

PUBLIC PETITIONS COMMITTEE

Wednesday 17 September 2003
(*Morning*)

Session 2

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PUBLIC PETITIONS COMMITTEE

4th Meeting 2003, Session 2

CONVENER

*Michael McMahon (Hamilton North and Bellshill) (Lab)

DEPUTY CONVENER

*John Scott (Ayr) (Con)

COMMITTEE MEMBERS

*Jackie Baillie (Dumbarton) (Lab)

*Helen Eadie (Dunfermline East) (Lab)

*Linda Fabiani (Central Scotland) (SNP)

Carolyn Leckie (Central Scotland) (SSP)

*John Farquhar Munro (Ross, Skye and Inverness West) (LD)

*Mike Watson (Glasgow Cathcart) (Lab)

*Ms Sandra White (Glasgow) (SNP)

*attended

COMMITTEE SUBSTITUTES

Frances Curran (West of Scotland) (SSP)

Susan Deacon (Edinburgh East and Musselburgh) (Lab)

Phil Gallie (South of Scotland) (Con)

Mr Rob Gibson (Highlands and Islands)

THE FOLLOWING ALSO ATTENDED:

Christine Grahame (South of Scotland) (SNP)

Andrew Powrie-Smith (British Lung Foundation Scotland)

CLERK TO THE COMMITTEE

Steve Farrell

ASSISTANT CLERK

Joanne Clinton

LOCATION

Committee Room 2

Scottish Parliament

Public Petitions Committee

Wednesday 17 September 2003

(Morning)

[THE CONVENER *opened the meeting at 10:01*]

The Convener (Michael McMahon): Good morning and thank you for attending the fourth meeting of the Public Petitions Committee in the second session of Parliament. We have received apologies from Carolyn Leckie, who cannot attend because of a family bereavement. We send her our condolences.

As usual, we have a full agenda, which we will try to get through as quickly as possible. A couple of members are pressed for time, so it would be useful if everyone bore that in mind.

For various reasons, two of the petitions on today's agenda have to be moved or deferred. Krystyna Ost, who submitted petition PE636, had requested to speak to the committee but cannot make it to the meeting this morning. She has sent the committee an e-mail outlining her concerns. I suggest that we move PE636 down the agenda and consider it after PE648, so that we can hear from speakers first. Mr Keith Cowan, who submitted petition PE644, also cannot make it to this morning's meeting. As he wants to speak to the committee, he has asked us to defer consideration of that petition. Does the committee agree to those changes to the agenda?

Members indicated agreement.

The Convener: We will still hear from speakers this morning: Christine Grahame MSP will speak to PE642 and Mr Andrew Powrie-Smith will speak to petition PE648 on behalf of the British Lung Foundation Scotland. We will take them first, before we come to the rest of the agenda.

New Petitions

Social Inclusion Policies (Bus Services) (PE642)

10:03

The Convener: Petition PE642, which has been submitted by Christine Grahame, calls on the Scottish Parliament to take the necessary steps to ensure that local authorities, when developing policies of social inclusion of the elderly, ensure the provision of an adequate bus service to essential lifeline services in the areas for which they are responsible.

Christine Grahame (South of Scotland) (SNP): Members will see that I have brought my thick yellow file with me—it is known as the bus file. PE642 is not really my petition, of course; I speak on behalf of the petitioners for convenience.

The population of the Scottish Borders has the largest proportion of elderly people in Scotland. They are living longer and want to remain active for longer, as we all do. Since privatisation and the deregulation of rural bus services, provision has diminished, and rural provision in particular. Rural routes are not as competitive as routes in urban areas.

The petition is affectionately known as the Meikle Street petition. The petitioners won a small victory and managed, through political pressure, to achieve a partial reinstatement of their route. In the Meikle Street case, many elderly people were living on a steep incline above Galashiels. They could see Galashiels but they could not get there, although the health centre, the post office, the supermarket and even the cinema were all in the town. If the bus route had gone, elderly people would have been excluded from those places. However, the reprieve for the route is only temporary.

The problem affects other places in the Borders, such as Maxton and Springwood, which have a substantial elderly population—indeed, Springwood is what is known as a retirement village. To be specific, 30 to 40 elderly people have almost no bus service to take them to essential services in Kelso or Galashiels. The town service in Peebles, which supports a large elderly population, is running at the moment only because the common good fund is being plundered to subsidise the service so that it does not run out of funds. Again, the loss of that service would deprive elderly people of access to health centres, post offices and other amenities that we take for granted.

The problem exists across the whole area, even in Penicuik. Ladywood loses its bus service in the

evening, between 6 and 7 o'clock. I suppose that elderly people are supposed to go home and crochet or cuddle up to a hot-water bottle. They are not supposed to have any kind of social life. I refer to the Borders, but the problem exists in all rural areas.

I accept that the fault lies in part with the council, which took a policy view not to subsidise town services. I know that that is not within the committee's remit. The council is conducting a reappraisal of bus provision in the Scottish Borders but it is not consulting the people. It is just using a consultant, who will report sometime in late October. The committee might wish to address that issue.

I do not want to take up too much of the committee's time. However, I would like to say that the issue is not just the provision of bus services but the quality of the buses. The bus fleet is elderly. Of the 53 buses in the fleet—in the Borders, the buses mostly belong to FirstGroup—about 24 are between 15 and 22 years old. One is more likely to see an oil-stained motor mechanic driving the First buses than to see a driver doing so. The buses are not reliable and they are not fit for purpose. Double-deckers go into housing areas and along narrow rural roads even though they are not at all suitable for those journeys.

The petitioners and I appreciate that there are restrictions on what the committee can do, but the petition asks the Parliament to ensure that when local authorities develop social inclusion policies—policies of which the Parliament and the Executive should be proud—they ensure that the provision of an adequate bus service is covered. Local authorities should have the duty and the funding to ensure that such a basic service is provided. Perhaps the reregulation of bus services, particularly in rural areas, should be considered. As one old person put it to me, "What's the point of a bus pass, Miss Grahame, if there isn't a bus?"

The Convener: Thank you. Do members have comments or questions that they would like to put to Christine Grahame?

Linda Fabiani (Central Scotland) (SNP): This is a general issue. We know that the Local Government and Transport Committee is considering other petitions about rural bus services. It seems a long time ago, but if I remember rightly, there is within the legislation an ability to be more forceful about what buses are put on and where, which is a form of reregulation. I cannot quite remember but I think that that was called contracting.

The case is straightforward. We should ask the Local Government and Transport Committee to consider the petition along with the others that it is examining in the wider picture of rural bus services.

