

PUBLIC PETITIONS COMMITTEE

Wednesday 22 March 2006

Session 2

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PUBLIC PETITIONS COMMITTEE

6th 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 ALSO ATTENDED:

Chas Booth (Friends of the Earth Scotland)

John Caldwell (Musselburgh and Inveresk Community Council)

Susan Deacon (Edinburgh East and Musselburgh) (Lab)

Mark Hood

Neil Hynd (Musselburgh Conservation Society)

Catherine MacKinnon
Councillor Thomas MacLennan (Highland Council)
David Spaven (TRANSform Scotland)
Andrew Watt

CLERK TO THE COMMITTEE

Jim Johnston

ASSISTANT CLERK

Richard Hough

LOCATION

Committee Room 1

Scottish Parliament

Public Petitions Committee

Wednesday 22 March 2006

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

New Petitions

Forth Road Bridge (PE943 and PE942)

The Convener (Michael McMahon): Good morning and welcome to the sixth meeting in 2006 of the Public Petitions Committee.

Item 1 is consideration of new petitions. The first petitions are PE943, from Mark Hood, which calls on the Scottish Parliament to urge the Scottish Executive to consider the need for a new Forth road bridge, and PE942, from Bill Cantley on behalf of the ForthRight Alliance, which calls on the Scottish Parliament to urge the Scottish Executive to desist from spending taxpayers' money on preparing for the construction of a second Forth road bridge before it has at its disposal all the facts regarding the condition of the existing bridge, on the grounds that any such expenditure would be both environmentally irresponsible and fiscally imprudent.

We will hear first from Mark Hood on PE943 and then from David Spaven, the chair of TRANSform Scotland, and Chas Booth, the parliamentary officer for Friends of the Earth Scotland, on PE942. Members will have the opportunity to question all three witnesses on both petitions.

I welcome our witnesses. Mr Hood, you may take a few minutes to introduce the subject before we hear from the other petitioners.

Mark Hood: I thank members of the committee for taking the time to take evidence on my petition for a second Forth crossing. I start by explaining why I believe that such a crossing is needed. I will consider the current road bridge and how it is being used.

The bridge was opened in 1964, and in its first full year 2.3 million northbound journeys were made. At that time, the largest vehicles using the bridge were 20-tonne heavy goods vehicles. By 2003, the number of northbound journeys had increased to 12 million, and the largest vehicles were 40-tonne HGVs. That means that on every weekday the bridge exceeds its capacity on average by 4,000 northbound journeys. Coupled with the increase in size of the largest vehicles, the result is that use of the bridge is well beyond what was originally intended. The figures that I

have cited make it clear that the current road bridge no longer meets our needs, which is a reason for building a new second crossing.

However, that is not the complete picture—we must also consider future demand, a good indicator of which is how demand has increased in the past. Remarkably, it has increased consistently by approximately 262,000 journeys per year since the bridge was opened. With continued growth in the Scottish economy and increased prosperity, there is no reason to believe that that growth will not continue. We see emerging a picture of a bridge that is being used well beyond its capacity, with demand set to increase. The question is this: what do we have to do?

A number of suggestions and recommendations have been made, all of which would have a positive impact in the short to medium term in reducing demand. However, none provides an adequate solution for the long term. The only long-term viable solution is in providing additional capacity, which must come in the shape of a new crossing. The design and structure of such a crossing are issues for further public debate, but it is clear that a simple road-only bridge is not a sustainable solution and that, as far as possible, a new crossing should look to move people from their cars to public transport.

Why is it important for a decision to be made now? One of the roles of the Scottish Executive is to provide a stable environment that allows people and businesses to invest their money and their futures in Scotland. Given the uncertainty surrounding the current bridge, if you were responsible for the location of new manufacturing plant, would you choose Fife or any other location north-east of the Forth estuary?

For the reasons that I have stated, I call on the Scottish Parliament to press the Scottish Executive immediately to make a full commitment to a new Forth bridge and to go further by publishing a road map, complete with dates, that outlines the key milestones in the project. Only with that commitment can we ask people confidently to invest their future in places such as Fife.

The Convener: Thank you.

Mr Spaven may address the committee.

David Spaven (TRANSform Scotland): Thank you, convener. I am the chair of TRANSform Scotland, which is the campaign for sustainable transport. We are an umbrella group that represents 60 organisations, including road and rail operators, environmental groups, local authorities and others.

