

PUBLIC PETITIONS COMMITTEE

Monday 30 January 2006

Session 2

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PUBLIC PETITIONS COMMITTEE

2nd Meeting 2006, 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)

Mr Charlie Gordon (Glasgow Cathcart) (Lab)

*Rosie Kane (Glasgow) (SSP)

Campbell Martin (West of Scotland) (Ind)

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

*Ms Sandra White (Glasgow) (SNP)

COMMITTEE SUBSTITUTES

Frances Curran (West of Scotland) (SSP)

Susan Deacon (Edinburgh East and Musselburgh) (Lab)

Phil Gallie (South of Scotland) (Con)

Rob Gibson (Highlands and Islands) (SNP)

*attended

THE FOLLOWING GAVE EVIDENCE:

Mr John MacDougall MP

THE FOLLOWING ALSO ATTENDED:

Rev Ross Brown

Ben Conway

Bruce Crawford (Mid Scotland and Fife) (SNP)

Ian Elam

Helen Smith

Connie Syme

CLERK TO THE COMMITTEE

Jim Johnston

ASSISTANT CLERK

Richard Hough

LOCATION

Glen Pavilion, Dunfermline

Scottish Parliament

Public Petitions Committee

Monday 30 January 2006

[THE CONVENER *opened the meeting at 10:00*]

The Convener (Michael McMahon): Good morning, everyone. Welcome to the second meeting in 2006 of the Public Petitions Committee, which is delighted to be meeting in Dunfermline. I thank Fife Council for allowing us to meet in these splendid surroundings.

This is the fourth in a series of events that the committee has organised outside Edinburgh in order to bring the petitioning system closer to the people of Scotland, and we are delighted that so many local people have come along this morning. We will shortly hear from a number of local petitioners. In addition to this morning's meeting, this afternoon the committee will host the fourth in our series of events aimed at promoting the public petitions system across Scotland. We look forward to hearing how local people think that the public petitions system is working.

Given the number of witnesses from whom we will hear, I intend to limit consideration of each petition to a maximum of around 30 minutes. Members are reminded to limit themselves to the questioning of the witnesses regardless of other events that might be taking place in Dunfermline. I have received apologies from Charlie Gordon MSP, and Jackie Baillie MSP will arrive late. As we are in new surroundings, I invite members of the committee to introduce themselves. I am Michael McMahon, the convener of the committee and the MSP for Hamilton North and Bellshill.

John Scott (Ayr) (Con): I am the member of the Scottish Parliament for the Ayr constituency.

Helen Eadie (Dunfermline East) (Lab): I am the member of the Scottish Parliament for the Dunfermline East constituency.

John Farquhar Munro (Ross, Skye and Inverness West) (LD): I am the Liberal Democrat member for Ross, Skye and Inverness West, in the Highlands. I am pleased to be with you this morning with the Public Petitions Committee.

Ms Sandra White (Glasgow) (SNP): I am the SNP MSP for Glasgow.

Bruce Crawford (Mid Scotland and Fife) (SNP): I am one of the MSPs for Mid Scotland and Fife. I warmly welcome the committee to Dunfermline.

The Convener: Thank you very much.

New Petitions

Disabled Parking (PE908)

Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations (PE909)

10:02

The Convener: Item 1 is consideration of new petitions, the first of which is PE908 from Connie Syme, on traffic regulation orders. The petition calls on the Scottish Parliament to urge the Scottish Executive to ensure that traffic regulation orders are applied to all disabled parking bays to ensure that they are used by registered disabled users only. Connie Syme is here to make a brief statement to the committee in support of her petition, and she is accompanied by Ian Elam.

Welcome to the committee. You have three minutes in which to make some opening remarks, after which members will have the opportunity to ask questions on the issues that you have raised.

Connie Syme: My petition urges the Scottish Executive to apply traffic regulation orders to make all disabled parking bays for the sole use of registered disabled people. Without that, those parking bays—being outside the jurisdiction of the police and traffic wardens—are failing to do the job for which they are intended. The fact that disabled people are themselves being left to challenge drivers who abuse the bays is worrying.

A large percentage of the public deem the marking out of disabled bays to be only advisory and, therefore, not important. The indication, from letters in newspapers and disability magazines from all over the country, is that this is a widespread problem. Many members of the public use disabled bays without giving a thought to the fact that they are preventing disabled persons from parking near town centres, shopping centres, places of interest or—as in my case—their homes. Trying to find a disabled parking space near shops is really stressful when some of those spaces are taken up by able-bodied persons who are quite capable of walking a distance.

We all want to look after ourselves, and the fact that we are disabled does not mean that we should miss out on life. We want to do as many normal things as possible—such as shopping, going to the pictures or the theatre, or going for a run in the car for a few hours—without the added worry of parking the car when we get there or when we return home. However, there is a constant worry that, when we come home with shopping or return from a few hours out, a car that we do not recognise and which is not displaying a

blue badge will be occupying the disabled parking bay. When that happens, we have no idea where the driver is or how long he or she will be.

Many a time we have had to drive around the streets for a while in the hope that they will not be long and that the space will have been vacated when we come back. If the driver is sitting in the car or we can see where they are, we have no option but to challenge the driver ourselves because the disabled parking bay is not covered by a traffic regulation order. It is even more stressful when the culprit renders a load of abuse at us because we have asked them to move their car. On one occasion we phoned the police because of the abuse that was levelled at me, but they could deal only with the abuse and not with the parking because the bay is not covered by a traffic regulation order. The police told us to carry on asking able-bodied drivers who use the disabled parking bay to move their vehicles.

The disabled parking bay outside my home is in a lay-by that is used as extra parking for both residents and shoppers, so it is extremely busy at times when lots of drivers are looking for a parking space to go to the shops. At times when we do not require the space, there is an opportunity for any other disabled person to use it, but from my observations I know that they are often denied the space because able-bodied drivers park there, often for long periods. That includes van drivers, salesmen and so on. On one occasion, a lady with two crutches had to park her car on the pavement on the other side of the road because a young couple had parked their car in the disabled parking bay, which prevented her from parking on the correct side of the road. She had a terrible struggle to get across the road. In the end, someone stopped the traffic.

People with disabilities find life difficult enough. Disabled parking bays are not a privilege, as some people appear to think, but an absolute necessity. They give extra help to people who are less fortunate. Disabled people are vulnerable enough and they should not have to run the risk of verbal abuse or threatening behaviour because they have to challenge able-bodied drivers and ask them to move their vehicles from disabled parking bays. That should be left to the authorities. Anything can happen nowadays. It is worrying to be put in that position; our disability is no fault of our own.

The Convener: Before we ask questions and discuss the petition, I ask members to note that the next petition on our agenda, PE909, is also on traffic regulation orders and disabled drivers. Do members agree to link our consideration of the two petitions?

Members indicated agreement.

The Convener: Petition PE909 is by James MacLeod, on behalf of Inverclyde Council on Disability Ltd. It calls on the Scottish Parliament to urge the Scottish Executive to review the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 to allow for speedier provision and enforcement of dropped kerbs and disabled parking bays to prevent their abuse, ensuring greater and easier access for disabled, elderly and other users.

We will consider the two petitions together. I think that they are similar. Do members have any questions for Connie Syme?

John Scott: What is the scale of the problem? I see that you are from Rosyth. Perhaps you know how many disabled parking bays there are in Rosyth and Dunfermline that you and others have difficulty accessing.

Connie Syme: There are very few disabled parking bays in Rosyth. The council realised that I could not get parked near my home so it put one in the lay-by outside my house. A gentleman who lives quite near me has one and there are two more bays in a car park, but that is it.

In Dunfermline, I find that I have to use the bus. We have tried many times to get into disabled parking bays there but many of them do not have easy access. Dunfermline is not a disabled-friendly place, to be honest. It has lots of hills, which make things difficult. I have given up using my car there. Luckily, there is a bus stop opposite where I live, so if I am going to a shop in the Kingsgate shopping centre it is much easier to use the bus. That takes the hassle out of life. I just have to struggle a wee bit to get along, get whatever I want and get back on the bus. I have tried parking in Dunfermline, but there is always a hill to go down and back up. That is a problem too. If I make the effort to go in my car but I cannot get parked, I have to go home again.

We tend to shop at Asda, which provides many disabled parking spaces. The access is flat, and the staff will come out and challenge people who should not have parked in disabled spaces. I have to tailor my shopping according to my needs and what I can manage.

John Scott: Dunfermline is a beautiful place and, obviously, we would not want to muck it about, but what are the Fife Council's views on providing more disabled facilities?

Connie Syme: I wrote to the traffic department and explained how difficult it is for people. A lot of disabled people come down to Rosyth. They might not live in Rosyth, but they come to the main road because there are shops there. The council does not see that there is a problem, but they do not live there. I see the problem. I do not know how they gauged it, how often they came or how long they

spent there. They did not inform me about that. I felt very let down. I might be in a wheelchair soon, but I want to make the effort to go out. I want to make use of my legs at the moment, but I cannot walk distances. That is the problem.

Ms White: Good morning and thank you for coming along. I also welcome Jim MacLeod and others from Inverclyde Council on Disability, who lodged PE909, which is similar to yours. You are talking about Rosyth and Dunfermline but the problem is Scotland-wide and perhaps United Kingdom-wide. You mentioned that you had spoken to the Fife Council. Our briefing paper states that councils can create disabled parking bays but that they are only advisory. In your answer to John Scott, you said that you did not get much help from the council. When you speak to the police or traffic wardens—perhaps when you are out shopping and someone who is not disabled has parked in a disabled parking bay—do you get support? For example, will the police or traffic wardens put a notice on the car?

Connie Syme: No. They tell me that the bay is not covered by a traffic regulation order so they cannot move someone's car, speak to them or anything. They can only tackle the abuse, which is a separate issue. They have told me two or three times, "Sorry—we cannot help."

Ms White: Although the two petitions are linked, one mentions traffic regulation orders and the other mentions something else. The white lines are advisory, but if disabled parking bays were painted with double yellow lines, you would have recourse. Have the council or the police advised you that, if you applied for a traffic regulation order and yellow lines were painted, that would stop the problem?

Connie Syme: No. They did not say that I could do that. The man came to the house and we explained everything to him but he was not helpful at all. I was really disappointed. We see everything that happens because we live there. It is a shame that other folk who are disabled cannot use the bay when our car is not there. We have tackled lots of people. Some shout back. Some say, "Sorry." Some of them say that they had not noticed that the space is a disabled parking bay. That is fair enough—they are not rude or anything. However, other folk simply say, "It's all right—I'm just going to be a minute". It is not all right. They do not understand that a minute can be a long time; in fact, their minute might last half an hour.

10:15

Ms White: The problem is Scotland-wide. Indeed, all committee members have received correspondence on the matter, especially from people who have disabled parking bays outside their doors.

Because the matter is regulated by road traffic acts, it is reserved to Westminster. That said, we in Scotland have some powers with regard to the traffic regulation orders, which cover double yellow lines and so on. What can we do to sort out the problem once and for all?

Connie Syme: I suppose that painting the bays in yellow would certainly highlight them. Would the police then be able to do something about it?

Ms White: That is what we have to look into.

Connie Syme: Well, that is what I would like to happen. Then, at least, I would have the support of traffic wardens or the police, and would not feel that I was on my own. After all, there has been a lot of media coverage showing the dangers of tackling people. My husband is not able to do that; he is over 70 and I rely on him all the time. I just do not want to be put in that position.

Ms White: Indeed. I do not see the point of regulations that cannot be enforced.

Ian Elam: I back Mrs Syme's comments, although my situation is totally different. Because my wife is wheelchair bound, I have a wheelchair-accessible vehicle. However, when I have challenged people over parking in disabled bays—not only in Dunfermline town centre but in the Asda car park—I have suffered verbal abuse and have been threatened with physical abuse. I realise that Fife Council has no jurisdiction over what happens in Asda's car park. In any case, the point is that because of the level of abuse that has been directed at me I do not challenge such people any more. After all, if anything were to happen to me, my wife would be left in a vulnerable position. There is nothing that I can do except to ask people whether they are disabled and, when I do, the abuse that I have to put up with is simply unbelievable.