Ms Sandra White (Glasgow) (SNP): I have a question about the temporary bus service that Christine mentioned. Do you or the petitioners know when that service will be taken off?

Christine Grahame: The problem for the service is that it has to prove a commercial case. It is run by another local bus company but it has to prove itself. The problem is that such routes will never be commercially viable.

Jackie Baillie (Dumbarton) (Lab): In an attempt to be helpful, I should point out that I think that the legislation that Linda Fabiani mentioned is the Transport (Scotland) Act 2001. Quality partnerships give local authorities powers over bus transport, particularly evening, weekend and rural services. I am glad that Christine Grahame acknowledged that a lot of these matters are the responsibility of local government, and I assume that appropriate representations have been made in that quarter.

Christine Grahame: Yes.

Jackie Baillie: I agree with Linda Fabiani. We should refer the petition to the Local Government and Transport Committee. I understand that there are a number of petitions that all have a similar underlying theme, although they relate to different routes. It would be helpful if that committee would take the petitions collectively and consider the principle rather than the specific routes.

John Farquhar Munro (Ross, Skye and Inverness West) (LD): As Jackie Baillie suggests, the problem affects the whole country, not just the Borders. I know that there is a significant problem in my area, the west Highlands, because I receive complaints about it daily.

If we make representations to the Local Government and Transport Committee, we should mention another issue concerning the transport of the elderly within our communities—the provision of the Scottish Executive's concessionary fares scheme. In the Highlands, the bus companies almost refuse to take people who use the scheme. The system seems to be that they load the bus with fare-paying and booked passengers. The poor individuals with concessionary fare vouchers are left to the end. In many cases, such people are prevented from getting on the bus, which is not how the Scottish Executive intended the scheme to operate. If we pass on the petition, we should say something about that.

John Scott (Ayr) (Con): I agree with Linda Fabiani that the problem exists throughout Scotland, not only in rural areas, but in urban ones. In my constituency, the number 14 bus service was cut, although it was reinstated following pressure as a result of the bus quality partnership agreement. The petitioners should not give up hope, because the issue is well worth

pursuing. The general problem should be referred to the Local Government and Transport Committee.

The Convener: The recommendation is that the petition should be sent to the Local Government and Transport Committee. The issue that John Farquhar Munro raised does not relate specifically to the petition, but I am a member of the Local Government and Transport Committee, so I know that it wants to consider such issues as part of its consideration of other related petitions that are before it. We will add this petition to the list.

Christine Grahame: Given the problems with bus services being cut, might the committee consider writing to the Scottish Borders Council to ask why it will not consult the people? There is a consultant, but people, too, should be consulted when a bus service is being developed—whether or not all their remarks are taken on board—to find out what the problems are on the ground.

The Convener: I am concerned that we do not have the authority to take that action.

Christine Grahame: Perhaps the committee could ask the council rhetorically whether it has consulted the people.

The Convener: As you have raised the issue on the record, the Local Government and Transport Committee will have to consider the matter when it considers the petition. A memo about our discussion and the points that have been raised will be sent to the Local Government and Transport Committee. It is for that committee, not us, to decide what to do with the petition and whether to accept your request.

Are members happy to send the petition to the Local Government and Transport Committee?

Members indicated agreement.

Ambulatory Oxygen and Pulmonary Rehabilitation (PE648)

The Convener: Petition PE648 calls on the Scottish Parliament to take the necessary steps to ensure that the national health service in Scotland provides truly portable oxygen and pulmonary rehabilitation classes throughout the country. Andrew Powrie-Smith is here to speak on behalf of the British Lung Foundation Scotland.

Andrew Powrie-Smith (British Lung Foundation Scotland): I thank the committee for giving me the opportunity to speak. I also thank the convener for receiving the petition—the petitioners thought that their views and questions were taken seriously.

The aspect of the petition on which I will concentrate is that of ambulatory oxygen, which is used in the treatment of chronic obstructive

pulmonary disease. As the Executive is making a decision on that issue, some points must be raised. COPD is responsible for around 3,000 deaths in Scotland each year and is 20 times more common than asthma. The prognosis from diagnosis is worse than that for cancer. For example, in Glasgow 63 per cent of people who are diagnosed with COPD will be dead within 5 years. The problem is huge.

Following a parliamentary question, the Executive indicated that it would provide ambulatory oxygen by the end of the summer. That has been revised to October. As members can see, a cylinder of ambulatory oxygen is of reasonably small proportions. The old cylinders, or the ones that are currently available, are the enormous black ones, which are four times the weight of the cylinder that I have with me, which was a struggle to bring up from the Grassmarket. The old ones were huge.

10:15

Our concern is that the Executive is planning to provide cylinders of ambulatory oxygen without a device that is called a conserver. A conserver releases oxygen only when a patient breathes in, which means that only a half or a third of the amount of oxygen that would be used without the conserver is used. That is a problem because, for us, the point of ambulatory oxygen is to give people the freedom to get out of the house rather than to keep them in, tied to a plastic tube. Ambulatory oxygen is about inclusion—it is about getting a big sector of the community back into society.

The cylinder that I have with me lasts two and a half hours without a conserver. Most of the socioeconomic group that is affected uses the bus or other forms of public transport. Someone who waits 20 minutes for the bus and has a half-hour bus journey can see their family for 20 minutes before they start panicking about getting back home quickly. We believe that giving people 20 minutes of time to get out does not amount to giving them portable oxygen.

Providing conservers would save money in the long run. They cost only a couple of hundred quid and, if they reduce by a half or a third the amount of oxygen that is used, they will make savings. We want the conserver to be included on the drug tariff as part of the system.

Liquid oxygen is another option. It sits on a belt-pack that is even smaller than a cylinder of ambulatory oxygen and it lasts six to eight hours. We have been told that its use is not possible for health and safety reasons. As Ireland, the United States, Spain and France have all managed to overcome those health and safety issues, we hope that we can overcome them as well.

The Convener: Thanks very much. Do members wish to ask questions?

Mike Watson (Glasgow Cathcart) (Lab): I want to ask Mr Powrie-Smith about the conserver, which he said costs about £200. I take it that the conserver is reusable.

Andrew Powrie-Smith: It is like a kind of regulator that sits on top of the cylinder; it is really just a complicated valve. It is a permanent feature.

The Executive has said that it will wait for 18 months after the introduction of ambulatory oxygen to see what the take-up is. If it lasts only two hours, I can tell members what the take-up will be. Why would anyone use it if it would mean they were hardly able to leave their house? The conserver is just a one-off buy that plonks on the top of the cylinder—forgive my technical language—and remains there permanently.