Basically, we want the emphasis to be shifted from the less sustainable modes of transport, such as the car, the truck and the plane, and on to public transport and the use of rail and sea for freight. We concern ourselves with issues of national significance, and I believe that the situation on the Forth estuary is, by common consent, an issue of national significance. When one looks at the wider context of national transport policy, one sees that there are a number of key issues, such as congestion—which we all accept is a major issue in national transport policy. There are also some longer-term issues that are, unfortunately, becoming increasingly short term, such as how we can respond to climate change. There is also the more recent issue of oil prices, and the possible peaking of global oil production in the next five years or so. All those issues concentrate our minds on the need to manage and control road traffic.

It is to be welcomed that the Executive has a road traffic stabilisation target, which is that by 2021 road traffic levels will have been returned to 2001 levels. In order to achieve that, it is absolutely essential that we have road-user charging throughout Scotland, so this is an inappropriate time to be thinking about discontinuing tolls; indeed, we should be extending the role of tolls in managing road traffic.

As far as the Forth estuary is concerned, we believe that we need not just a transport solution but a transport, planning and development solution. However, even within transport there are many elements to a potential solution to the problems that are faced day in, day out by freight and passenger users. The opening of the Stirling-Alloa-Kincardine railway next year will free up capacity on the Forth rail bridge for more passenger trains as an alternative to the Forth road bridge. The Stirling-Alloa-Kincardine railway will also have a role to play in shifting freight from road to rail in Fife.

The Minister for Transport and Telecommunications has decided that variable tolls do not have a role to play, but we think that they are absolutely crucial and that they are the only way of properly managing demand. As we find if we travel by plane or by train, if we want to use the infrastructure at a popular time, we pay more for it, so demand needs to be managed.

We think that the Kincardine bridge could play a strategic role in syphoning off some of the traffic from the west side of Dunfermline going toward key areas in the west of West Lothian and Falkirk, and some of the freight traffic moving towards the rail hubs at Coatbridge and Mossend and the ports of Grangemouth and Greenock. Ferries have also been mentioned in the context of the Forth crossing. That is another mode that could have a

useful role in easing the amount of road traffic over a single crossing. Last but not least, the Executive has a successful freight grants system—the freight facilities grant—which gives money to manufacturers or processors to help them to switch freight from road to rail and sea.

In our view, there is no panacea, but there is a range of solutions. In that context, it would be daft to pre-empt a comprehensive solution by moving towards a single road-project answer.

The Convener: Members may ask questions of either of the petitioners, or of both, and we shall see how the debate develops. This is a new way of doing things for us. We do not usually hear from petitioners on both sides of an argument at the same time, so it will be interesting to see whether we can get a discussion going.

Mr Charlie Gordon (Glasgow Cathcart) (Lab): Mr Hood referred to specific figures for HGV traffic. Can either witness give us some more figures, particularly in relation to northbound movement? I would like to hear about other types of traffic—principally car traffic—and about the extent of car commuting into Edinburgh via the Forth bridge.

Chas Booth (Friends of the Earth Scotland): The draft local transport strategy from the Forth Estuary Transport Authority contains figures on use of the bridge. According to FETA, 70 per cent of cars at peak times in both directions are singly occupied, and 70 per cent of commuter trips are single-occupancy trips. That suggests to us that there is considerable scope not only for shifting people from cars to public transport but for shifting from single occupancy to multiple occupancy of cars.

Mr Gordon: How does car commuting compare proportionately to HGV traffic?

Chas Booth: I do not have specific details about that. I suspect that it will be in the local transport strategy. It is quite a lengthy document that runs to more than 100 pages.

Mr Gordon: My question is important because Mr Hood emphasised the Forth road bridge's role in the national and regional economy in terms of freight movements by heavy goods vehicles. It can be argued that such traffic is more important and more significant than car commuting. That argument could have an influence on decision makers.