I asked Fife Council to review the situation in Dunfermline town centre with regard to wheelchair-accessible vehicles, which need a bit more space than ordinary cars. However, nothing has happened and the situation has not been resolved. Recently, when I had to park my vehicle on zigzags, I was challenged by—shall we say—someone in charge of the law, who told me that if I lowered the ramp on the car I would be breaking the law. I said, "What else can I do? I know what the blue badge scheme says, but my ramp has to come down because the bay isn't long enough for the car. That's the be-all and end-all of it." If I faced the car the other way, someone would draw up behind me and I would not be able to get the doors open and the ramp down or, if I managed to get my wife out, I would come back to the vehicle to find a car sitting on the double yellow lines behind me. Twice in the past fortnight, I have had to trawl round offices in Dunfermline trying to

locate the person who parked behind me. Fortunately, the Army careers office in East Port let me leave my wife in the warm while I looked for the individual in question. When I found and challenged them, the abuse I received was unbelievable. Why should we have to put up with this? My wife's quality of life is being affected. She has been made to feel so much like a second-class citizen that she does not want to go into town any more.

John Farquhar Munro: Knowing how difficult it is even for able-bodied people to park their cars, I can appreciate the difficulties faced by someone who is not as fit as I am. The problem affects not only Dunfermline, but the country at large.

I had always assumed that disabled parking provisions could be legally enforced. After hearing your comments and reading the various papers, I am surprised to find that they are only advisory and that the law in that respect cannot be enforced. That is indeed sad. However, you say in your submission that drivers usually respect the dedicated disabled parking bays in supermarket car parks.

Connie Syme: That is more or less the case. However, some cars that are parked in those bays do not display blue badges. We have written to supermarkets such as Asda—which is the one that I use—to highlight the problem. I am obviously not the only person to have done so, because Asda has started to send out a man to check all the cars periodically. I imagine that the supermarkets can do that because the land is private property.

I believe that the details of those cars should be announced over the tannoy to allow everyone to hear who is abusing the system. Young people do not seem to see ahead of themselves; perhaps I did not when I was their age, but I always respected the law. However, young people seem to think, "Och well, I'll just bung the car here and run into the shop". What about Mr Elam's situation? What if a disabled person needs to get their wheelchair out of their car? At least I can walk a wee distance. Those people get stuck in Asda's car park, which is not a terribly good place to wait, or have to wait behind the supermarket. Even when they come back after a while, they still might not find a space.

Asda is doing as much as it can to meet our concerns. For example, when we complained about the situation, it increased the number of spaces along the front and down the back of the site as near as possible to the shop. We welcomed that move.

John Farquhar Munro: But, as you said, Asda can enforce these matters because its car parks are private property.

Connie Syme: Not really. All it can do is make the folk who park in those bays feel a bit uncomfortable.

John Farquhar Munro: Does the local authority use yellow markings on the street or does it use white markings all the time?

Ian Elam: It uses white markings all the time.

John Farquhar Munro: Which means that the bays are advisory.

Connie Syme: Yes. At least, that is what we have been told.

John Farquhar Munro: In your submission, you refer to the disabled parking facility being used by commercial users. What do you mean by commercial users?

Connie Syme: Van drivers might use the bay to nip into R S McColl's for a newspaper. I have even seen lorries parked in it while their drivers go into the shop.

John Farquhar Munro: So you are talking about just general traffic.

Connie Syme: Yes. Shoppers use the bay as well. I should also point out that there are two snooker places in the neighbourhood and a Chinese takeaway restaurant and one of the delivery boys regards the bay as a parking space. It is very disheartening.

John Farquhar Munro: I understand that regulations introduced in 2001 created a new offence of refusing to produce a blue badge. What are the implications of that legislation?

Ian Elam: Blue badges are for disabled people. However, I feel that traffic wardens need to be a bit more proactive on this matter. For example, I know of an individual who was using a blue badge that belonged to someone who had been dead for three weeks. Quite frankly, wardens have no idea how to read the badges. Indeed, I had to show one how to do it. When I asked him to challenge the individual who was using the badge, he said, "There's nothing I can do. I can't see the photograph on the badge". After that incident, I asked a Mrs Shackman at the Scottish Executive if it would be possible to put the photograph on the front of the badge, where all the necessary information is displayed. Surely that would make things easier for traffic wardens.

I have observed traffic wardens in the company of an official from Fife Council. I received a parking ticket for my wife's wheelchair vehicle and I challenged the council about it. Two disabled vehicles and no ordinary vehicles at the locus were targeted. I asked the official, "Can you justify legally why they have not been ticketed and we have?" I took the matter to the Disability Rights Commission, which said that there was nothing

that it could do about it. The point is that, ultimately, traffic wardens do not check the blue badges. The council official and I watched the traffic warden come along the street. He did not look at one badge on any of the vehicles—he never even gave them a cursory glance. I said to the gentleman who was with me, “Well, that speaks for itself.”

Traffic wardens need to be shown how to read a badge. I told the official that there is a simple equation. For instance, my wife’s badge reads F54, denoting her gender and the year in which she was born. I challenged a badge that read F16: it was registered to a female who was born in 1916. I said, “Look at the person who is getting out of the car. I know that individual, and there is no way that they were born in 1916.” At that time I was 52 years old, and I was born in 1951, so the person who was displaying that badge was making out that they were 87 years old. There was just no way. The traffic warden did absolutely nothing about it.

I wrote to the superintendent in Dunfermline with dates, times and the traffic warden number—which in this instance was number 28. The reply was that the incidents that I described did not take place. I found that unacceptable; I gave dates and times. I even spoke to the people at the locus where I received the ticket to ask whether they had special permits or exemptions; nothing. My wife and people like her are made to feel like second-class citizens. That is totally unacceptable.

John Farquhar Munro: I appreciate your problem and the daily difficulties that you encounter. The committee and the Parliament should consider this matter more seriously.

Helen Eadie: Connie Syme is one of my constituents, so I support the petition and congratulate her and Mr Elam for bringing it before us. Over the years that I have known her, Connie has been a tireless campaigner, not just on this but on many of the issues that affect her local community. This is a vitally important matter. None of us here knows when we could be in a wheelchair; it could be tomorrow. Therefore it is important for each of us to fight today for the right that Connie is calling for. I have seen Connie’s home, and I have seen exactly what happens to her. It is unacceptable.

The importance of the situation has been evidenced, not just in Dunfermline, but across Scotland. For example, the Scottish Parliament debated the matter last May. Although members were talking not about Connie but about everyone in Scotland who faces this problem, there is no doubt that every one of them empathised with Connie’s situation. From what we have heard today, it is clear that the procedures to implement traffic regulation orders are long and complex. If

we do nothing else, we must ensure that we simplify that procedure. Anyone with the responsibility for enforcing the law should have a simple and quick procedure to follow that ensures that people such as Connie are not put in unacceptable positions.

I am pleased that two petitions have been lodged on the same theme. That adds to the welter of support that exists. Connie and Mr Elam have my 100 per cent backing. I know the committee of old, and I feel sure that it will want to support them.

The Convener: As Rosie Kane came in a bit late, I ask her to introduce herself to the public, as the other committee members have done.

10:30

Rosie Kane (Glasgow) (SSP): Sure. I am Rosie Kane, MSP for Glasgow region. I apologise to the convener and the committee for being late, but the pavilion is further from the train station than I was led to believe, so I had to run back and get a taxi. I am here now, though.

I am sorry that I missed the petitioner’s opening remarks, but I read her informative paperwork, for which I am grateful. Like the rest of the committee, I am concerned about the matter. After reading about it and hearing more today, I realise that it is a matter of great concern to me. I am embarrassed that I did not know enough about it before now. Connie Syme has already said that not being able to get to her parking space makes things difficult for her. Insult is added to the injury of her everyday life. That is bad enough without her having to be concerned about ending up in a discussion or an argument—or worse—with an irate driver. Connie said that some of the people that she spoke to did not realise that the disabled parking space was set aside. That could be because the space was marked with white lines and people did not know that it was mandatory not to park in that space.

Things are not being taken seriously if wardens are unaware of the blue badges. The actions that the Parliament takes on disability rights are not being taken locally. Connie now has to teach her granny to suck eggs, and people do not know what they are supposed to be doing. This and the other petition are matters of great concern. I agree with John Farquhar Munro that the Parliament needs to get tore into this. It has done in the past, and I am certain that it will in the future.

It is clear that disabled people’s rights are being breached. We need to hear from the Disability Rights Commission and other groups about that. Those rights are being breached because workers are not being fully trained in how to apply them. The result is that people such as Connie cannot

simply park their cars and go about their daily duties.

I am grateful to Connie for lodging the petition. I apologise for not hearing her in the first place. I know that the rest of the committee is concerned about this and we will take it forward. I will leave it to the others to see what we will do.

The Convener: Bruce Crawford would like to make a brief point before we discuss what to do with the petition.

Bruce Crawford: I am not a member of the committee, so I am grateful to you, convener, for allowing me to come in. A couple of things strike me straight away. First, training for wardens is necessary. Secondly, the Disability Discrimination Act 1995 did not deal with this matter. Like Rosie Kane, I am embarrassed that I did not know all the facts. Therefore I am grateful to Connie Syme for lodging the petition.

Has Ian Elam talked to the police or to Fife Council about their training regimes for the wardens?

Ian Elam: When the superintendent in Dunfermline replied to my letters, he said that the warden in question had received disability awareness training. When I asked him for the dates and duration of the course, no reply was forthcoming. As the Freedom of Information Act 2000 was enacted after the incident that I described, I should have gone back to the council. However, I was so disillusioned that I did not challenge it any further.

Traffic wardens may not have any power over disabled bays if no traffic regulation order is in place. The blue badge booklet points out that the public can inspect the badges and challenge those who use disabled bays. However, that is not happening. Why should ordinary members of the public who are either disabled or looking after a disabled person put themselves in jeopardy by challenging somebody? Someone recently suffered physical harm because they challenged somebody about using the bays.

The Convener: How do members think that we should proceed with this petition?

Ms White: We must write to the minister. I do not know how long traffic regulation orders take to implement, but it appears that we need double yellow lines in disabled parking bays. We must ask the minister—or whoever else knows—how long a TRO would take and why. We should also write to the Disability Rights Commission. Bruce Crawford made a good point about the Disability Discrimination Act 1995. We should see how that is dealt with.

We should also find out what the mobility and access committee for Scotland and the

Automobile Association think about the petition. I had not heard of the baywatch campaign, but our briefing suggests that we could write to it. It might be worth writing to the Convention of Scottish Local Authorities as well, because some local authorities hold responsibility for traffic wardens, whose conduct has been raised by the petition. In addition, I want to find out the timescale for implementing traffic regulation orders.

The Convener: We can ask that specific question.

Helen Eadie: I agree with everything that Sandra White has recommended, but we should add to the equation the Association of Chief Police Officers in Scotland. We should ask why their officers do not challenge blue badge violations more. The point has been made that regulations exist, which ought to be enforced more effectively.

John Scott: I agree with all that. It is important to write to COSLA to establish the scale of the problem throughout Scotland. We have established that there is a problem in Fife, but we need to know whether the issue is Scotland-wide.

The Convener: We will write to all the organisations that have been mentioned. Once we have collected their responses, we will advise Connie Syme and Ian Elam of their contents and keep them informed of our progress. Thank you very much for speaking to your petition this morning. I am sure that although the local authority will have found it difficult to listen to what you said, Asda will be much happier.

Connie Syme: Thanks for listening.

Ian Elam: Thank you.

The Convener: We have been joined by the member whom I said would arrive late. As we are out of our usual surroundings, I will give her the same opportunity to introduce herself to members of the public that other members had.

Jackie Baillie (Dumbarton) (Lab): I offer my apologies. I am Jackie Baillie, the MSP for Dumbarton. I was slightly delayed by the road works on the M9, but I am here now.

NHS Dental Services (PE920)

NHS Dentistry (Remote and Rural Areas) (PE922)

The Convener: Our next petition is PE920, by Helen Smith, which calls on the Scottish Parliament to urge the Scottish Executive to commit more resources to the provision of national health service dentistry. In particular, the petition asks for more funds for the recruitment of NHS salaried dentists to provide emergency and comprehensive care and for the provision of dedicated NHS dentistry facilities.

I welcome Helen Smith to the meeting. You have a few minutes to make a brief statement to the committee on your petition. We will then discuss the subject that you have raised.

Helen Smith: Good morning. I welcome the opportunity to speak to the Scottish Parliament at today's meeting and the Parliament's role in getting out into the community and making itself more accessible to the public.

I have come to talk about NHS dentistry services—or rather, the lack of them. An insufficient number of dentists are employed or subcontracted to meet the needs of NHS dentistry in Scotland. Dunfermline East, the constituency in which I live, is among the most severely affected areas in Fife. Out of 200 areas throughout Fife, it contains at least six of what Fife Council considers to be the top 10 most disadvantaged communities.

Dental practices have been taking a cavalier approach to their patients by serving ultimatums that present them with little or no opportunity to find alternative NHS provision. At the practice at which I used to be registered, patients were invited to join a dental plan that would cost £10 per month, plus a registration fee, entitling them to two check-ups and two visits to the hygienist per year. Some elderly patients have been forced to open bank accounts to pay for those services by direct debit.