Mike Watson: The cost is £200 per person. How long, roughly, would a cylinder with a conserver last, with regular use?

Andrew Powrie-Smith: That depends on the flow. A cylinder with a conserver would last between two and three times longer than a cylinder without a conserver—from five hours up to seven hours.

Mike Watson: That could mean being able to get out for a day or a half day. How long would the conserver last? How many times could it be used?

Andrew Powrie-Smith: I do not know. It is a permanent piece of equipment. I could find that out and get back to the committee.

Mike Watson: It would not have to be renewed monthly or on a similarly frequent basis?

Andrew Powrie-Smith: No.

Mike Watson: I noticed that you have written to the Minister for Health and Community Care. Was the response to which you referred the one you received from the minister?

Andrew Powrie-Smith: The response to which I referred, which was given the day after we handed in the petition about ambulatory oxygen, was the minister's reply to a parliamentary question by Robert Brown. The decision was that ambulatory oxygen would be provided by the end of the summer. Since then, we have been speaking to the civil servants who are responsible for working out what kind of provision is necessary. It was from those discussions that our concerns emerged.

Mike Watson: You mentioned France and some other countries. Do they issue conservers widely?

Andrew Powrie-Smith: I mentioned those countries in relation to liquid oxygen, which is the optimum system. A person who used that system

would have a reservoir cylinder in their home and a small belt-pack that could last six to eight hours. We have been told that that system is not being considered on health and safety grounds.

Although there are problems with transporting liquid oxygen, other countries seem to have got round them. There are always reasons for not doing something—can we not work out a way of doing something?

Helen Eadie (Dunfermline East) (Lab): Will you tell us a bit more about the experience in other countries where ambulatory oxygen cylinders have been introduced? Has there been any research into that matter?

Andrew Powrie-Smith: In Europe, provision tends to be based on the liquid oxygen system, which is the ultimate system for the patient. We have examined what is happening in a number of other countries and discovered that there have been problems with delivering liquid oxygen because of health and safety issues. Moreover, there have been problems with transporting liquid oxygen up stairwells. In the systems that have worked abroad, people refill cylinders at pharmacies and take them home, which solves any delivery problems. That system is used in Spain and Ireland.

Ms White: I have a great deal of sympathy for the petition, because I know someone who suffered from pulmonary disease and could not get out at all. Although that person might have wanted to make visits, they needed a taxi to do so and taxi drivers were sometimes not so keen to take the huge equipment that needed to be brought along.

Mike Watson has already touched on a few of the questions that I was going to ask about the conserver. However, I have two other questions. First, the Executive said that it would be ready to supply cylinders through the NHS in July, but it has now moved that date to October. Do you have a date in October for when cylinders will be available? Secondly, did the British Medical Association or the Executive decree that the use of liquid oxygen was unsafe? If not, who did so?

Andrew Powrie-Smith: As far as the date is concerned, all we have been told is that the cylinders will be available on prescription through general practitioners in October. We do not have any specific dates at the moment.

We were made aware of health and safety concerns by the team of civil servants that investigated the provision of ambulatory oxygen. They have been consulting with the manufacturers.

Ms White: Did those civil servants consult the BMA, the hospitals or anyone else?

Andrew Powrie-Smith: I am afraid that I do not know, but I can certainly find out.

Linda Fabiani: I have a very quick question. Assuming that the system comes with the conserver—which is what you want—do you have any idea of the number of people in Scotland who would benefit from this measure?

Andrew Powrie-Smith: More than 3,000 people in Scotland receive long-term oxygen therapy. As they are the most severe cases, their homes will be equipped with a machine called a concentrator, which produces oxygen from the air and feeds it to a line from which they breathe. Those people are gasping for breath by the time they reach their front door and they need a lightweight system that will allow them to leave their homes. Carrying a heavy cylinder around does not work and leaves people trapped in their homes.

John Scott: I welcome the fact that you have brought this petition to the committee. From local representations in Ayrshire, I know how strong your case is.

From my understanding of the situation, the provision of ambulatory oxygen could mean huge cost savings for the health service. As a result, I recommend that we write to the Scottish Executive and seek further information on how it will implement the system for making ambulatory oxygen cylinders available on the NHS. We should also find out whether any such system is expected to meet not just the basic clinical requirements of people with respiratory diseases, but their social inclusion needs.

We should ask the Executive about its position with regard to accessibility of pulmonary rehabilitation programmes and whether it is satisfied that current provision throughout Scotland is adequate. Perhaps we should also ask the Scottish intercollegiate guidelines network whether it has plans to include information on pulmonary rehabilitation programmes for the treatment of people with chronic obstructive pulmonary disease.

The Convener: Those are strong recommendations.

Jackie Baillie: I agree entirely with those recommendations, but would like to add one. Given that a decision is about to be made about the £200 conserver, which would make a huge difference to people's quality of life, that should be the headline item in our letter to the Executive.

The Convener: Given what we have heard this morning, we should take on board the information about the decision that was based on health and safety grounds. I suggest that, along with the other points that we have made, we ask the Executive who made that decision, where the information

came from and whether the matter is being reconsidered.

Ms White: I was going to suggest that we ask how the civil servants came to their conclusion.

The Convener: Do we agree to the recommendations?

Members indicated agreement.

Legal System (Complaints) (PE636)

The Convener: We have no more petitioners this morning, but we still have a number of petitions to consider. We agreed earlier to consider petition PE636 from Krystyna Ost, which calls on the Scottish Parliament to investigate the alleged unfair bias exercised by the parties to whom complaints relating to the legal system in Scotland are made.

The petition is prompted by the petitioner's experiences whereby a complaint against a member of the legal profession was not upheld by the Law Society of Scotland. Subsequent attempts to redress the situation through correspondence with the legal services ombudsman, the Prime Minister, the First Minister, the Minister for Justice and the Parliamentary Commissioner for Standards at Westminster have all failed. The petitioner has provided copies of letters to those individuals by way of explaining how she proceeded. Having explored all those avenues, the petitioner has brought the matter to the committee. I am interested to hear members' comments.

Helen Eadie: Given that the Law Society of Scotland has recently announced a new process for handling complaints and that the regulation of the legal profession has been the subject of an extensive inquiry by the Justice 1 Committee, which is unlikely to conduct a further inquiry, perhaps we should draw a line under the petition and take no further action.

The Convener: Do members agree to that?

Members indicated agreement.

The Convener: We shall write to the petitioner with that information.

Waste Water Treatment (Control of Odours) (PE645)

The Convener: Petition PE645 in the name of Mrs Norma Rutherford calls on the Scottish Parliament to take a range of steps to ensure the control of offensive and noxious odours from waste water treatment works.

