness campaign is planned by the Government.

**John Scott:** I would accept that as a worthwhile suggestion in the first instance. However, I do not think that it will stop drivers who are predisposed to be selfish in their use of the road.

**Pauline McNeill:** Do you think that there is a specific issue about tractors, John?

**John Scott:** Yes, but there is also an issue about caravans. The serious issue is that not enough passing places are provided for drivers of such vehicles to draw off. There is a need to create more passing places—that is the root of the problem. That is why I think that the Transport and the Environment Committee might want to consider the matter. That committee could suggest to the minister that money should be laid aside to ease traffic flow and thereby reduce the risk of accidents. Many accidents are caused by frustrated drivers trying to overtake in unsuitable places. Such accidents might never have happened if the car in front had pulled off in the first place.

**The Convener:** I am advised to remind members that legislation to compel slow drivers is a matter that is reserved for Westminster.

**John Scott:** Now you tell us.

**The Convener:** However, we could, in the first instance, contact the Minister for Transport to ask about a road awareness campaign and whether there are any plans to increase the number of passing places. Based on her response, we could consider whether we need then to pass the petition to the Transport and the Environment Committee. Is that agreed?

**Members indicated agreement.**

**The Convener:** The next response is to petition PE263, from Ms Joan Higginson. The petition called on Parliament to investigate the handling of issues that were raised in previous petitions on the construction of the A701 and to present any recommendations to the Scottish Executive to ensure that individuals and local communities have input into future transport infrastructure proposals.

We agreed to pass the petition to the Minister for Transport. The response from the Scottish Executive indicates that the initial petitions were taken into account by Scottish ministers, although the petitioner claimed that they had not been. The Executive also answers the petitioner's queries point by point. The Executive states that information regarding cost alternatives and the business case for the road were not considered by Scottish ministers, as such matters are not material considerations that would be reviewed when determining planning applications. The response also states that, once Scottish ministers have decided not to call in an application, they have no further locus in the matter and cannot, under present planning legislation, hold an inquiry into a specific application after planning permission has been granted.

We could agree to pass a copy of the Scottish Executive's response to the petitioner and advise her that, should she wish to pursue her call for an

inquiry, she should address her concerns to Midlothian Council. The committee could then agree to take no further action, as it is not within the remit of the Scottish Parliament to interfere with the executive decisions of local authorities. Is that agreed?

**Members indicated agreement.**

**The Convener:** The final response relates to PE265, from Mr George McAulay, on behalf of the UK Men's Movement on the subject of false rape allegations. Members will recall that we agreed to seek further information from the Minister for Justice on the issue of anonymity of both victim and accused in rape cases. We have received a response from the Scottish Executive indicating that the rights of all people who are suspected of criminal offences are safeguarded by, among other things, the requirement that criminal proceedings should not be instituted unless the following two conditions are fulfilled: that there is a sufficiency of evidence—in Scotland that requires corroboration; and that it is the public interest to prosecute. Those safeguards ensure that criminal proceedings cannot be instituted for malicious or frivolous reasons. The Executive also states that there is a clear distinction between the accused and the victim because the accused is on trial. It is the identity of the alleged offender and the details of their offence, not the identity of the victim, that are important so that justice is not only done, but seen to be done.

If the committee is content with the arguments that are set out in the Executive response, we could agree to pass a copy of the response to the petitioner and take no further action. Alternatively, we could consider whether to pass the petition and the response to the Justice and Home Affairs Committee for further consideration of the issue of anonymity.

**Pauline McNeill:** I am not satisfied that saying that the person who is accused can be identified in the press does not contravene the European convention on human rights, given that such a person is innocent until proven guilty. Although I have no truck with the rest of the petition, I do not want to leave that issue until it is exhausted. I want to know whether the Executive is satisfied that the relevant articles of ECHR do not mean that the accused has the right to remain anonymous. The problem is that in some cases the victim is identified through identification of the accused.

**John Scott:** I would be happy for the response and petition to be passed to the Justice and Home Affairs Committee. However, that committee should take particular note of the Executive letter from George Burgess, because he makes the point clearly that there is no reason why the accused in a rape trial should have a greater right to anonymity than the accused in any other legal

proceedings. That is a valid point. I do not think that the case has been made that somebody who is falsely accused of rape should have greater rights to anonymity than any others who are accused of a criminal offence.

**Pauline McNeill:** We could say that everybody should have the right to anonymity. However, as we know from our visits to prisons around the country, sex offenders are separated from other prisoners and are treated differently by society. I do not feel too strongly about the matter.

**Ms White:** John Scott and Pauline McNeill have made valid points. Somebody could go to the European Parliament, but as John has said, there is no reason why one set of accused people should be separated from the others. However, as Pauline McNeill says, such prisoners are treated differently. How far do we take this?

**The Convener:** There are two options; we could pass the petition to the Justice and Home Affairs Committee and ask it to pursue further the question of anonymity for accused people or we could write to the minister. Would members prefer to send the material to the Justice and Home Affairs Committee and ask it to consider further the question of anonymity of accused people?

**Members indicated agreement.**



## Europe Familiarisation Scheme

**The Convener:** The final item is the choice of a delegate of the committee for the visit of the Scottish Parliament to the European Parliament. We are invited to nominate a member of the committee to take part in a familiarisation programme—that is being funded by the European Parliament—for a group of Scottish Parliament committee conveners and members. The visit is likely to take place next spring.

The purpose of the programme is to familiarise members with European legislative processes and the operation of the European Parliament. Much of the business of the Scottish Parliament is driven or affected by European legislation and policy and Parliament has obligations within European Community law. A good understanding of the European Union is important in helping members to work effectively in those areas. The European Parliament has a strong petitions committee, which is of particular interest to us.

**Pauline McNeill:** I nominate John McAllion.

**John Scott:** I second that.

**Members** *indicated agreement.*

**The Convener:** Thank you for your confidence.

Is there any other business?

**Pauline McNeill:** I wanted to apologise for putting the committee in the position of not being quorate at our previous meeting—that will not happen again.

**The Convener:** I thank everyone for attending the committee meeting. Finally, I offer our thanks to Glasgow City Council for the excellent facilities that it has made available to us this afternoon.

*Meeting closed at 15:59.*



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