When I consulted the dental advice line in October 2004, I was heartened to learn that a practice with NHS salaried dentists was opening in Dunfermline and that I would be placed on its list. To date, that has not happened and although an offer was recently made to place me on the list again, I am not hopeful.

At the moment, I attend a dentist's surgery in Edinburgh where dental plans are optional. It is not ideal for me to have to travel to Edinburgh. As someone who has ME, I have additional transport costs. Furthermore, there are access problems at the practice, which I have noted elsewhere. That highlights the fact that elderly and disabled people face accessibility problems that need to be addressed.

The health board is constrained by the national availability of dental staff. The resources that it has are spent on the provision of limited continuing care for priority groups and some intermediate care for urgent treatment at dental access centres. It is irresponsible and unreasonable for the health board to provide such a piecemeal service, especially to disadvantaged members of the community.

To sum up, under part II of the National Health Service (Scotland) Act 1978, it is a duty of Scottish ministers to

“secure the provision of ... general dental ... services”.

The health board has similar responsibilities and it should apply to Scottish ministers for approval to fill gaps in services if it has not already done so. I urge the committee to impress on the Scottish Executive the need for urgent remedial action and for further additional funding for Fife and throughout Scotland.

The Convener: As was the case with PE908, there is a petition on our agenda that is closely related to PE920. PE922, which was submitted by Peter Thomson, calls on the Scottish Parliament to consider implementing a different model to the current plan to ensure that NHS dentistry is available in remote and rural areas in the medium to long term. Do members agree to link our discussion of PE920 and PE922?

Members indicated agreement.

The Convener: Do members wish to make points or to ask questions of Mrs Smith?

Helen Eadie: I speak in support of Helen Smith. Like me, she has been campaigning on the issue for a considerable length of time and it has been a pleasure to work with her. She is right to highlight the problem that we have had in Fife. Almost 12,000 patients have been deregistered since April last year and no general dental service practice has been able to offer them care for at least the past 12 months. That is a matter of some concern, on which Helen Smith and I, along with others, have campaigned constantly over the past two years.

I am pleased to be able to say that only 10 days ago the Deputy Minister for Health and Community Care, Lewis Macdonald, announced that a £3.5 million package would come to Fife. That will include the provision of a new practice in Cowdenbeath, which, as Helen Smith mentioned, is one of the areas of greatest need in Fife. It will include six dental surgeries and a central decontamination facility. In addition, a £1.5 million facility will be provided in Dunfermline in the coming year to cope with the problems associated with new housing development as Dunfermline expands to the east. In addition to that, a further tranche of money has been released for the Halbeath facility that opened last autumn.

Although all that will go a significant way towards resolving the problems, the fundamental problem that we face is that dentists are contractors to the health service; they are not salaried. However, Fife NHS Board has secured the bid to which I referred. I congratulate Dawn Adams and Graham Ball, the principal dental health officers in Fife, for their efforts. They are behind all the on-going work.

I support Helen Smith's petition and I congratulate the ministers for recognising that we have a particular problem in Fife. A great deal is being done to help with that.

10:45

Ms White: I welcome the petitioner to the meeting. It is nice to be in Dunfermline, despite the freezing fog. However, we get that in Glasgow sometimes as well.

I sympathise with the situation to which the petition refers, which occurs not only in Fife but elsewhere. I think that Dumfries and Galloway is one of the other areas that are badly affected by a lack of dentists. Rural areas seem to be more affected than others.

Helen Eadie said that extra money for dentistry was coming into Fife. The Executive has also introduced the dental practice allowance, which will give dentists more money. To get the allowance, dentists must have at least 500 registered patients. That is fine if the dentist is in a big city, but if they are in a rural area they might not be able to get 500 patients and so obviously will not qualify for the allowance. Does the petitioner think that the Executive should look again at that requirement, so that the allowance could be given to practices with fewer than 500 patients?

I have a question for the petitioner that relates to Mr Thomson's petition. He refers to what he regards as the way ahead. In Canada, they try to train dentists locally and use incentives to get them to stay in their local communities. What are the petitioner's thoughts about that?

Helen Smith: Our biggest problem seems to be that dentists are leaving the country in droves—I believe that one in four dentists is leaving. I wonder where the Executive or the health boards will get the dentists to set up in practice in the first place. I heard only today that a dentist who came here from Egypt had to register as unemployed. I would have thought that, instead of having to train for a further five years, dentists from abroad could be fast-tracked and given employment here. However, that is only one of the problems.

Ms White: We could use the fresh talent initiative to encourage dentists to come here.

As I said, a dentist must have 500 patients to qualify for the dental practice allowance. Do you think that the allowance should be geared towards smaller practices?

Helen Smith: Yes, particularly in rural areas. I would go along with that.

John Scott: Good morning. To pick up on Sandra White's point about PE922, Mr Thomson

cites the experience in Canada, which obviously has greater areas of remoteness than Scotland has. He states that in such areas the

"public dental service is provided mainly by therapists, hygienists, prosthetic technicians and dental health educators ... Patients still see a dentist for their exam and treatment plan but all the routine work is carried out by therapists."

I must say that that is a new thought for me. Do you think that that might work in Scotland in the round?

Helen Smith: I am sure that if it works in Canada, it will work here. Canada has a good health care system. I know that because I have been there and the people I lived with in Canada use the dental health service. I think that it would be a good idea to have a scheme here that is like the complementary dental care system in Canada.

John Scott: I am led to believe that the lack of dental care in the middle ages was the biggest cause of suicide. I would hate to think that Scotland was going back to that position. We must start thinking outside the box. Mr Thomson suggests that investing £5.4 million in an Aberdeen dental school would create only nine new dentists a year. That would of course be beneficial, but of itself will not address the problem.

Helen Smith: It would help if we did not close dental schools.

John Scott: I take that point.

The Convener: There are no further questions from members, so I invite suggestions on how we take forward the petition.

Helen Eadie: We could submit the petition to the Executive and ask it to comment on it. We could also submit the petition to the royal colleges for dental practitioners because the issue of training sufficient numbers of dentists has been raised. There is a plan to open another dental school, but it would be good to have the colleges' views. We could also write to the British Dental Association to ask for its views.

John Scott: On how other countries with remote areas deal with what I presume is a worldwide shortage of dentists, it might be worth finding out whether there are models in Australia or the mid-west of America. I do not know how those countries deal with the situation. Given the severity of the problem and the difficulty of dealing with it, we must start thinking outside the box. If there is best practice elsewhere in the world that we can copy, let us have a look at it. However, I am not sure how the clerk would find out about that.

The Convener: I have just discussed that with him. I think that it would be best to ask the

Executive whether it has looked at comparators and, if so, whether it is progressing a way taking the issue forward. If it has ruled out any particular method, we can ask it to tell us why. We can make the Executive's response a starting point, if members agree.

John Scott: Yes, that is fine.

Helen Eadie: I forgot to mention Fife NHS Board. It would obviously be good to get its observations on what has been said this morning.

The Convener: Thank you, Mrs Smith, for bringing your petition to the committee.

Helen Smith: Thank you for letting me come and talk to you today.

The Convener: We will get back to you with responses. We will continue the dialogue on the issue and see how far we can progress your petition.

Helen Smith: I look forward to that.

Forth Road Bridge (Tolls) (PE921)

The Convener: The next petition is PE921, from the Rev Ross Brown, which calls on the Scottish Parliament to urge the Executive not to increase the tolls on the Forth road bridge. The Rev Ross Brown will make a brief statement in support of the petition, and then we will discuss the issue.

Rev Ross Brown: Thank you for allowing me to come along today. When I looked at the agenda, I felt that I could have spoken on at least three issues that involve a matter of justice.

I suppose that the bridge across the great divide is an issue that faces all Fifers. I was born and brought up in Fife and have ministered here for the past seven years. I have found that the issue of bridge tolls causes great controversy. As a minister who is privy to the views of many folk in the local communities that border the bridgehead area, I am concerned by the level of anxiety that is being displayed in those communities.

Those who use the commuter route to Edinburgh, the Lothians and the south face a matter of justice—or injustice, I should say. If increased tolls are inflicted on the people of Fife, it could mean an £80-a-month increase in an individual's household expenditure.

Commuting concerns us all because of its impact on natural resources through fuel use, pollution and so on. However, many commuting Fifers do not have an alternative to the car because they find it difficult to obtain public transport services that will get them to work in Edinburgh on time. Outwith central Edinburgh or the Gyle, public transport is inconvenient and too much time is spent travelling.

Edinburgh residents rejected congestion charging, and a £4 bridge toll would effectively be congestion charging by the back door for people in Fife. It would target Fife residents who have no viable alternative to the Forth road bridge if they travel south. There is only the non-viable, 36-mile round-trip via Kincardine.

The Fife motorist is an easy target for punitive charging. Motorists who enter Edinburgh from West Lothian, East Lothian and the Borders have no charge made on them. However, car drivers bore the brunt of the charging to upgrade the bridge's road surfaces and hangers and to strengthen the bridge towers to allow trucks with the heavier payloads permitted by European regulations to cross, causing irreversible damage and affecting the lifespan of the bridge. If heavier trucks are causing so much of the damage to our lifeline south, why is that issue not being addressed? If the bridge is being damaged so excessively, why are those large vehicles allowed to use the route? If press coverage is to be believed, if cars and light goods vehicles only were allowed to use the bridge, its lifespan would be lengthened.

Costs have been a factor in all the debates, but why should the common motorist be the one who pays for the bridge repairs that have happened thus far and for the damage that is caused by vehicles that benefit whole communities by delivering the goods on which we rely? There is even a debate as to whether the charge on the Clyde route over the Erskine bridge will be removed. The Skye bridge has had its tolls removed already, so why does charging continue for Fifers?

Special cycle paths and pedestrian paths have been built and have to be maintained, but they are maintained at no charge to the user. Motorcyclists can also use the bridge for free. It is a matter of justice. To communities north of the Forth, the bridge is an essential benefit for all, but it is those who use the route daily who pay for it to remain open. It is part of the national road network. As UK motorists, we already pay some of the highest taxes in Europe, and £80 a month is the straw that would break the camel's back for many families in Fife.

People in Fife face the financial pressures of mass unemployment—we recently heard that unemployment is pending for another 700 folk. Family housing is an issue. With the extension of the eastern development in Dunfermline, many folk come to stay in Fife to get adequate family housing. Because they can get a family house in Fife for less than the price of a one-bedroom flat in Edinburgh, many families have little choice when it comes to quality of family life and adequate accommodation.

Fife folks pay bridge tolls. An excessive hike in those bridge tolls would be punitive for us all. Huge sums of money have been used for other road projects throughout Scotland at no direct cost to the motorist—the burden has been spread across the community by general and central taxation. That must be the route that we go down to ensure that one community group in Scotland is not burdened so that the wider Scottish community can benefit—and those north of Fife benefit greatly.

I am a Fifer and I was in Fife when the bridge was opened, ushering in a sense of hope for those who lived there. Now, however, we face all these costs. The political rhetoric has been phenomenal, even from those who have no responsibility for making the decisions, because they are devolved decisions. I believe that the Chancellor of the Exchequer advocated scrapping the road tolls when the bridge was paid for, but he backtracked and the tolls are still being levied. I believe that the bridge is now a devolved responsibility, and that is why I submitted my petition for debate.

I urge the Executive to scrap all the pending tolls, to move immediately towards having the Forth and Tay bridges adopted into the country's national road network and to fund those bridges from the common purse, into which the motorist contributes vast sums.

The Convener: Thank you. Bruce Crawford has the first question.

11:00

Bruce Crawford: I am grateful to the Rev Ross Brown for bringing the issue to the committee. I am not a member of the committee, so I thank the convener for allowing me to speak.

There is obviously great public debate about the issue at the moment. I hope that everyone understands that the proposed congestion charging really has nothing to do with the current state of the bridge. The Forth Estuary Transport Authority discussions on those proposals began last June, and the current debate has more to do with finding additional resources to pay for the A8000 upgrade. That is the background to the debate. The petition says that there are effectively no alternatives, because there is limited additional capacity on the rail bridge and in park-and-ride schemes around the Halbeath area. We can send ferries across, but all those additional factors will not begin to deal with the expected increase in traffic. I hope that the petitioner agrees that to call the toll proposals a congestion charge is a bit of a misnomer. They are effectively a way of using Fifers as milch cows to pay for additional roadworks around the bridge.