The petition is prompted by the petitioner's experience of the Kirkcaldy waste water treatment works, which she claims has had a detrimental

effect on the community's health and quality of life since it began operating in September 2001. She also claims that the original plan stated clearly that there would be no odour emissions from what is said to be a state-of-the-art plant. Scottish Water is now unable to eliminate the problem, despite trying a number of measures such as chemicals, peat and shell beds and sealing off buildings.

Jackie Baillie: I have had exactly the same experience with the new waste water treatment works at Ardoch in Dumbarton in my constituency, so I sympathise entirely with what the petitioner is calling for. I understand that the Environment and Rural Development Committee has considered a similar petition and I wonder whether we should send this petition to that port of call with the strongest push for having that committee's view on the issue quickly, which we would welcome.

The Convener: You would benefit from that, too.

Jackie Baillie: Absolutely. I declared my interest, which was coincidental.

Helen Eadie: The same issue has been raised in my area, too.

The Convener: The subject is of general interest and many people are concerned about it.

John Scott: The problem is becoming more prevalent throughout Scotland. In the past, one managed to live with it, but that is no longer acceptable.

Mike Watson: Perhaps the most worrying aspect is that the treatment plants are new. We are not dealing with worn-out equipment that needs to be replaced. The equipment has been described as state of the art; if so, that state is unacceptable.

John Scott: The equipment is unacceptable because it has obviously failed in one environmental respect.

The Convener: As Jackie Baillie said, the Environment and Rural Development Committee is aware of the issue, so it would do no harm to send the petition to that committee and say that it is another petition that we would like that committee to pay attention to. Do members agree to that course of action?

Members indicated agreement.

John Farquhar Munro: I agree with the recommendation of passing the petition to the Environment and Rural Development Committee. As Jackie Baillie said, we should give that committee an extra push.

The Convener: Does everyone agree to our sending a memo to that effect?

Members indicated agreement.

Licensing (Scotland) Act 1976 (PE646)

10:30

The Convener: Petition PE646 is from Steve Ratcliffe and calls on the Scottish Parliament to investigate the relevance of the Licensing (Scotland) Act 1976 and to take the necessary steps to amend the legislation to give licensing authorities greater control over individuals and premises when regulations are breached.

Announcements will be made today about licensing law, so the petition is topical. It was prompted by the petitioner's concern that licensing laws do not help licensing authorities to control those who sell liquor to under-age drinkers. The petitioner is concerned that when a licence is suspended by a licensing committee, it may be taken out again for the same premises by a different named individual. He argues that a licence should be granted to the premises and a responsible individual, which would allow courts, when a regulation is breached, to suspend an individual or ultimately the premises from holding a licence. That is a worthy intention. What are the committee's views?

Ms White: I agree with much of Mr Ratcliffe's proposal. My only comment is that we will debate licensing law and the Nicholson report this afternoon, but that is not a problem, because the pertinent issues that the petition raises could be discussed in the debate. The Nicholson report recommends some of Mr Ratcliffe's ideas, so we cannot take the petition forward—we will have to note it. Events have overtaken the petition. I recommend that we take no further action on it, because we will debate licensing law this afternoon and because the Nicholson report incorporates most of Mr Ratcliffe's ideas.

Linda Fabiani: Mr Ratcliffe has done a lot of thinking and much work on the petition. He has encapsulated many concerns. The Executive is considering the Nicholson committee's review of licensing law, so we should pass the petition to the Executive and ask it to take on board Mr Ratcliffe's comments.

The Convener: Jackie Baillie told me that she intended to suggest that, too.

Linda Fabiani: We are all being consensual this morning.

The Convener: That is exactly how the committee should be.

We have two recommendations. One is that we take no action, but is Sandra White happy for Linda Fabiani's suggestion to be followed?

Ms White: Yes. That is not a problem. Licensing law will be dealt with this afternoon.

The Convener: There is no harm in sending the petition to the Executive for its consideration.

Mike Watson: Given Mr Ratcliffe's attention to detail, it would be astonishing if he had not made or did not intend to make a submission to the Executive on the Nicholson report. However, we could reinforce his view by passing on the petition officially.

The Convener: Is everyone happy with that?

Members *indicated agreement.*

The Convener: We will pass on the petition.

Scottish Agricultural College (Restructuring) (PE653)

The Convener: Petition PE653 is from Charlotte Gilfillan on behalf of students and staff of the Scottish Agricultural College. It calls on the Scottish Parliament to consider the issues that relate to the decision of the college's board to relocate its education and research services to Edinburgh, contrary to the Executive's policy of job dispersal from Edinburgh and to the detriment of the college's ability to provide services for rural communities throughout Scotland.

The petition outlines concerns about the SAC's plans for rationalisation, including the closure of two of its campuses, at Craibstone in Aberdeen and at Auchincruive in Ayr, and centralisation of its educational, research and development activities in Edinburgh. The petitioners argue that the proposed changes are unworkable. It is a topical petition. Do members have any views on it?

Helen Eadie: I am a bit concerned about what the petition says about the Executive's policy on dispersal of jobs. I have constituents who work for Scottish Natural Heritage and have been involved in the battle over that organisation's proposed move out of Edinburgh. I support the Scottish Executive's view that there should be relocation to rural areas, but we must also ensure that we are sensitive to personnel issues.

With the SAC, the reverse is happening. It appears that the policy is to bring people back into the centre of Edinburgh, which seems perverse. That is a point that we ought to make in representations to the Scottish Executive. We need to ask what is happening. I do not know what other members think, but that is one of the concerns that I would like to raise.

John Scott: I agree with Helen Eadie that it is absolutely perverse that the SAC board is proposing to fly in the face of a Government policy—that of job dispersal to rural areas—that is universally agreed in this Parliament to be sensible. I believe that announcements were made in that regard yesterday, when the Minister

for Environment and Rural Development issued a press release in response to a statement issued by Dr Maitland Mackie of the SAC board. The press releases all confirm that the SAC intends to promote a hub-and-satellite approach, which in the long term will probably mean the run-down of services and the eventual closure of SAC Auchincruive and SAC Craibstone.

The minister said in his press release that he welcomed the "direction of travel" that the SAC has taken. Apparently, there will be a small amount of additional educational provision at Auchincruive, but my view is that that does not go far enough. At the moment, more than 50 per cent of the SAC's students come to Auchincruive in Ayr. The enrolment numbers this year are up by 10 or 15 per cent despite all the adverse publicity. People are voting with their feet to go to Auchincruive.