David Spaven: That is a fair point. In transport debates, passenger transport often gets all the attention because people have votes whereas freight does not. However, the thrust of transport movements through Fife—although the economic picture is changing—involves a crucial role for road haulage. The key export markets for hauliers

are the crucial south-east of England market and Europe. Hauliers tend to head either to the ports at Grangemouth or Greenock, down the M74 or to the Coatbridge or Mossend railheads, where they can be connected by train to the deep-sea ports and to the channel tunnel. If we look at those destinations on the map, the route via Kincardine is, to be frank, the logical course for the vast majority of that traffic. The Forth road bridge problem is not so much an issue of freight as of links with Edinburgh. Although some of that freight traffic currently still uses the Forth road bridge, we need to make bigger strategic decisions about whether that freight traffic should be encouraged to go on the line of route via the Kincardine bridge.

Mr Gordon: If I was driving from Glasgow to Fife, I might consider the Kincardine bridge as an option. However, my perception is that the trunk roads on the north bank of the Forth at Kincardine are substandard compared to the strategic routes around the Forth bridge.

David Spaven: The decision that a haulier makes will involve a trade-off in relation to the time difference, the cost difference and the reliability of the route. It is hard to second-guess what a particular haulier might do in certain circumstances. However, on the map, it is evident that the route via the Kincardine bridge should be the strategic line of route for the key freight destinations.

Mr Gordon: Would the roads around the Kincardine bridge need first to be improved?

David Spaven: Although TRANSform Scotland is against major new road building, we have never said that we are against road building per se. For example, on roads that have a large proportion of HGV traffic, it might be appropriate to provide crawler lanes to allow cars to overtake. We would not have a problem with that.

Rosie Kane (Glasgow) (SSP): I thank the witnesses for their evidence.

We need to take a longer-term and wider view. Although the Forth road bridge is topical at the moment and has been so for some months, I am concerned that we are in danger of not looking far enough ahead, as I want us to do. At the same time, we also need to look back.

Mr Hood explained that traffic levels on the current bridge are much greater than the bridge's intended capacity and that a new bridge is needed to deal with that. He also said that a new bridge would provide an opportunity to encourage people on to public transport. That seems to me to be a contradiction. I am concerned—I know that this has been the picture on the Kingston bridge and on roads throughout the country—that the more roads we build, the more traffic we will have. Should we continue to paint ourselves into a

corner? In years to come, will we need yet another solution to the problem of another bridge operating over its capacity? Surely we need to look further ahead. If we are to meet our targets to reduce car use, should we encourage car use by building roads?

David Spaven said that there is a range of solutions. Has there been any study of what those solutions might be and where they might take us? Has any major consultation been undertaken to consider the longer-term possibilities and probabilities?

Mark Hood: I said specifically that building a second road bridge would probably not be a long-term sustainable solution for exactly the reasons that Rosie Kane has given. Within a relatively short time, a second road bridge would also be over capacity, which is our current problem. FETA's outline proposal involves a shift to a multimodal bridge, with additional public transport structures such as a light railway on the second bridge. That seems to be a fairly sensible solution because it would involve trying to move people out of their cars and on to public transport. FETA specifically states in the proposal that it will not provide additional lanes of traffic for single-occupancy vehicles. That is an important part of its overall strategy.

10:15

Chas Booth: I will pick up on the points that Rosie Kane made. She is right that what Mr Hood appears to propose is to predict the growth of traffic and to provide the road space for it. That is known as predict and provide. That method of transport planning was used in the 1980s, but it is now firmly discredited because it leads to ever-increasing congestion, ever-increasing air pollution and it contributes to the biggest problem that faces the world today: climate change. Our strong suggestion is that predict and provide is not appropriate.

You asked about the alternatives. FETA has proposed a range of alternatives to a new bridge. I bring to committee members' attention yesterday's *Edinburgh Evening News*, in which the chair of FETA, Laurence Marshall, sets out in detail what FETA's proposals are. They include £45 million for additional bus routes and services from West Lothian, Fife and Edinburgh; £19.3 million for a cross-Forth ferry from Kirkcaldy to Leith; and additional money for upgrading existing roads. The list goes on. There are many alternatives to building a second Forth road bridge. We argue that it would not be prudent to proceed with a second Forth road bridge until all the alternatives had been explored.

Helen Eadie (Dunfermline East) (Lab): I will direct my questions at Mr Booth and Mr Spaven.

When Professor David Begg was chairman of the south-east Scotland transport partnership and was in charge of Edinburgh's transport system, his strong opinion was that none of the proposed increases and punitive measures—such as congestion charges—should be put in place until the public transport improvements had been completed. Can you comment on that?