I have a question about the Erskine bridge, which the petitioner mentioned. Does he agree

that, if the tolls were removed from the Erskine bridge, it would be unfair and discriminatory against Fifers for tolls to remain on either the Tay road bridge or the Forth road bridge, and that those tolls must be removed if the Erskine bridge tolls are removed? Does he also agree that there is concern in Fife that, if the principle of higher charges is accepted, the tolls could be higher than the currently mooted £4 maximum toll? The toll rate in London doubled within the first few years of its being in place, so the toll rate for Fifers could be about £8. Does he agree that people are concerned that, once the principle is established, the tolls will be ratcheted up to much higher levels?

Rev Ross Brown: I totally agree with you about those concerns. However, where I would disagree with you slightly is that I believe that the principle has already been established with the Skye bridge. The Skye bridge tolls were removed because of protest and media hype, so why are higher tolls being inflicted on folks from Fife? If the plan to remove tolls on the Erskine bridge goes ahead, that will be a real slap in the face for folk from Fife. At the moment, feelings are running excessively high in our communities, especially those surrounding the bridge, because we do not have the alternative of buying housing in Edinburgh, where prices are excessive. Why should we have to pay for the rest of Scotland?

If there is an accident on the bridge or, God forbid, a suicide, as happens fairly regularly, the bridge is closed, and that causes absolute havoc and gridlock in east-central Scotland. Even this morning, the tailbacks stretched as far as Halbeath. An excessive number of vehicles go south, but not all of them go to Edinburgh. It is not all about Edinburgh, and that is one of the problems that we face in Fife. We are being judged on the basis of what is best for Edinburgh, but what is best for Fife? Ultimately, it is a matter of justice, because we matter just as much as the folks in Edinburgh, much as I empathise with the difficulty caused by traffic congestion there. If we have a bridge in the national network for the benefit of Scotland, why should Fife folk have to bear the brunt of the tolls?

Our concern is about where it will stop. If we need new hangers on the bridge in a few years' time, because of the huge trucks allowed by European regulations, who will pay for them? Will the response be simply to raise the tolls again and again? It is quite unfair.

Rosie Kane: Thank you for the information that you sent us. I know that the matter is causing many people a great deal of anxiety. I am concerned about the proposals appearing in the guise of congestion charges. There have always been tolls on bridges, but the number of cars using

them has increased, so tolls clearly do not deter motorists. I do not understand that at all. The people who will be hit hardest by a £4 toll between 4 o'clock and 6 o'clock at night are ordinary workers—nurses, social workers and people picking up their kids. The toll will take a huge chunk out of their income, and that is clearly worrying and unacceptable for them, because they do not have any other option, as you said.

The problem has been going on for years. I do not see why the people of Fife should have to pay for bad planning, poor public transport and a lack of forward thinking when jobs are lost and people have to commute to other areas. That is a huge concern and it has been raised in the Scottish Parliament. The situation is obviously heightened by what is happening at the moment, but it will not go away when the election campaign ends—it will seriously and negatively affect the entire community.

I do not see why anybody should have to pay to cross the bridge in the first place—the charge should have been scrapped a long time ago. I am very concerned about people's anxiety and that the proposed increase will hit the poorest people the hardest. The Scottish Executive should open its eyes to the problem if it is trying to be fair to communities and to encourage them by saying that job losses and changes in the community will improve the economy in the long term. In fact, we can see what is really happening.

My greatest concern has already been outlined—that what is happening now is just the foot in the door. If another bridge is built through the private finance initiative, we will see very high tolls. At the moment, there is a fear that if we break the pattern and have no tolls, they would then have to be introduced in the future. There could be an even more sinister backdrop to the situation. We have to look at all that and ask all the right questions. I hope that that is what the Public Petitions Committee will do today, to get some answers for the petitioner and the folk out there who will be affected not just this week but next week and into the future.

Rev Ross Brown: There is considerable hype at present but, as always happens, once the subject is no longer of media interest, it goes out of sight again.

I am a full-time minister, but I run a joiner's business on my day off, so I rub shoulders with tradespeople all the time. There is a great deal of anxiety in the trades. A one-man business has no alternative—a tradesman cannot carry their tools on their back. Some qualified tradesmen will no longer work in Edinburgh, partly because of the enforcement of the parking regulations, but also because of the hassle of getting across the bridge. If I wish to start work at 8 o'clock, I have to leave

between half past six and quarter to seven in the morning to get across the bridge. A lot of the traffic filters through the town in which I live and it is not unusual to sit for at least half or three quarters of an hour to get on to the bridge from Inverkeithing.

Rosie Kane: How long did you say that you waited?

Rev Ross Brown: Three quarters of an hour is not unusual. Some mornings, it is about 20 or 25 minutes, but the problem is the conga line. We have learned to accept that to a point, but to be charged an excessive rate to cross the bridge and not get the service is not acceptable.

In any other service industry, people pay for a service. During the road, deck and hanger repairs, we had phenomenal delays and difficulties. On one occasion, I just made it to a funeral in Edinburgh by the skin of my teeth, having left two hours early because of the roadworks at that time. Yet we still have to pay for a service that we do not get.

I know that practical problems must be faced, but ultimately, we should receive what is a lifeline service that allows us to drive south. Why should we have to pay for that? Phenomenal sums of money have been spent on the Thelwall viaduct repairs down south and on the bridge repairs in Glasgow, but none of that work has been paid for by toll charging, so why should folk in Fife and Kinross have to bear the brunt of these expenses? It is an injustice.

Ms White: Welcome and thank you for your submission. I agree that precedent has been set with the Skye bridge. As someone who crosses the Kingston bridge near enough every day, I know all about congestion although I do not have to pay for it. That is the big difference.

I drove over the Forth road bridge to get here, and although it was not too congested on our side, the traffic on the other side was horrendous. Only two weeks ago I drove up to Aviemore and we were stuck on the bridge for an hour because there had been an accident and no traffic could get through. What is happening on the Forth bridge is happening throughout the country, although you have to pay tolls and we just have the frustration of waiting in queues.

Should a referendum be held among the people of Fife on the proposed toll or congestion charge, which could be as high as £4 and has been mooted by the Chancellor of the Exchequer? Should a public inquiry be held into the circumstances surrounding the proposed increase?

Rev Ross Brown: Without any doubt, a referendum should be held and permission should be requested from the people of Scotland. People

in Fife should have a say in whatever decision-making process takes place. A referendum is a good proposal.

Ms White: It is not only people in Fife who are affected; we are talking about those who are further out, about the traffic and about the economy of this part of the country. The issue is not just about Fifers travelling to work, but about encouraging business people to travel and they will not do that if the charges are excessive.

Our committee papers make reference to FETA. I think that I have the right end of the stick, but perhaps you will clarify something for me. I mentioned the possibility of a referendum or a public inquiry being held. The papers say that the Forth Road Bridge Order Confirmation Act 1958 set a cut-off date for the levying of tolls and that tolling was extended to pay for improvements to the bridge and on-going maintenance. The cut-off point for tolling is currently 31 March 2006, as set out in the Forth Road Bridge (Toll Period) Extension Order 1997. The paper states:

"Any extension to the tolling regime past 31 March 2006 will require another tolling extension order. Such an order may be issued by Ministers on an administrative basis and there would be no formal parliamentary scrutiny."

That worries me. If this situation is dragged out—I hope that it will not be, particularly for election purposes—could ministers impose another levy without having to seek Parliament's approval?

Rev Ross Brown: That is my understanding. Our Chancellor of the Exchequer stated some years ago that as soon as the bridge was paid for, the toll levies would be abolished. I might be wrong about that, but that is my understanding of the situation.

However, the levying regime was extended. Again, that is totally unfair. It is unfair that we have had to continue to pay for the bridge for the benefit of the rest of Scotland. That is in no way an overstatement. The bridge is the main lifeline for industry up in Aberdeen, the rural areas, the islands and heading up to Inverness.

If we believe what we read in the papers, it is mostly truck traffic that causes the damage to the bridge. If the damage is being caused by all those haulage vehicles going about their daily business for the benefit of Scotland, why should that not be paid for by the public purse? The bridge does not benefit just Fifers, although we bear the brunt of the cost. We pay to get in and out of Fife.

Ms White: The tolling orders are very worrying. Do we have to get an answer from the Executive before 31 March 2006? If the Executive gives no answer before then, the situation seems to be that it can up the price if it wishes without further scrutiny.

Rev Ross Brown: My big concern is that although we have heard much from the press and the media, we have not heard much from the mouths of our parliamentary representatives. We have heard only limited information from elected members. We in Fife want to know exactly what is going on.

Folk have begun to put their houses on the market because they cannot cope with the commuting and because they have concerns about what would happen if the bridge were to close and they could not get to work; if they do not get to work, their families will not be fed. So it goes on. I know of cases in which that is happening. It is devastating for an area in which 700 job losses have already been announced. How many folk will have to go over the bridge to find work? There is very little work available in Fife at present.

11:15

Jackie Baillie: I have an interest in the Erskine bridge and would like to engage in dialogue about it, as there is common cause to be made. I am concerned, however, that we are saying that what is good for one bridge is automatically good for another. However, there are underlying issues that we need to understand; if we do that, we will make progress.

It strikes me that there are two separate issues. First, your petition calls for no increase in tolls. I am conscious that some people argue for the scrapping of tolls, which you are not asking the committee to look at. Secondly, there is the need for a new crossing. Do you agree that those are the two areas?

Rev Ross Brown: Yes.

Jackie Baillie: That helps my understanding of the matter. Needless to say, as the leading proponent of scrapping tolls on the Erskine bridge, I am very supportive of your petition. My clear understanding—despite the attempts that have been made to put smoke and mirrors in front of the tolls issue—is that the Executive rejected a £4 toll. Therefore, any suggestion that the toll might double at some point in the future is perhaps speculation that is designed to serve other purposes—given the coming by-election in a place near here.

From my perspective, the difference between the Erskine bridge and the Forth road bridge is that the Forth road bridge is not owned by the Executive in the way that the Erskine bridge is. FETA invests some of the toll money in the roads around the Forth road bridge and I tried to find out whether that happens with all the bridges in Scotland.

Rev Ross Brown: I believe so.

Jackie Baillie: That is helpful.

You are very fortunate: you are tolled only one way—when you are going back into the kingdom. On the Erskine bridge, we are tolled both ways; we are caught twice. More critical is the structure of the bridge and the concerns of people in Fife about it—and not just in Fife, but throughout Scotland. You are right to say that the Forth road bridge is of economic importance not just to Fife but to the whole country. Therefore, the condition of the bridge is the real issue. Is not the question of having a bridge that will be open for the foreseeable future and which will be essential to the Fife economy—and affordable—much more important than any debate about scrapping tolls at this stage?

Rev Ross Brown: It is not an issue of either/or, but of both. I would like to clarify what you said about paying tolls when travelling north and south. Some years ago, the payment forecourt on the bridge was rearranged in an attempt to alleviate congestion. In effect, the bridge's toll doubled over night to cover the cost of going north and south. We still have to pay to get into the kingdom—in my other job, fortunately, we do not have to pay to get into the kingdom. Ultimately, however, folk in the kingdom of Fife live with the reality of paying a double charge for a one-way journey. Recently, the toll increased from 80p to £1. That is a real-terms hike, no matter what one's income.

We have to take cognisance of the lifespan of the bridge. At the moment—if we are to believe the press—heavy-duty goods vehicles cause, in the main, between 60 and 80 per cent of the damage that is done to the bridge. Hangers had to be replaced because of the excessive weight of those vehicles. Car drivers have to pay for additional service to roads for which they already pay dearly.

Jackie Baillie: For me, the issue is about volume as well as heavy-duty vehicles. It was anticipated that the bridge would carry 11 million vehicles annually, but it now carries 24 million, which is a considerable expansion.

Perhaps it is wicked of me to ask this question, but I would like to know whether you agree with me. Provided that there is a public policy interest, my constituents expect me to be articulate and vocal in my support of their cause, regardless of whether that cause concerns reserved or devolved policy. On that basis, do you not agree that it is much better to have the chancellor on your side than against you—as well as having the divine intervention that you mentioned earlier?

Rev Ross Brown: I do not want to get into that debate. I accept that Gordon Brown is against an increase in tolls, but the decision-making process is devolved to the Scottish Parliament. That is my

understanding; if I am wrong, please correct me. It is great to have Gordon Brown on board in support of us, but you are the folks who will have to make the decision on behalf of Scotland and its people.

John Scott: Can I nail this down and develop Jackie Baillie's point? I come from an engineering perspective with regard to the Forth road bridge: it is worth repeating that the bridge was designed to carry 11 million vehicles a year but that it now carries 24 million vehicles a year. The design brief for the bridge was for a maximum vehicle weight of 24 tonnes, but the bridge now copes with 44 tonnes. It is a huge credit to those who designed the bridge way back when that they built in safety factors—without the help of computers—that allow the bridge to operate still.