The Environment and Rural Development Committee must re-examine the matter. I do not believe that we can accept the situation that the SAC has presented us with, which, as Helen Eadie and other politicians of all parties have said, flies in the face of common sense. I would be interested to hear the views of other members. If colleagues would like a copy of the minister's press release or of the SAC's press release, I am happy to provide them. There is also a letter, which Professor McKelvey sent to politicians yesterday.

Mike Watson: I have not seen the press release that John Scott has referred to, so I do not know what else Ross Finnie has said. It would be helpful if the minister were to give some direction on the issue. It is my understanding that the Scottish Agricultural College is directly funded by the Executive; it is not funded by either of the funding councils.

John Scott: It is funded by the Scottish Executive Environment and Rural Affairs Department.

Mike Watson: The situation is not the same as that of other institutions. If Heriot Watt University, to use my alma mater as an example, were to find itself in a similar situation, there would be a greater devolved responsibility.

Given that, as Helen Eadie has said, the same minister is involved as is the case with Scottish Natural Heritage, it is incumbent on him to draw to the college's intention—if he has not already done so—what the job dispersal programme is about and what it is trying to achieve.

I have been lobbied by constituents who work at the college on the issue of what the college's board of management is doing. I know that we received the petition in June and that the convener wrote to the college, or to the principal—I am not sure which. Have you received a reply?

The Convener: The information that we got back was that the college noted the petition and would look for further information. There is no response to the petition.

Mike Watson: We now understand from press reports that the board of management has postponed the decision.

The Convener: My understanding is that there is a suggestion that the decision has been deferred.

Mike Watson: That would be helpful, as it would give us some room for manoeuvre.

It is important that we go beyond the issue of the education and research services and consider the wider question of the future of the college and its rural base. I understand that it is driven by financial considerations but its decision seems to be a strange one. I suggest that we formally refer the petition to the Environment and Rural Development Committee.

John Scott: Although the convener believes that a decision has been deferred, I do not believe that to be the case. The Minister for Environment and Rural Development's press release states:

"I am content that SAC should now press on with their intention to undertake more detailed business planning and I look forward to receiving their business plans in due course."

The press release also states:

"I would also expect them to work closely with local authorities, the Scottish Enterprise network and other organisations to find alternative uses for the Auchincruive and Craibstone campuses."

That seems to signal the end of those campuses. I am not happy with that situation. In light of the views that committee members have expressed I expect that they might not be happy with it either, given the job dispersal programme to which Mike Watson and Helen Eadie have referred.

The Convener: We could add that point to the recommendation that has been made: we could send the petition to the relevant committee and ask for clarification from the Scottish Executive on the point that John Scott has raised, so that we know where we are on the decision.

Mike Watson: Perhaps we also need clarification from the college about where it stands. Has it made the decision or will it reconsider the matter?

The Convener: Is everyone happy with those suggestions?

Members indicated agreement.

Current Petitions

Crime Victims (PE408)

10:44

The Convener: We now move to consideration of current petitions, which are those on which we have already made some progress.

The first petition is PE408, from Ms Aileen McDermott, on support for victims of crime. The petition called for more information, support and advice to be provided for victims of crime and their families. The petition was prompted by the circumstances surrounding the death of the petitioner's sister, Marilyn McKenna. Some members may be aware of the case and that might help the discussion. Unfortunately, I am not aware of the details of the case, but other committee members could perhaps provide some information.

The Public Petitions Committee considered the petition in the previous session, on 25 March 2003. It was agreed to seek the petitioner's comments on the range of steps that the Executive had already taken in relation to the concerns that she had raised. Members should note that the petitioner has responded and broadly welcomes the steps that the Executive has taken on the treatment of victims of crime and their families, although she is still concerned about the delay in settling some claims for criminal compensation. The petitioner also seems unsure about the practical operation of the new procedures on protection from harassment. The petitioner also has some concerns about sentencing policy; it seems worth pointing out that the Scottish Executive is addressing such issues through the sentencing commission, so that is another issue that is being considered.

Do members have views on the issues that are still outstanding as far as Ms McDermott is concerned and on what we should now do with the petition?

Jackie Baillie: The petitioner acknowledges that, since she first submitted the petition, the Executive has taken considerable steps in its work for victims generally and victims of harassment specifically. The petitioner's correspondence indicates that she is broadly content with the steps that have been taken.

Issues arise over the practicalities of the operation of the new procedures. The operation may need to be spelled out more clearly and I wonder whether we could ask the Executive to provide the petitioner with that kind of practical information. In light of the petitioner's response, we should take no further action. As you rightly

pointed out, the Executive will be considering sentencing in its broadest context through the proposed sentencing commission.

The Convener: Are members content with that?

Members *indicated agreement.*

Tolls (Trunk Roads) (PE445)

10:45

The Convener: The next petition is PE445, from the Scottish Peoples Mission, on the Skye bridge. This petition came from Robbie the Pict, who made a presentation in support of it on 25 June 2003. The petition argued that no lawful tolling regime is in place, that any attempt to demand tolls is a criminal offence, and that there is no basis for prosecution of the public. Having listened to the petitioner, the committee agreed not to pursue his concerns on the legal status of the documents in question, on the basis that the courts had ruled that they were valid. However, we agreed to write to the Executive to ask it to provide details of the proposed review of bridge tolls in Scotland, and to ask it how it proposes to approach the issue of negotiations to end the toll regime for the Skye bridge.

The Executive has responded, indicating that initial discussions have been held with Skye Bridge Ltd to

“outline the proposed review and to explore ... options for the future of tolling.”

It says that “detailed financial information” provided by the company is now being considered.

The Executive makes clear its commitment to examining

“all the possible options for ending the existing toll regime”

and to finding

“the best possible solution in terms of both Bridge users and the wider Scottish public.”

The Executive is also

“considering the implications for the other tolled bridges in Scotland.”

It says that, although it is

“too early to speculate about the eventual outcome of the review”,

these matters are being taken forward

“as a priority”.

John Farquhar Munro: The petitioners have made their case over many years and have not succeeded in getting the courts to agree that the documents are not legal. This has been through every court in the land. We have heard the petition previously at the committee and we now have the

response from the Executive, which is taking this forward “as a priority”. At our previous meeting, we decided that we should leave it to the Executive to take negotiations forward. We should maintain that position.

Ms White: I hear what John Farquhar Munro says. We have been considering this matter over a number of years and the petitioners have gone to every court in the land to try to get questions over the legitimacy of tolls resolved. We have now passed that stage. When he says that the Executive is considering this, I wonder whether John is suggesting that we should also keep an eye on this petition as it goes through the Executive’s process, so that we can learn whether anything comes up regarding costs. You mentioned “detailed financial information”, convener. I suggest that we certainly should keep an eye on the petition, although I do not know whether John was suggesting that too. I would like to know what comes out of consideration of the financial information that the company has provided.

The Convener: We are now hearing different recommendations. One is that we monitor the petition and the other, from John Farquhar Munro, is that we should say that that is that. I am sure that, as the local MSP, John will keep an interest in the matter. It is not that we will not hear about it again. The question is whether the committee should take action.

Helen Eadie: I support John Farquhar Munro’s position. It is always important to pay particular regard to the local member when he or she is involved in something such as this. The committee has undertaken a lot of work on this subject—in the previous session as well as this one—so I think that we should draw a line under it. We should agree with John’s recommendation.

I come over the Forth road bridge every day so I am glad that the Executive is also committed to considering the implications for other tolled bridges in Scotland. I presume that someone is going to come in and say the Erskine bridge—

Jackie Baillie: The Erskine bridge.

Helen Eadie: We said that in chorus.

Jackie Baillie: Indeed.

The Convener: Interesting effect.

Helen Eadie: I am content with what John Farquhar Munro proposed. I will support that view.

The Convener: Do the rest of the committee concur with that view? I know that Sandra White takes a different view of the matter.

Ms White: No. I was simply seeking clarification of what John Farquhar Munro said.

The Convener: In case there is another point that needs clarification, I will take Linda Fabiani before I ask John Farquhar Munro to clarify.

Linda Fabiani: What the Executive has come back with is all fine and well, but it does not relate to the basis of PE445, which is concerned with the legal basis of the ability to charge tolls. There is no merit in the committee pretending to maintain an interest in the original petition by asking the Executive to keep us informed about its progress on the abolition of tolling. Rightly or wrongly, our consideration of PE445 has reached a natural end. There is nothing more that we can do. I hope that MSPs such as John Farquhar Munro who represent the local area and other MSPs who deal with transport issues will scrutinise what the Executive does about the tolling regime on the Skye bridge.

As the process develops, further information could be released that might relate back to PE445. If so, that could be taken up at the time. There is no merit in our pretending to continue the petition when the Executive response does not reflect the basis of the petition. To do so would only be patronising.

The Convener: Do you want to make another comment, John?

John Farquhar Munro: No. At its previous meeting, the committee made the point that PE445 has been considered fairly extensively by the Scottish Executive, by our parliamentary committees, at Westminster and in the courts. That position has been repeated today. Every time we consider the issue, we end up in a situation in which there is no acceptance of the illegality of the tolling regime. That is the position in which we have found ourselves over the past four or five years. If we were to continue down this road, we would find ourselves in the same position again in three or four years' time.

As everybody knows, the partnership agreement contains a commitment to address the issue of tolls on the Skye bridge, and on other bridges. I keep asking the Minister for Transport about the current position. His answer is similar to that which is set out in the Executive response to the petition, which is that a debate is on-going.

Nobody will say how much it will cost to buy out the toll regime. Indeed, it would be remiss of the Scottish Executive or the Scottish Parliament to put a definitive figure on it at this stage while negotiations continue to be held.

I suggest that we adhere to the position that was stated previously and accept the recommendations that are presented to us today.

The Convener: Does the committee agree with that position?

Members indicated agreement.

Community Volunteers (PE447)

The Convener: The next petition is PE447 on social inclusion partnerships. The petitioners called for the Scottish Parliament to take the necessary steps to put in place across Scotland all necessary structures and regulations to ensure that local community volunteers are able to develop or pursue local health and social inclusion projects in parallel with, or independently of, the strategic objectives of statutory agencies.

The petition was prompted by the petitioners' concern that successful projects that were being run by the Clydebank health alliance had broken down as a result of the strategic policies of the statutory agencies, including West Dunbartonshire health strategy group. Members will note that the predecessor committee considered the response from the Executive, which was of the view that, in this case, an unfortunate situation had arisen where some of the people in two of the nine SIP areas in West Dunbartonshire wanted to use the SIP funding for their own areas and priorities. The Executive said that local priorities were not being ignored so that national priorities could be pursued. The Executive believed that the SIP had allocated funding for its agreed health priorities over the whole SIP area.

The committee agreed to seek the views of the petitioners and Des McNulty MSP—who supports the petition—on the Executive's response. The responses that were received refute the Executive's claims and say that the Executive's response contains inaccuracies. Mr McNulty highlighted his concern that

"excellent projects were being discontinued under the pretence of responding to concerns across the SIP when in fact the trigger came from Greater Glasgow Health Board seeking to meet its own priorities rather than from the communities concerned."

He stated:

"As a result of this process, a much valued project was lost"

and it seemed to him

"that the outcome of the change, even looking at the impact on the broader work of the Social Inclusion Partnership, has been a worsening of service".

Jackie Baillie: I declare a slight constituency interest, as my constituency is within West Dunbartonshire.

My colleague Des McNulty stated:

"excellent projects were being discontinued under the pretence of responding to concerns across the SIP when in fact the trigger came from Greater Glasgow Health Board".

I take that very much to heart. There needs to be a challenge. The whole basis of urban regeneration is that a bottom-up approach should be taken and that communities in which one seeks to effect

change are engaged with. The case seems to involve a large agency's priorities dominating something that could happen at a local level. Principles are therefore involved that go beyond the specific circumstances of the case in question and those principles are worth exploring.

I wonder whether we should refer the petition to the Health Committee on the basis that a bottom-up approach should be taken with such health projects. I understand that it is a priority that ministers should be committed to including people in the development of their services. This case does not represent an example of the good use of inclusion policy.

Linda Fabiani: For part of the previous session, I was a member of the Social Justice Committee, which is now the Communities Committee. A general study of SIPs was conducted in the previous session and I think that there was an intention to revisit that study at some point in the current session. Sending the petition to the Communities Committee, too, might be worth while if that committee wants to consider the wider aspects of SIPs, how they operate and the procedures under which they operate with respect to statutory agencies. If that committee decides to reconsider SIPs in general in order to complement the original study, it can consider the petition.

Mike Watson: I think that Linda Fabiani is referring to community planning partnerships, which are to be introduced in April next year. The integration of SIPs will be involved. I see the benefits of doing what Linda Fabiani suggests, but can we refer the petition to two committees simultaneously?

The Convener: I was going to suggest that we refer the petition to the Health Committee and ask it to liaise with the Communities Committee.

Linda Fabiani: Absolutely.

Mike Watson: I was a bit dubious about our sending it to two committees at the same time.

The Convener: I do not know whether we should send it to two committees, but perhaps we should send it to one committee and ask it to—

Linda Fabiani: We could just send it to all of them.