Given the current volumes and the likely increase in them, we need to contemplate a new, additional bridge. Is that view widely held in Fife?

Rev Ross Brown: People would like either an additional bridge or a tunnel system. Environmentalists are rightly concerned about the volume of pollution in Fife, although I am not sure whether statistical work has been done to compare pollution in the city with pollution on and around the bridge. However, I believe that a number of childhood illnesses that may be caused by pollution have a higher incidence around the bridge, so that has to be considered.

The bridge, in its present condition and dealing with the present volume of traffic, has a limited lifespan, but perhaps there are ways in which that lifespan could be lengthened considerably. We have to look at issues such as filtering traffic, other routes in Scotland and whether there are alternatives. Most truck drivers want to take the most direct route, but the most direct route from the north is via Kinross, through the hillfoots to Kincardine, and then on to the M6 main route heading south. Perhaps that prospect has not been looked at properly, but the Executive could examine it to see whether it could take a major structure as a main thoroughfare.

At present, six routes are being filtered into two and one cannot fit a pint and a half into a pint pot. Not that long ago, Helen Eadie and I attended a public meeting in Inverkeithing with FETA representatives—although one FETA representative, the main speaker, could not attend because he had got caught up in congestion on the bridge. The FETA representatives said that they used the tolls and the bridge to filter the traffic so that they could control vehicles heading north. As part of the broader picture, we need to look at how we manage such a volume of traffic. As a layman, I believe that the only alternative is another bridge, perhaps a multifaceted one with several lanes. I believe that a bridge in Australia that has six or eight lanes carries northbound

traffic on one level and southbound traffic on another.

We have to consider issues of practical design as well as how the Forth bridge relates to Scotland's future. There has to be some forward planning and thinking, which, in my estimation, has not happened for the past two or three decades.

John Scott: If another bridge were to be built, those who make their living by working out traffic systems would come up with the best way of using both bridges. Similarly, we would have to come up with a way of paying for it, but that is a matter for another day. We are where we are and it is sensible not to induce a sense of panic in the debate. The bridge will not wear out in the next five years—it can be maintained. That will have a considerable cost, but we will not wake up in 10 or 15 years' time and suddenly find that the bridge is unusable. To suggest otherwise would be scaremongering.

How can we address the fact that 70 per cent of the vehicles that use the bridge have only one occupant? Fife Council has done a pretty good job in trying to encourage people on to public transport, but how should we tackle the single-occupancy problem?

Rev Ross Brown: A lot of work has been done with the park-and-ride scheme and the extension of rail platforms in Fife to allow longer trains. Also, those who work on the rail network are trying to get the link between Alloa and Kincardine sorted out so that they can reroute the commercial coal trains that pass my door at all hours of the day and night. There is a prospect that they will be able to do that.

The biggest issue for people who use their cars alone is whether there are alternatives. Many folks are single and have no family or friends who travel with them to a particular destination for work, so it is difficult for them to have more than one person in the car. That is especially true if they work outwith the central network of systems. If someone works in an office at South Gyle, they can get a train from Inverkeithing. Hundreds of cars are parked at Inverkeithing every day. Folk who work at South Gyle park there, jump on a train, get off at South Gyle station, go to their office, do their work, get back on the train and drive from Inverkeithing back to their homes. That works fantastically well, even when they park in our driveways.

However, we have to consider people's follow-on journeys. People can reach Haymarket or Waverley, but how can they easily and within a reasonable time and cost get from there to their destination? We need to address that point and work together on it. We need joined-up thinking. What happens when a tradesman works on their

own? They cannot carry their tools and all the equipment that they need on their back, so they have to travel alone. In that case, the costs are passed on to the customer. That is an added burden for someone who is trying to make a living.

Helen Eadie: I, too, compliment you on all the work that you have done. I reassure members that you were not politically inspired to lodge your petition—you were working on it well before the announcement of the by-election. I think that it was in October or November—as soon as we knew about the FETA decision—that you came to me and said that you were angry about the matter. You wanted to get it on to the agenda and ensure that it was addressed. I hope that that allays any members' fears on that point.

John Scott said that there is no urgency, but I believe that there is absolute urgency. It took 20 years to build the Forth road bridge, from the time when the legislation was passed at Westminster to the opening of the bridge. Reports from FETA's experts say that the bridge will close to heavy goods vehicles by 2014 and to all passenger vehicles by 2019.

11:30

The petition is about the increase in charges. As you rightly point out, two of the biggest issues are the justice issue and the issue for trade, commerce and people's livelihoods. The bridge is a lifeline for everybody in central and east Scotland. That is why there is a political imperative on us all to ensure that there is no increase in tolls. You will find that every politician north of the River Forth has been campaigning against the increase; I make no apologies for the chancellor in that respect. After all, he is a politician who represents the area and every Labour MP, MEP, MSP and elected councillor in Fife has been campaigning against this. The chancellor is right to do what he is doing, because he knows how desperately important the issue is for the whole of Scotland.

Moreover, the way in which FETA has proposed increasing the tolls is not the way to make policy, and the Scottish Executive should examine whether the strategic transport authority should be responsible for such matters instead of responsibility yo-yoing between Edinburgh and Fife. After all, every time that FETA has an Edinburgh chair, the policy is congestion driven and every time that it has a Fife chair it is—quite rightly—driven by economic development. Policy decisions should perhaps be made centrally.

I recommend that we write to the Scottish Executive, FETA and TRANSform Scotland, the AA, the RAC and Friends of the Earth Scotland, seeking their views on the petition. However,

because the bridge is such a major economic lifeline for the area, we should also seek the views of Scottish Enterprise Fife, Scottish Enterprise, the Federation of Small Businesses, VisitScotland and the chambers of commerce in Fife and Edinburgh. I also recommend that the committee take the unusual step of writing to the European Union Commissioner for Transport. Given that the bridge is a European strategic transport link, I imagine that the EU will have a view on the matter. Furthermore, an organisation called the North Sea Commission, which comprises the local authorities of the EU countries in the North sea area, has a transport secretariat and has been very much involved in transport policy.

Finally, I urge the committee to write to FETA, asking it to withdraw its proposal. The proposal has been so universally unpopular that the authority should convene an emergency meeting on that very matter. Moreover, we should write to Perth and Kinross Council, which is controlled by the Liberal Democrats and the Scottish nationalists, to ask it to investigate why its councillor representative voted in support of increasing the tolls and to ask it to reconvene—

The Convener: I do not think that it is appropriate to bring that into the discussion.

Helen Eadie: Okay. [*Interruption.*]

The Convener: If the gentleman does not stop shouting, I will have to suspend the meeting. Please sit down. [*Interruption.*] I am sorry—I must suspend the meeting.

11:32

Meeting suspended.

11:33

On resuming—

The Convener: I am sorry about that.

Helen Eadie was recommending a list of organisations that we should write to.

Helen Eadie: I accept that I should withdraw my last recommendation, convener. It would be helpful to proceed with the other recommendations.

John Farquhar Munro: I was interested in the suggestion that all bridges should be part of the trunk road network. I support that idea, but how do we promote it to successive Governments? We lose the argument every time because the Government says that a toll system is required to supply revenue to maintain the bridge. How could your suggestion be promoted more vigorously?

Rev Ross Brown: Policy making should not be based on party lines. This country is one of the

highest-taxed countries for motorists, but most of that finance does not go into the main road network and its maintenance, even though the road network benefits whole communities and not just motorists or road users. I think that motorists would be prepared to swallow a modicum of an increase in their direct taxation and that they would bite the bullet if they got the service that they needed, including a system that involved free tolls. However, there is an easy milking system if people say whenever there is a budget, "Right. Let's just put another 5p or 10p on petrol or whatever amount on the road tax". Most of us who have cars would say that we are not happy with that, but we would pay anyway because we would not sell our cars at a great loss. Cars probably represent the second biggest item of expenditure in our household budgets. Motorists are an easy target. The money is fairly easy to collect, but it benefits whole communities and those who do not, as drivers do, use the roads.

John Farquhar Munro: I agree. Successive Governments and economists regularly say that a very small proportion of the revenue that is extracted from the motorist—not least through road fund licensing, which applies from private motorists to commercial motorists, who pay thousands of pounds for their vehicles to be on the road—is reinvested in the roads infrastructure, whether in bridges or roads. An unfair anomaly therefore exists.

You referred to the Skye bridge, which is dear to my heart. Things were different in Skye because the Skye bridge was constructed under a private finance initiative—it was not funded by central Government or even local government. We had to present a different argument in Skye, and it took around nine years to win the argument. The tolls for that bridge were substantially different from the current Forth bridge tolls. The toll for cars on the Forth bridge is £1, and there have been objections to that. In Skye, a one-way toll for a car in the winter was £4.80; in the summer it was £5.80. The one-way toll for commercial vehicles, which you mentioned, was £27.50. A touring coach would pay £85 return. There are big differences in the tolls.

The same arguments that were used in relation to the Skye bridge could be used in relation to the Forth bridge. The tolls were an impediment to the economy—I am sure that you use the same argument with respect to the Forth bridge. The debate about whether tolls should be increased to the proposed level will continue, and I am sure—at least I hope—that higher tolls will not be universally supported. My dear colleague Jackie Baillie has complained for a while about the Erskine bridge tolls, and I support her efforts to achieve success with them.

It was agreed that tolls on the Forth bridge would cease when the bridge was paid for, but there was a subsequent agreement that they would continue and that the money would be used either to pay for a second crossing or for maintaining the current bridge's infrastructure. Things change conveniently when it is appropriate for them to change.

I wish you well with your campaign and hope that you will have the same success that we had in Skye.

Rev Ross Brown: I do not know whether members are aware that adjustments are being made to the toll-collecting area on the Forth bridge. Only last week, cameras suddenly appeared there. It appears to motorists and the general public that something is afoot and we are paying for it. When I asked at the tolls what the cameras were for, I was told, "Oh, we are just testing to see if the cameras can tell how many occupants there are." That generated a great deal of concern in me and others who had noticed the cameras. Such things are happening before decisions have even been made, which is concerning.

The Convener: Helen Eadie suggested a list of organisations to which we should write. We should take that list on board. I have no difficulty with writing to FETA asking for information, but the committee does not write to organisations instructing them to take one or another course of action. That would be totally inappropriate and I do not recommend that the committee should go down that route. However, if committee members want to add to the list of organisations, I am more than happy to hear suggestions.

Ms White: I ask for clarification on that point. It is imperative that we get a reply from the Executive. The cut-off date of 31 March holds the key to everything. I know that we cannot say that we wish a reply as soon as possible—although perhaps we could in this case—but it is imperative that we get a reply back as quickly as possible.

The Convener: We try to get a reply within six weeks, which would keep us within that timescale.

Ms White: Will you remind me of who else we are writing to? There were so many that I cannot remember them all.

Helen Eadie: Do you want me to read out the list, convener?

The Convener: If you do not mind.

Helen Eadie: I recommend that we request views from the Scottish Executive, the Forth Estuary Transport Authority, TRANSform Scotland, the AA, the RAC, Friends of the Earth, the Federation of Small Businesses, VisitScotland and the chambers of commerce in Fife and

Edinburgh. Unusually, I also mentioned the European Commissioner for Transport because, as John MacDougall, the MP for Glenrothes, knows—he is in the public gallery—the European Commission regards the bridge as an essential trans-European link, so it would have a view on the petition. My final suggestion was that we write to the secretariat of the North Sea Commission's transport group, because it comprises all the local authorities around the North sea area and is particularly important with regard to the Superfast ferry and trans-European links.

The Convener: Is the committee happy with that list?

Members indicated agreement.

The Convener: We will get back to the Rev Ross Brown and let him know what the responses are. We thank him for submitting the petition.

I suspend the meeting for five minutes so that we can speak to security about the situation and make inquiries about the incident that just happened.

11:42

Meeting suspended.

11:53

On resuming—

Hospital Patients (Spiritual Care) (PE923)

The Convener: Our next petition is PE923, by Ben Conway, who calls on the Scottish Parliament to urge the Scottish Executive to promote pastoral and spiritual care in hospitals to ensure that the physical, psychological, social and spiritual needs of patients are properly addressed. Mr Conway is here to give us his comments. He has a few minutes to do that, after which we will discuss PE923.

Ben Conway: Pastoral and spiritual care in our hospitals is important and something needs to be done about it. The pastoral care group of Kelty church feels that there is a need to evaluate the role of church visitors, who could and should be sanctioned by their church, presbytery or religious order. We were informed at a meeting that was held recently in the Queen Margaret hospital in Dunfermline how important such visits are to patients, and we understand from medical staff that visits contribute to patients' recovery. However, because of the unintended consequences of the Data Protection Act 1998, we have been unable to get hold of a list of people from our community who are in hospital. Because of the same restrictions, it is not realistic to expect people in the church to give us the names of those

people and that is also true of our local community.