Jackie Baillie: I am not convinced that there is a problem with the SIP, which is why I made play of the point in Des McNulty's letter. Des McNulty has clearly identified a problem with the differing priorities that are set by Greater Glasgow NHS Board. The SIP is incidental to the matter—it was the vehicle by which things happened.

Linda Fabiani: Perhaps similar things are happening to others. My suggestion might be an option.

The Convener: I take on board what Mike Watson says about sending the petition to two committees. We could send it to the Health Committee and ask it to liaise with the Communities Committee about wider SIP issues where that is appropriate. Perhaps we could say to the Health Committee that if it thinks that there is a wider issue, it could ask the Communities Committee to look into it. Do members agree with that approach?

Members indicated agreement.

Water Industry (PE469)

The Convener: Petition PE469, from Mr Phil Traish, on the water industry in Scotland, called on the Parliament to take the necessary steps to resist privatisation and fragmentation of the water industry in Scotland.

The previous Public Petitions Committee considered the petition on 26 February 2002 and agreed to write to the Executive to request its views on it in the light of the passing of the Water Industry (Scotland) Act 2002. The Executive's response, which is dated 15 November 2002, has only just been received by the clerks following the issue of three separate reminders.

The Executive, in its response, states its position that a strong Scottish Water, as created by the Water Industry (Scotland) Act 2002, will ensure a strong and efficient public sector water industry. It also states that Scottish Water will be best placed to make the necessary investments to improve water quality and environmental protection standards while easing pressure on charges for customers. It makes clear that there is nothing in the act or in the subsequent Water Environment and Water Services (Scotland) Act 2003 that will lead to the fragmentation or privatisation of the industry.

I am a bit concerned that the Executive needed to be reminded three times before it responded and I think that we should take that on board from the outset. However, I would like to hear members' views on the general matter.

11:00

John Scott: I agree that it is unacceptable that the Executive should need three reminders before providing a response.

Having served on the Transport and Environment Committee when the bills were being considered, I can say that it is clear that there is absolutely no likelihood of privatisation. That is not really an issue. There is a political point to be made, of course, as I am not entirely sure that the Executive is correct when it says that the Water Industry (Scotland) Act 2002 will ensure a strong

and efficient water industry. However, I am sure that it will ensure that we do not have a privatised water industry. Whether that is of great benefit of communities and businesses in Scotland is yet to be decided, but it appears to be the case. I do not think that the industry will be privatised.

The Convener: Restrain yourselves, folks. It might be tempting to respond to that point, but I would ask for comments on what we should do with the petition. Do we draw a line under it, given that relevant acts have been passed and the fact that the issue was fully debated in that process?

Members indicated agreement.

Multiple Sclerosis (Respite Homes) (PE572)

The Convener: Patrick and Jennifer Woods submitted petition PE572, on the provision of respite homes for sufferers of multiple sclerosis. They called on the Scottish Parliament to investigate whether there is adequate provision in Scotland of respite homes with no upper age limit for sufferers of MS and other disabling conditions.

The petition was prompted by the petitioners' concerns surrounding the decision by the Multiple Sclerosis Society Scotland to close its holiday respite care centre at Holmhill, Grantown-on-Spey, and the failure to provide an adequate period of time for consultation and debate on the issue.

The petition was considered on 17 December 2002. It was agreed that the Executive's comments should be sought on the range of issues raised in the petition and that the MS Society Scotland should be asked to provide details of its formal position in relation to the proposed closure at Holmhill and of its policy on the provision of respite care and short breaks for MS sufferers. Responses have now been received.

The Executive says that it has provided new funding of £11 million for respite services, which should help local authorities to provide an additional 22,000 weeks of respite across Scotland each year by 2004. The Executive expects older disabled people, including people with MS, to benefit from this measure.

The Executive also explains that respite care will, in the main, be regulated and registered by the care commission and that service providers will be subject to the statutory requirement to provide notice of a cancellation of registration to users and their families. This includes the requirement to ensure that users of the service at that time will continue to receive a similar service.

The Multiple Sclerosis Society Scotland provides full details of the background to the closure of its respite facility at Holmhill, making clear that this

was an extremely difficult decision that was taken after lengthy consideration and consultation and a thorough review of its two similar homes in Scotland. It explains that the review confirmed that Holmhill had been underused for many years and that none of the alternative uses that were considered proved to be practically or financially viable. It was decided that much better use could be made of the resources that were used to run Holmhill. The society says that the closure of the facility has allowed it to make improvements to its other activities, including an increase in the number of specialist nurses.

However, the society expresses the view that specialist respite care in Scotland for those with MS is poor and says that many young adults with the condition have to take places in homes for the elderly.

Linda Fabiani: Respite care in general is an important issue. All members, no matter what part of the country they represent, will have heard complaints about lack of respite care. The Executive has said that it is dealing with the problem and it will be interesting to see how the situation pans out.

However, the petitioners deal specifically with MS sufferers, pointing out that the type of illness that they have and the age range of the sufferers make them a special case. It would be worth sending this petition to the Health Committee and asking it to decide whether the issue of respite care for MS sufferers should be examined. The Health Committee should make that decision rather than this committee recommending that such an examination be undertaken, because members of the Health Committee have broader knowledge of what is going on in the sector and in relation to the Executive's plans for respite care.

Ms White: I agree with Linda Fabiani. Having read the evidence of the two petitioners and the MS Society, it seems obvious to me that everyone is concerned about trying to find the best way forward for people who suffer from MS. I am very concerned, as I think everyone is, to know that young kids are being put into old people's homes. That does not happen just with MS, but with other forms of respite care too. I echo what Linda said. We should send the petition to the Health Committee for its consideration.

The Convener: Are members content with that recommendation?

Members indicated agreement.

Legal Aid Certificates (PE610)

The Convener: Petition PE610 from James Duff, on the conditions of acquisition of legal aid certificates, called for the Scottish Parliament to investigate how legal aid certificates acquired by

members of the Scottish legal profession for their clients are granted and disposed of when cases involve alleged fraudulent conduct by members of the legal profession.

The petitioner submitted this, his seventh petition at that time, following a lengthy history of dispute regarding the handling of the sequestration of his estate and that of his firm by various sections of the legal profession since 1984. The previous six petitions, also in connection with Mr Duff's sequestration, related to complaints against solicitors and the police, judicial appointments and the alleged failure of current bankruptcy procedures. The Executive responded by indicating that currently all legal aid accounts are carefully scrutinised by the Scottish Legal Aid Board. It also confirmed that some of the concerns that were raised in the petition will be addressed as part of the package of proposed reforms of civil legal aid. Those reforms will require solicitors to report to the board when a particular procedural stage passes, and in lengthy cases to submit a report every 12 months. That will allow the board to assess whether legal aid should continue, and take action where cases drag on without good reason. The Executive considers that an inquiry along the lines suggested by the petitioner is therefore unnecessary. Does the committee agree? I see a lot of nodding, but I do not hear anything.

Jackie Baillie: The difficulty with any of those cases is to look beyond the individual circumstances to the principles that the petitioner is raising with us. I agree that the Executive has plans to address many of the concerns that the petitioner has raised, and on that basis I suggest that we do nothing further with this petition, because some of the measures, particularly the reporting to the board, the requirement for solicitors to report at particular procedural stages, and indeed to submit a report once a year, would take care of many of the points raised, which relate back to the petitioner's claim that a certificate for legal aid, which was issued to a firm of solicitors in 1991 for the purposes of defending his heritable property, was withdrawn in 1996 when the firm failed to put up any defence on his behalf.

I think that what the Executive has told us covers those principles.

The Convener: Is everyone happy with that?

Members indicated agreement.

Disciplined Fitness (PE612)

The Convener: The next petition is PE612, by Thomas Ross, on the effects of disciplined fitness on children's health. The petitioner called for the Parliament to ask the Executive how to discuss

and consider the effects of disciplined fitness and how it could result in improvements to the psychological and physical health of children and to their social and moral behaviour.

The petition was prompted by the petitioner's belief that problems such as the lack of concentration of children at school, bullying and violence could be addressed by implementing and encouraging a fitness and discipline programme in Scottish schools, based on sports such as boxing and football.

Our predecessor committee considered the petition on 18 March 2003 and agreed to write to the Scottish Executive seeking its comments and an update on developments with the physical education review group.

The Executive's reply indicates that publication of the group's recommendations was expected during the summer period, although the clerks have established that this has now been delayed until around the end of the year. The response makes it clear that the petition has been passed to the group to allow it to take into account the views expressed in relation to disciplined fitness.

Do members have any suggestions, other than asking members of the Scottish Parliament to take up boxing and football to introduce a bit of discipline into the proceedings?

Helen Eadie: Jackie Baillie and I are sitting here thinking that we would have loved boxing and football at school.

Jackie Baillie: Do not include me in your fantasies, Helen.

The Convener: Does Linda Fabiani have something sensible to say?

Linda Fabiani: My comment is not sensible either. I would simply like to state, on behalf of all the non-sporty types, that I hated every minute of physical education at school. I hated being forced into it. It made me miserable. I have grown up to be fairly fit and am very disciplined.

The Convener: Very good.

Mike Watson: The idea of using football to impose discipline is perhaps questionable, in the light of recent events. However, there is a serious point underlying the petition. Regular physical activity in schools is a good thing for all sorts of reasons—

Linda Fabiani: For some people.

Mike Watson: I do not agree. To say, "Fit in body, fit in mind" is to make a generalisation; however, I do not think that there is enough physical activity in schools. Part of the reason for that is that not enough time is made available for it on a regular basis. I am a firm believer in schools

allocating two hours a week to physical activity as a minimum, but few schools—primary or secondary—reach even that. There is general acceptance that physical activity is a good way in which to promote healthier lifestyles. I am not talking about competitive sport: there is a difference. I am not advocating competitive sports.

Linda Fabiani: Nice gentle walks. I could go for that.

Mike Watson: It could be dance or another non-sporting physical activity. The physical education review group will deal with those issues, and on that basis I do not think that there is any further action that we could usefully take at this stage.

John Scott: I agree with Mike Watson that there is a serious aspect to the petition. Whether it is competitive or not, physical exercise is vital to the proper development of young people. With the obvious problems of obesity among the young nowadays—I make no reference to any members of the committee—that are storing up health problems for the future, we should be very much in favour of exercise in schools.

Helen Eadie: John Scott makes a good point about storing up problems for the future. The Westminster Government is promoting cycling to school, and the Scottish Executive is trying to encourage such activity, too. That is exactly the kind of thing that we should encourage young people and their families to do. The UK Government is to be congratulated on that initiative, and we should do more to encourage cycling to school in Scotland by providing more resources for special bicycling lanes, and so on.

The Convener: We see the worth in the petition, but there is nothing more that we can usefully do on it. Is everyone happy with that?

Members indicated agreement.

Renewable Energy Projects (Funding) (PE615)

The Convener: The petitioner called on the Scottish Parliament to ask the Scottish Executive to reconsider the funding of renewable energy projects to encourage the development of sustainable sources that contribute towards the Kyoto agreement. PE615 was prompted by the petitioner's concerns about the manner of distribution of ROS—renewable obligation Scotland—certificates, which place an obligation on electricity suppliers to purchase green electricity.

The Executive has responded, pointing out that renewables obligations certificates are issued by Ofgem, not by the Executive, and that they are issued in respect of all renewables technologies qualifying under the ROS, including those that are

less commercially viable. The Executive appears to counter the claims that are made by the petitioner and points out that it is keen to support the development of a wide variety of renewables technologies, including alternative renewable sources such as biomass, wave and tidal energy. The Executive makes it clear that such projects can be eligible for grants under the Scottish community renewables initiative.

Helen Eadie: Can we agree to copy the Executive's response to the petitioner, seeking his views on it, and defer consideration of the matter until we have received further responses from the petitioner?

The Convener: I am told that the petitioner is knowledgeable on the subject; therefore, it might be useful to get his views on what the Executive has said.

John Scott: I agree. The Executive has given a reasonable response, and it will be interesting to hear what the petitioner says.

The Convener: Is everyone happy with that?

Members indicated agreement.

Convener's Report

11:14

The Convener: On Friday, I attended an away day for conveners. I asked the conveners of other committees to try to deal with petitions as promptly as possible, especially those that remain outstanding, some of which have been with the committees for a substantial length of time. There was general agreement that, because we are trying not to over-burden the committees with petitions, they will process the petitions that are passed to them more quickly. It was a useful event in assisting the processing of petitions in the Parliament.

Helen Eadie: I am a member of the Health Committee, and at yesterday's meeting we agreed to devote one of our October meetings to petitions.

The Convener: We will keep an eye on that. That is the request that I made, and it was met with approval by the other conveners. I hope that we will start to see some progress on those petitions. Given the fact that the Public Petitions Committee thought that they were worthy of further scrutiny, we would like that scrutiny to take place as soon as possible.

As members have no further comments, that is the end of the meeting. Thank you for your attendance.

Meeting closed at 11:15.

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