The pastoral care group, which has been visiting the local hospital for more than 40 years, feels that there is a need to put in place a system that would allow patients who would like a visit from a group such as ours to have one. The hospital admission form should ask whether the patient would like a visit from a representative of the Church of Scotland, the Roman Catholic Church or another denomination. We suggest that a list of patients who would like to be visited could be compiled. That facility could easily be created within the confines of data protection legislation and we firmly believe that a patient, having given permission for a visit, should be granted that pastoral care facility. Perhaps a simple computer-run system to collate the information would suffice.

We acknowledge the need for data protection to ensure patients' confidentiality, although we feel that the committee needs to listen to our concerns about the folk whom we are not able to visit at the moment. People in our village have often commented to us how nice it was to have a visitor because their family members were unable to visit during afternoon visiting times because of work or other arrangements. The nursing staff and doctors have often said that our work did the patients a lot of good and helped them to recover better from their illnesses.

It was a huge blow when we found that we could not access the hospital list, hence the petition to the committee to consider whether it would be possible to make our own Scottish law under the United Kingdom Data Protection Act 1998. We acknowledge the act's importance and realise that it exists to protect members of the public, but we feel that, in many instances, the welfare of the public is being damaged by the current legislation because their pastoral, spiritual, psychological and social needs are not being fully met. Those needs must be addressed. Therefore, the pastoral care group of Kelty church asks the committee to consider and discuss the UK Data Protection Act 1998 and its current implications for faith groups, visiting and hospitals. Can amendments be made to the act to enable us to visit again? We would be grateful if the committee could take on board all that is necessary to protect the people whom we visit, while keeping confidentiality paramount at all times.

We have attended a number of seminars that Fife NHS Board has held over the past two years on the "Right for Fife" consultation document. We are pleased that the health board has addressed the pastoral care team at different times and that it has recognised the spiritual needs of hospital patients. Any help in the matter, which is very complicated, would be a major boost to all who are

involved in pastoral and spiritual care. The subject is close to our hearts, and we desire to help those who need a listening ear or a word of comfort while they are in hospital, and to help in their physical, psychological, social, spiritual and pastoral care.

Ninety-eight per cent of the people whom we visit in hospital are from our community of Kelty and 2 per cent of them are in the church. On occasion, we have advertised in the local community council newsletter to inform people about what the system is now. The patient's next of kin need to approach us and the patient in hospital needs to tell us that they want a visit. We feel that that restriction places us under a terrible strain as we try to care for the welfare and pastoral needs of the people in our community.

The Convener: Thank you very much, Mr Conway. In answer to your question about our ability to amend the Data Protection Act 1998, I point out that to do so is not within the Scottish Parliament's powers. That act is reserved to Westminster and can be amended only there. However, the committee can discuss how to overcome the practical difficulty that you find when hospitals want to implement the provisions of the act. I have had some experience of that; constituents have written to me about changes that were made in hospitals in Glasgow. It was not difficult to overcome the problem there; it was solved several years ago, so I am surprised that it still exists in Dunfermline. I am interested to hear committee members' views on how to resolve the issue.

12:00

John Scott: A new set of guidelines was recently issued to the Ayr churches. They have been issued with a direction from their presbytery that they can no longer, for the purposes of visiting, intimate in pew leaflets who is in hospital. I have absolute sympathy with Mr Conway on the issue. Although I appreciate that we cannot change the Data Protection Act 1998, a way of addressing this issue must be found. Many people in hospitals do not—when previously they would have—receive visits from friends from within their church communities because their friends do not know that they are in hospital. Guidelines must be put in place to overcome and solve this problem.

Ms White: The matter was resolved in Glasgow and other areas through the addition to the patient's administration form of a visiting consent form, on which the patient can say whether he or she wants visits. When people went for visits, that information could be presented to them. The clerk or the convener might be able to clarify whether such a proposal could be made to the Executive, which is responsible for the national health service

and health services in Scotland. Although I dislike the term “mandatory”, could a consent form be made mandatory for patient’s administration forms? Such a scheme would allow visits to people in hospital without people breaking the data protection legislation or our having to ask Westminster to amend the act. What do you think of that as a way forward, Mr Conway?

Ben Conway: I approached Helen Eadie approximately three and a half years ago on this very subject. One of the problems that we have here is that last September—I think—the Queen Margaret hospital in Dunfermline brought the shutters down on our group receiving permission for visits from patients. As from January 2006, religious ministers will not receive the information. I accept that, if I was in hospital, I would not be concentrating on visits from a minister; I might be tied up with what is wrong with me. We feel that the situation for people in hospital might be that they are tied up with the different things that are happening to them, the operations that they have to go through and so on. We have spoken about this and suggest that we could get a next-of-kin consent letter that would allow us to visit.

We are responsible when we visit hospitals. When we saw the lists at the hospital, we did not visit people who had said that they did not want a visit. We also always visited the relevant nursing station to ensure that it was correct to visit a patient. We did the same when we went to the hospice: we would never go directly to a patient, but would instead check with the nursing staff because some patients might be emotionally upset and may not want visitors.

Ministers in this area do not receive lists of patients in hospital; they depend on people coming to tell them when people are in hospital. In the past couple of weeks, there have been a number of people at Victoria hospital in Kirkcaldy who have had their knees and hips and so on done. One lady said to me that I had never visited her in hospital, but I said that I could not because I did not get her name. We cannot walk in there and get the names because that would be a contravention of the Data Protection Act 1998. I know other areas in Scotland have experienced the same difficulties as we have. We have had several meetings with Helen Eadie at Parliament on this subject. The legislation is a UK act, so we may have to take steps in addressing the issue with Gordon Brown MP. The situation needs to be addressed if, in other places, people are getting into hospitals for visits.

Recently, we heard of a lady in hospital who was told she would have to go to a nursing home. She was very upset, but our visitor convinced her that the nursing home was her best option, rather than her just sitting in her house looking at the four

walls. The lady went to the nursing home and she thanked us for that. We still visit that lady.

We had another situation where a patient with cancer had a relapse after a year and a bit and was diagnosed as being terminally ill. We did not know when she went back into hospital because of the provisions of data protection. You can imagine the situation when we visited. We chapped on the door and asked her husband if it was okay for the pastoral care team to visit her. He said, “Yes,” but he could have said that he did not want us to, which would have been fine as well. We put in two or three visits in the fortnight that she managed to live after that. The issue is about tying up with patients. If somebody wants help when they come out of hospital, there is no problem—we try to give it.

Ms White: I have a quick follow-up question. The Data Protection Act 1998 is important and serves a good purpose. Are you saying that you would not be satisfied with a consent form? If NHS boards were told that they had to enter the information into a computer—obviously, everything is done on computers now—and give the list to the pastoral care team of whichever religion, would you not be happy with that? Do you want the Data Protection Act 1998 to be changed?

Ben Conway: If the health board or the chaplaincy was to give us a list, I would like a control to be introduced. The chaplaincy gets a list, but we are not allowed access to it, even though we support the Queen Margaret hospital chapel services on Sundays. We need something in place so that it is known that we can legitimately see the list. As I said, the presbytery could register the visitors from Kelty church or Aberdour church, which has a similar group to ours. We would have badges to show who we are so that other members of the public could not access the list. We must ensure that that does not happen.

Jackie Baillie: The Data Protection Act 1998 is reserved to Westminster, but there is perhaps more than one way of getting what we want, which is to get you guys back in hospitals doing what you do best, which is visiting. The petition has come at a great time, because the Scottish Executive will in the summer publish guidance on the issue; the petition could help to shape that guidance. Sandra White mentioned consent forms, which could be filled in by a relative or by the patient. Could they be used to give permission to visit either to the chaplaincy or the pastoral care team? That would be simpler than a long letter at the beginning of the process. The form could perhaps be coupled with an information leaflet. Those two measures would help to overcome the hurdle of the lack of awareness of the service and might get you back into the hospitals to work productively. Would that be useful?

Ben Conway: Yes. I have another point about something that we were told when we did data protection training at Queen Margaret hospital. Our group was set up to help the minister to do his work. Our area has many elderly people, so there are a lot of funerals. When there was a union of the churches in Kelty 40 years ago, the minister told us that he could not visit in hospital because of all the funerals—he had three or four a week at some times of the year. We set up our group to help the minister and, more important, to help the community.

In the past, if we visited a terminally ill person who was getting gradually worse, we told the minister that the person had maybe a couple of weeks to live. In our training on the data protection law, we were told that we should not tell the minister about those people, which I found extremely strange. We were told that, if we go to hospital to visit someone, that should be it—we should not tell the minister about them when we come back. In the past, we would tell the minister that we had visited five people and that two or three of them needed a visit.

Helen Eadie: I congratulate Ben Conway, who raised the issue with me a long time ago. Thanks to his diligence and tenacity, we have arrived at today's meeting. His work has been complemented by members of ministries of all faiths in the area. The Rev Ross Brown has been heavily involved in the work, as have others who could not be with us today. Members have rightly pointed out that, on the Data Protection Act 1998, we need to refer to our colleagues at Westminster, such as John MacDougall MP, who is in the public gallery.

The simple amendment that the professionals have told us is required is the inclusion of the chaplain as a member of the health care team; the Rev Chris Levinson made that point to us. As my colleagues have rightly said, what Ben Conway and others are asking for would be achieved simply by having a leaflet with a tear-off slip. That would help enormously.

We need to raise public awareness of the value of the work that the pastoral and spiritual care teams do. When they visit patients, they do not try to press a religious message on them or to get them to support a particular religion. Their purpose is to give true love and spiritual support to people in adverse circumstances. Everyone would want to encourage that—I certainly hope that we can go on to do that.

The problem is much more widespread than we might think. I know from speaking to my parliamentary colleague Ken Macintosh that the Jewish religion is particularly affected by it. Colleagues have supplied us with anecdotal evidence that there are cases in which even the

last rites are being denied people as a consequence of the present arrangements. It is vital that we get the situation resolved and I am pleased that Jackie Baillie has picked up that it would be timeous for us to put in a word to the Executive.

I congratulate Ben Conway on ensuring that the issue has been made central to the agenda. I will speak to John MacDougall MP afterwards to find out whether there is some way of getting the necessary legislative change made at United Kingdom level. There is resistance to that, so if John MacDougall can help us to achieve the small amendment whereby hospital chaplains—we are talking about professionals in hospitals—could become registered health care professionals, that would make a considerable difference.

The Convener: In an effort to be helpful, we checked out where legal responsibility lies for dealing with the Data Protection Act 1998. The response that we received states:

“adding a consent question to admission forms and keeping a record of that consent would be admissible on the basis of the Scottish Executive's responsibility for the NHS in Scotland. These would be policy decisions taken to facilitate pastoral care, as an aspect of health care”.

It appears that we must simply ask the Executive whether it intends to do that, given that to do so is within its powers.

Do members have any suggestions about who else we could contact to ensure that we get the widest possible perspective on the issue?

Rosie Kane: We could seek the views of the Scottish Inter-Faith Council.

The Convener: That is a useful suggestion.

John Scott: Perhaps we could write to the Church of Scotland.

Jackie Baillie: If we write to the Inter Faith Council, we will cover all faiths in Scotland.

Helen Eadie: I suggest that we approach Professor John Swinton from the University of Aberdeen, who has written a paper on the subject, and the Rev Chris Levinson, who is responsible for much of the work that has been done on the issue. I understand that he is the health care chaplaincy training and development officer and spiritual and pastoral care adviser to NHS Scotland.

Ms White: I cannot remember its proper name, but I think that there is a patients council, the views of which we could find out.

Rosie Kane: I was going to suggest the Scotland Patients Association.

The Convener: As there are no other suggestions, we will write to those organisations to get the best views that we can.

I thank Mr Conway for lodging his petition. We will inform him of the content of the responses that we receive.

Ben Conway: I thank the committee very much for listening to me. I am pleased that progress is being made, especially with Fife NHS board. When we first spoke to the board, we thought that its view was, "Oh well, it doesn't really matter," but we were at a seminar in Kirkcaldy at Dean Park hotel, at which pastoral care was the theme that came back from nearly every group. I know that Irene Souter, who is the health board's director of nursing, was planning to issue a paper inviting all the ministers to come to a seminar, but could not go ahead with that because of the Data Protection Act 1998. She was within 24 hours of releasing that paper. The problem is huge and I appreciate the fact that the committee has listened to me this morning.

Current Petitions

Solvent Abuse (PE580)

12:15

The Convener: Under agenda item 2, the first current petition is PE580, which calls on the Scottish Parliament to recognise the serious problem of solvent abuse in Scotland and to introduce preventive safety measures to help to combat it. The petitioner, John O'Brien, has provided further material, including an update on the progress of LOST—the Lee O'Brien Solvent Trust—which has been circulated to members.

I am pleased to introduce John MacDougall MP, who has taken a particular interest in the issue at Westminster on behalf of the petitioner. Members are aware that there are some issues relating to the petition that are reserved to Westminster and some that are devolved to the Scottish Parliament. I invite John MacDougall to make some comments about his involvement in the matter to help us to consider the petition further.

Mr John MacDougall MP: I apologise for not being able to make earlier meetings; I could not arrange a visit to the committee because of parliamentary business. However, that has meant that I am able to be here in the kingdom of Fife this morning, so it is no loss. I thank the committee for giving me the opportunity to speak about solvent abuse, and for the excellent work that the Scottish Parliament has done so far on that important issue.

I am pleased to be able to talk today about solvent abuse, particularly abuse of cigarette lighter fuel. My interest in solvent abuse grew out of the tragic death of my constituent Lee O'Brien, who died after inhaling lighter fluid. Lee was only 16 when he died. I pay tribute to John O'Brien who, with other members of his family, set up the Lee O'Brien Solvent Trust, now known as LOST, in the youngster's memory. Lee's family immediately started a campaign calling for a change in the legislation on the sale of solvents so that the terrible tragedy that happened to Lee would not happen to other young people.

The family has campaigned tirelessly and has achieved a great deal in a short time. John O'Brien tells me proudly about his visit to London to attend a gala dinner that was organised by the Queen to acknowledge the efforts of various organisations that have carried out such work. He was given the opportunity to make his point personally to Her Majesty at that event. I tabled an early day motion in the Westminster Parliament last autumn, which secured the backing of more than 70 MPs, and I arranged for a petition containing 15,000 signatures to be presented at number 10.

Lee's death was not an isolated incident. According to Re-Solv—a national organisation that was established in 1994 to prevent solvent abuse and to deal with the scale of the problem—volatile substances kill more young people than any controlled drug. I would like to take the opportunity to thank Re-Solv for all its hard work, including its work with the all-party group in Parliament on solvent abuse.

Figures from the European Monitoring Centre for Drugs and Drug Addiction reveal that one in seven of Britain's 15 to 16-year-olds abuses solvents. Thousands of teenagers are putting their lives at risk by sniffing glue, lighter fluid and other substances. Some 1,700 deaths connected with such substances were recorded among young people in the UK between 1983 and 2000. On average, more than one young person dies in the UK every week because of solvent abuse. More worryingly, great concern remains about the number of deaths among under-18s from abuse of cigarette lighter fuel. Evidence suggests that butane cigarette lighter fuel refills now account for 64 per cent of all substance-abuse deaths.

The Cigarette Lighter Refill (Safety) Regulations 1999 were introduced by Parliament, and I believe that there is a need to review the effectiveness of those regulations in the light of the current figures that I have outlined.

The statistics go on and on. St George's hospital medical school's current report provides figures for 2001, which is the last year when deaths were recorded for solvent abuse and volatile-substance abuse. For the first time there was strong evidence that disposable cigarette lighters were involved in substance abuse deaths. For under 18s, there has been no sustained decrease in the number of deaths since 1999.

The problem is, indeed, nationwide. In my opinion, it requires joined-up thinking in the Government, and representative bodies' sharing their knowledge where possible. The problem is not confined to one particular area of the UK. Young people remain the group that is most associated with solvent abuse. Between 1971 and 2000, most deaths from substance abuse happened in the 14-to-18 age range, although children who were under the age of 10 have died from the effects of solvent abuse.

Solvent abusers can be male or female, although a high number of solvent-related deaths are of boys. The one thing that must be clear from the outset is that there is no stereotypical solvent abuser. People who abuse solvents can come from different social, cultural and ethnic backgrounds, which means that we must combat the problem nationally and collectively.

Among the most distinctive factors about solvent abuse are that the products that are involved have legitimate everyday uses and that the age at which young people experiment with such substances is generally much lower than for controlled substances. There have been many debates, questions and early day motions in the House of Commons; it is now time to ask the Government to strengthen the regulations, especially on the sale of cigarette lighter fuel.

Re-Solv was started 10 years ago to combat the problem and—with no criticism—I believe that its weakness is a result of the legislation. However, the situation remains in which young people are dying from inhalation of cigarette lighter fuel.

A high rate of crime is also associated with substance abuse. Many reports have shown that serious crimes are committed when people are high on lighter fuel. In Scotland, the LOST campaign has already prompted the introduction of a test purchasing scheme, which was piloted here in Fife. It was aimed at stamping out the illegal sale of lighter fluid to young people. Test purchasing should be increased.

One crucial method of preventing deaths by inhalation that I beg the Government to consider would be to reduce the size of cans to 25ml. That would reduce the amount of fuel and would thereby minimise the risk from inhalation when someone attempts to get a temporary high. I also believe that reducing the size of containers will not be enough on its own, unfortunately. We need co-operation from retailers and people in education in order that we can prevent young people from being drawn into the dangerous world of substance abuse. A retail campaign partnership between the British Retail Consortium, the Government and schools could produce dividends and so might be worthy of consideration.

I believe that the way forward is much tighter and stricter enforcement of the existing law. Staffordshire County Council has three trading standards officers to police the sale of cigarette lighter fuel. I am not saying that that would be the answer everywhere, but it is worth considering. The nomination of an enforcement agency, such as the Trading Standards Institute, would achieve much.

I am sure that the measures that I have outlined, taken together as a package, would do much to reduce the risk of unnecessary deaths, such as that of Lee O'Brien. There are no safe levels of solvent abuse; it can kill the first time or the 100th time. There is therefore an urgent need for us all to work together in the hope that we can make a difference and reduce the risks of our young people being drawn into such dangers.

The Convener: Thank you, John. I hope that you do not mind if the committee now discusses the issue and perhaps asks you questions to help us to take the petition forward.

Helen Eadie: John O'Brien and his family suffered a tragic loss, but we can see the difference that one family can make to getting this awful problem addressed and I congratulate them on that. I also congratulate John MacDougall; it is good to know that he is taking up the cudgels at Westminster to ensure that the issue is addressed.

One particular issue that arises from the responses that we have had troubles me, and I wonder what John MacDougall can do to help. We had a reply from the Department of Trade and Industry in the form of a letter from the right hon Patricia Hewitt MP. I wonder whether it might be possible for you to seek a meeting with her. I presume that the letter was written by the private secretary who signed it, Shantha Shan. The letter states:

"While supportive of initiatives by companies to tackle social issues, the Department does not have particular views on the initiative outlined in your letter."

The particular issue that we were trying to address was getting a substance called Bitrex introduced into butane because that would produce such a noxious smell that nobody would want to inhale it.

We had a good response from Shell, which has tried hard to address that issue. However, its point is that unless it gets the collaboration of the industry that makes the lighter fuel, it will not be able to take forward the issue. It seems to me that the industry that produces butane is not getting its act together to inject Bitrex into butane. I wonder whether you agree that the DTI could play a bigger role than it accepts responsibility for. If so, I wonder whether you could seek a meeting with the minister to emphasise that point, which might address the problem almost at a stroke.

Mr MacDougall: I have strong sympathy with your point. There have been that many changes in the Government's senior levels that I am not sure who the most recent DTI person I had a meeting with was, but I did meet someone about this.

A number of factors must be considered in terms of obnoxious components being added. First, there is a question about what the right one would be. Chemically, there are doubts about the impact that Bitrex would have on a person who inhaled it. The principle of doing something to discourage people from wanting to inhale cigarette lighter fuel and so on is commendable. That is why I emphasise the point about education. Adding Bitrex is an important point of the campaign, but at that stage we are talking about someone who is on the verge of trying something out and finding by that experiment that the substance makes them

obnoxiously ill. There must be an effective education programme that discourages the maximum amount of children from wanting to experiment in the first place.

I am sure that all members know that there are two major cigarette lighter fuel companies. I had better not mention their names in case I am called up for advertising or something like that. One has a more enthusiastic view of the Bitrex proposal than the other, although I am not saying that the second company is against the proposal. Lots of discussions are needed and we must also consider the international platform of trade. As I said, I have pursued the issue with the DTI and I would be happy to take it up with Patricia Hewitt to try to find a way forward.

Rosie Kane: I, too, offer my condolences to the O'Brien family and my admiration for their huge and sustained effort. I am glad that Helen Eadie mentioned the letter from the DTI because I was disappointed in how flat it was. I think that it would be beneficial for the DTI to hear what we are hearing. It is much better to do that face to face and perhaps John MacDougall could take all that information to the DTI.

Education is important. Solvent abuse has been going on for a long time. When I was a child, it was a popular way of getting a buzz. I knew people who died even back then. There does not seem to be the same education about solvent abuse as there is about the use of drugs such as heroin and cocaine. That is important, given that solvents are so easily obtainable and so quick and easy to use. It is just too easy for a crowd of kids in a tunnel to carry on like that. Often, they do not know the repercussions of solvent abuse—the damage and the death that result. Perhaps we should talk about getting information on solvents out there along with information on other drugs. Do you agree that, at the moment, there seems to be a hierarchy in the information that we give young people?

12:30

Mr MacDougall: That is a valid point. I knew the time that I had for my opening remarks and I did not want to take up too much of your time with a lot of detail, but the evidence shows that, although we focus on drugs such as heroin—the controlled drugs, for want of a better phrase—the number of deaths from substance abuse is even higher. There is almost silence about the seriousness of the situation and decisions at various levels of Government—including decisions by local authorities—are taken in the absence of knowledge about the serious impact of solvent abuse throughout the UK and internationally. We need to work together on this serious problem and to share information where we can. The more

knowledge that we have, the greater the likelihood of our decisions having an impact and making a difference.

Ms White: I, too, congratulate Mr O'Brien on his hard work. Solvent abuse has been a problem for a good number of years. It is not just lighter fuel; years ago, it was glue and so on. Those things are not controlled drugs and they can easily be bought over the counter. Perhaps that is why solvent abuse is so prevalent. Because of the price—maybe £1 or 50p—solvents are within the reach of younger people.

I am interested in the points that you raised and the answers that you gave. As you said, education is important. There have been advertising campaigns about solvent abuse but they are mostly aimed at retailers. They are told that under-18s are not allowed to buy solvents, but there is nothing aimed at the kids who buy them. We need a campaign to tell kids how bad solvent abuse is for them and that it can end in death.

I ask you to clarify a couple of things. You said that, although there are advertising campaigns, the number of deaths has gone up, so it seems that they have not worked. I think you said that, as well as lighter fuel, kids are buying disposable lighters over the counter. They can buy four of them for £1. Westminster has legislated on the age at which people can buy cigarettes and lighter fuel, but what is the position regarding kids buying packs of cheap lighters?

Also, you said that you were trying to secure an adjournment debate. How far have you got with that? We need a two-pronged approach. Some matters are reserved, so the Westminster Government and the DTI need to act, but the Scottish Parliament can work on the health and education aspects. If we work in partnership, we can develop good practice, educate kids on solvent abuse and develop enforcement to ensure that shopkeepers do not sell such products to them.

Mr MacDougall: I mentioned joined-up thinking. Retailing is the responsibility of local authorities and the Scottish Parliament, but we must consider the size of containers and the issues that Helen Eadie mentioned, which have been raised with Patricia Hewitt at the DTI. By working together, we can try to make a convincing argument for change. If we all keep ourselves neatly boxed in our own little corners, we will be less effective than if we work in a joined-up way. That is why I emphasised that point.

I continually lodge motions for an adjournment debate and attempt to get a private member's bill, but it is a lucky dip. Members put their names into a ballot, but the odds are something like 640:1. I have never been good at horses, never mind

getting an adjournment debate, but 640:1 would be substantial odds for someone who wanted to hazard a flutter on a Saturday. I continually aspire to raise the profile of this matter at Westminster, but I am not foolish enough to think that it will happen next week. That said, it would be just my luck if it did happen next week. It is a continual effort, but the odds are stacked against an adjournment debate.

Ms White: I am not sure whether the law says that people must be 18 to buy disposable lighters, or whether they can be younger. The ability to buy a couple of dozen for a few quid makes them as lethal as butane. Could you clarify that?

Mr MacDougall: The retail issue is more for local authorities to discuss, but if they will not be offended, I am happy to comment, even though it is not in my remit. I agree that it is a concern. We must look at all this in context. I have heard of youngsters who were probably under 16—so could not buy cigarettes—walking into a shop and leaving with half a dozen tins of lighter fuel that would probably last a lifetime for somebody who smokes 60 cigarettes a day. That happens at a time when we are trying to encourage people to stop smoking. Somebody should be aware that that lighter fuel is not being purchased either to sustain a smoking habit or to light the fire.

We have to think about cigarette lighters. The amount of fuel that youngsters can acquire at source causes the big problem. That is why I suggested that the volume of the tins be reduced to something like 25ml. That would reduce considerably the amount of fuel that is available. I have no statistics about whether the fuel from a cheap cigarette lighter can be as damaging as the fuel in tins. It is a concern; I take your point. We need to look further at that. Information is available, but what I have given you this morning is some flavour of what I have collated through working with the LOST campaign and its excellent efforts and with other organisations in the Westminster Parliament.

Jackie Baillie: Most of the topic has been covered, but I will pick up on one comment. John MacDougall is right to say that co-operation between Westminster and the Scottish Parliament will be the key to unlocking and resolving some of the problems.

You said that enforcement should be delegated directly to local authorities' environmental health departments. May I press you on that? The Scottish Executive could clearly take a lead in supporting what you do. Is the sale of cigarettes currently enforced by a local authority's environmental health department? Are there similarities between selling cigarettes and selling lighter fuel?

Mr MacDougall: You cannot divorce them. The efforts that have been made in Scotland to combat smoking cannot be divorced from what it takes to light a cigarette in the first place. There is an obvious connection, and there are things to take into account in that respect.

As regards the issue itself, I do not really—will you repeat the first part of the question?

Jackie Baillie: You are absolutely right to say that co-operation between Westminster and the Scottish Parliament will be a great help in resolving this problem. However, I specifically asked about enforcement, and you targeted the environmental health departments of local authorities. I want to see whether we can do anything to help in that regard.

Mr MacDougall: I mentioned that Staffordshire County Council employs three trading standards officers dedicated to that kind of enforcement, although that may not work everywhere. It depends on the issues that the council has to deal with. I am not criticising local authorities or saying that they are failing in some way because they do not have three local officers who are dedicated to that task. I just point that out as a way of tackling the problem. Any area that has had a similar problem is worthy of further examination if it has found a way, through such a support agency, to monitor the situation and make it less easy for young people to purchase the numbers of tins of cigarette lighter fuel to which I referred. I hear all too frequently about such problems throughout the UK. Finding methods to reduce the opportunity to purchase would make a difference.

Jackie Baillie: My final point is a statement rather than a question. I hope that John MacDougall's luck changes and that he obtains his adjournment debate and his private member's bill.

Rosie Kane: I, too, hope that you secure a debate, for several reasons. The issue is a social problem and the discussion needs to be expanded. Talking about having smaller canisters is important and reminds me of the reduction that was made in the amount of paracetamol that can be bought in one go. A person could go from chemist to chemist and buy as many tablets as they liked, but that move raised awareness of the lethal dose. Such a measure is something to consider. Changing the smell is another option, but the evidence that we have been given is that young people who are so minded will sniff deodorant or other aerosol substances. The broader question is why young people do that. If you secure the debate and get the discussions moving—I hope that we in the Scottish Parliament will do that, too—we can ask why young people feel the urge to destroy their minds.

All those initiatives will raise the issue, which is what we hope to do, and will get people talking about the social problem, speaking to expert organisations and tying that up with other abuse. I do not know the figures—perhaps you do—but I bet that it is poorer kids from poorer communities who abuse such substances. The issue is about education, aspirations and a whole load of other stuff. Only a broader political debate will cut to the chase.

Other measures can be put in place to turn kids off abusing substances, but a kid with a mind to do it might go from shop to shop or might do something else instead. I worry that we will be back here with another person talking about another substance that has killed another kid. I hope that you will secure the debate and that we can lift the issue off the ground. I thank you for all the information that you have brought.

Mr MacDougall: Thank you for your comments, with which I agree. We heard this morning of the tragedy that an 11-year-old in Pollok had been experimenting with another drug. We are not here to talk about that, but that highlights the early age at which youngsters are experimenting. Given the age at which they are experimenting with substance abuse, early stages of education could change the direction in which those youngsters are going. That is why education is a key issue. I am well aware of the existing responsibilities on education, so initiatives must be properly considered and measured. The effectiveness of measures and what form education would take must be considered. I have heard horror stories of the experiments that youngsters have carried out.

I will talk about a report that I read, although I do not want what it said to be advertised widely—the controversial element of the discussion is that if we mention something innovative, a youngster might try it. I speak genuinely against that temptation. I read that people were lighting items such as plastic rubbish bins in order to inhale the fumes. All that I say, in case any youngster finds anything out from today's meeting or reads any report on it, is that inhaling such fumes could kill someone immediately. The report said that there is no guarantee that someone could inhale those fumes a second time—that depends on the individual's make-up. One youngster could get away with that and encourage another to do it, but the other could die immediately from it. That is the danger and the message that we must convey to young people.

The Convener: That is a strong message to put out and I am sure that the committee endorses it. You have raised an awful lot of issues and it would be useful for the committee to take them to the Scottish Executive. We have crossover issues when legislation from Westminster must be

implemented in Scotland through agencies that are the Scottish Executive's responsibility. We just have to look for joined-up government, as we have when dealing with fireworks. I am interested in finding out from the Executive how the piloting of purchasing schemes is progressing, because they are an important way to address the issue.

Although a person can buy a lighter and cigarettes aged 16, they have to be 18 to buy a lighter refill. We should look to see whether the issue is being addressed properly, and the test scheme that you have outlined would give us an indication of that. We have been given an awful lot of food for thought this morning, and we will take matters up with the Executive. Any information that you could give us in the future, as you pursue the issue, would be most welcome and would allow us to continue to press the issue with the Executive.

Mr MacDougall: I would just like to say that I also picked up the earlier point about the Data Protection Act 1998.

12:45

Jackie Baillie: Building on what you have said, convener, I offer three specific suggestions in relation to the Executive. First, I understand that the test purchasing pilot scheme in Fife was successful and that, when the Executive wrote to us at the end of 2004, it said that it was going to start a Scotland-wide campaign in the autumn. The obvious questions are whether there was such a campaign, whether it was successful and what lessons were learned. Secondly, the debate around who should be responsible for enforcement might do something to raise awareness on the ground. Thirdly, I pick up the point that other MSPs have made about education. Alongside giving out messages about other drugs, how are we dealing with this in schools? It might be useful to involve various parts of the Executive, not only the Deputy Minister for Justice, who has been corresponding on the issue.

Helen Eadie: Convener, I agree with what you and Jackie Baillie have just said. This illustrates one of the best ways of working between Westminster and ourselves. A lot of excellent work has been undertaken and the minister who wrote to us has been very supportive of this initiative.

Following on from the point that you made about the test purchasing pilot scheme, I remind the committee that the Deputy Minister for Justice, Hugh Henry, told us that the Lord Advocate will consider in the early spring whether current prosecution policy, which prevents criminal proceedings for alleged illegal sales of age-restricted goods on the basis of test purchasing by children, should be revised. We could write to the

Lord Advocate—although by the time that he writes back we will probably have some idea of his views on whether that policy should be reconsidered.

The Scottish Retail Consortium has talked to the committee about a national proof-of-age scheme. The minister has been trying to do something in Scotland by funding dialogue youth, through Young Scot, to roll out to all 32 local authorities a young person's card incorporating voluntary proof of age. Good progress has been made on that.

The Convener: There is a lot for us to work on. Good luck with your campaign: I hope that you continue to make progress on it. I do not know which is the greater priority for you—winning on the horses or having your early-day motion selected for debate.

Mr MacDougall: I will settle for the latter.

The Convener: I wish you good luck with it. We will continue our dialogue and we are grateful for the information that you have provided so far. I hope that we can continue to work together to make progress on the issue.

Mr MacDougall: Thank you for the opportunity to discuss this. I also thank the committee for its questions. I have taken on some interesting points as well, and I will take up some of the matters that have been raised with me today.

Road Design Standards (PE838)

The Convener: Petition PE838, by Sheila Carribine on behalf of Low Valleyfield community council, calls on the Scottish Parliament, in the interests of road safety, to urge the Scottish Executive to review its policy in relation to road design standards and to encourage the publication of such standards and their proper and consistent application across Scotland.

At its meeting on 9 November 2005, the committee considered responses from Fife Council, the Scottish Executive, the Society of Chief Officers of Transportation in Scotland and the Institution of Highways and Transportation and agreed to seek the views of the petitioner on those responses. A response has been received from the petitioner, which has been circulated to members. Do members have any comments? Have we taken the issue as far as we can, on the basis of that response?

Jackie Baillie: I recognise the petitioner's desire for us to press Fife Council for explanations. That is not the committee's role, but hopefully the petitioner is now armed with sufficient information to enable her to do exactly that. I do not think that we can take the petition any further, so I recommend that we close it.

The Convener: Are members happy for us to do that?

Members indicated agreement.

Traffic Calming (PE840)

The Convener: The next petition is PE840, from Judith McCrorie, which calls on the Scottish Parliament to urge the Scottish Executive to review its policy on traffic-calming measures, such as road humps and road cushions, in order to ensure that the impact on disabled users and the elderly is adequately addressed.

At its meeting on 11 May 2005, the committee agreed to seek the views of the Automobile Association, Age Concern Scotland, the mobility and access committee for Scotland, the Disability Rights Commission, Capability Scotland, the Scottish Executive, the Scottish Ambulance Service, the Chief and Assistant Chief Fire Officers Association of Scotland, the Association of Chief Police Officers in Scotland and the Scottish Road Safety Campaign. Having felled another forest to do that, we have received responses from those organisations. Do members think that we should just send them to the petitioner for her views, which we can then consider?

Ms White: I agree. However, I am sure that a couple of months ago I read that there was a move to remove speed humps from all roads.

The Convener: We should ask specifically about that.

Ms White: We should. I certainly read that that was the case. Many people, especially disabled people, have written to me about speed humps. We should seek the petitioner's views on the responses.

John Scott: There is a huge need for further research into speed humps. Earlier this morning, I asked one of the clerks to review the correspondence that we received about the problem in London. From the evidence that she had gathered, the petitioner reckoned that more people were dying as a result of speed humps than were having their lives saved because of them. Speed humps prevent ambulances from getting to hospital in time. Regrettably, at the moment there are huge controversies about the closure of accident and emergency units throughout Scotland and the extended journey times that that will cause in many constituencies. We need to get the design of speed humps absolutely right. We cannot get anywhere near a resolution on the petition without ensuring that we address that problem.

The Convener: I agree entirely.

Jackie Baillie: It strikes me that there are two separate issues. Most of the responses that we received acknowledge that speed humps play a valuable role in reducing the number of accidents, speeding and injuries to child pedestrians. However, only one of the responses addresses the issue of standards, design, material and layout. I had the impression that the petition was calling for a review—not necessarily for the abandonment of all speed humps, but for making them of a consistent design and standard, so that they do not cause the difficulties that they are clearly causing at present. Some speed humps are veritable mountains, whereas others are more akin to molehills. There is an issue of consistency of design across the board.

Helen Eadie: In their responses, Capability Scotland and the Scottish Ambulance Service expressed a severe degree of frustration at the fact that they are not being consulted in the way in which they should. We should take seriously the point that the Scottish Ambulance Service made about ambulances that may need to speed when they have on board patients with spinal injuries. We should implore those who are involved in designing the roads to take on board that crucial point.

John Scott: I am not entirely sure how we will achieve that. Perhaps we are too late in the process. The Transport Research Laboratory used to look into such issues. At the end of the process, we may want to refer the petition to the Local Government and Transport Committee, with a view to commissioning research. There must be a uniformity of design that can allow ambulances to travel more safely in situations where they need to go faster than the speed limit.

The Convener: If we contact the petitioner and get a response from her, it may be suitable for us to send the petition to the Local Government and Transport Committee for further consideration. Are members happy for us to do that?

Members indicated agreement.

Affordable Housing (Scottish Executive Policies) (PE877)

The Convener: Our last current petition is PE877, by Janet Walton, which calls on the Scottish Parliament to urge the Scottish Executive to review its policies on the provision of affordable housing, particularly in relation to the impact on the elderly and those on low incomes.

At its meeting on 8 September 2005, the committee agreed to write to the Scottish Executive, Communities Scotland, the Scottish Tenants Organisation and Fife Council seeking their views. Their responses have now been received. Are members happy for us to seek the

petitioner's views on the responses before we consider the petition further in light of her opinions?

Members *indicated agreement.*

The Convener: That concludes our consideration of current petitions.

Meeting closed at 12:55.

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