Chas Booth: The general principle is that we should not put additional burdens on people unless an alternative is available. However, 70 per cent of cars at peak times are singly occupied, as are 70 per cent of commuter trips. Public transport is not the only alternative; lift sharing may also be an alternative. Friends of the Earth Scotland is keen to support companies in developing travel plans that give people incentives to lift share or to use public transport where it is available. There are many alternatives to building a second Forth road bridge. We must explore those before we commit what could be £1 billion of taxpayers' money.

Helen Eadie: Would you care to comment on the security issues for frail and vulnerable passengers who take part in lift sharing, particularly with people whom they may not know well? Would you also like to comment on the bigger issue, which is that—as Scott Barrie and all the Fife MSPs have pointed out—we want a replacement bridge rather than an additional bridge?

David Spaven: On the first question, about David Begg's comments, we accept that it cannot be a case of using only the stick or only the carrot. The stick and the carrot must be used together to produce a solution that people regard as being fair and effective.

In the past couple of years, there have been quite a lot of developments in public transport. The Ferrytoll park-and-ride scheme has gone from strength to strength; it has convinced many motorists to leave their cars. The rail industry has increased the platform lengths at stations in Fife, so six-car trains can now be operated, rather than three-car trains. That provides more capacity.

Other options include the ferry that Chas Booth mentioned and the new bus services that FETA has suggested. Additional funding is needed to get those services in place as soon as possible. FETA has argued that it needs variable tolls to get those services in place. Although it would take some time to put some of the options in place, it is not rocket science to lay on new bus services that link Fife and West Lothian. That could be done quickly if the money were made available. We cannot afford to hang around.

On frail passengers being endangered by having to lift share, there is no panacea; lift sharing will work for some people in some places, but it will not work for everyone. None of the measures about which we are talking will provide the solution for everyone; we need a range of solutions so that we can meet the whole range of needs.

On whether we are talking about a replacement bridge, we need to know whether a replacement is needed before we start heading in a particular direction that might prejudice more sustainable transport measures.

Chas Booth: Corrosion in the bridge's main cables is an issue, but FETA has proposed various alternatives to building a replacement bridge and we argue that all the alternatives should be explored before we decide to build a new bridge. For example, FETA is exploring dehumidification of the main cables to slow down or stop the corrosion; we welcome that. There are other options, such as augmenting the cables on the existing bridge if the corrosion cannot be stopped. For example, the 5 April bridge in Lisbon has been strengthened by adding additional cables; it was not even necessary to close the bridge when they were added, so there was minimal disruption to bridge users. If Lisbon can do that, surely Edinburgh and FETA can do it, too.

Helen Eadie: I have arranged for the bridgemaster to give my colleagues and me a presentation at 1 o'clock today, so we will get the detail then.

The ferry from Burntisland failed and we have reached capacity on all the trains in Fife despite all the new measures. We had £9 million extra from the Scottish Executive to lengthen platforms and for bigger trains, but we have still reached capacity. The airport bus failed and the bus to the West Lothian towns failed. Every morning, I come in alongside the special bus route that was built; one bus passes me in that bus lane in a half-hour drive, so there are issues in respect of there being a need for more buses.

However, the fundamental issue is that, outside Glasgow, Fife has the most disadvantaged communities in Scotland; throughout Fife, there are communities that have poverty issues and which are economically disadvantaged. Massive house building is going on in Fife without the jobs to match in the region. Mark Hood has flagged up fundamental issues of capacity and economic development, but David Spaven has failed to address them at all. It is not only a transport issue; it is a matter of social and economic development. We cannot sustain a situation in which Fife has the greatest continuing disadvantage as a consequence of political decisions that are made as a consequence of our discussions.

David Spaven: I mentioned earlier that we felt that there was a need for a transport planning and development solution. One of our worries is that, if we keep providing road capacity, we will effectively reinforce Fife's role as a mere dormitory suburb for Edinburgh instead of focusing on whether we can attract more development to Fife so that there is less need for travel. Those fundamental questions might be beyond the immediate concerns of the petition, but we realise that they are issues.

On the specifics, the alternative is not working. I realise that capacity on the trains is being taken up quickly, but there will be a further boost to capacity when the Stirling-Alloa-Kincardine freight railway opens. That will take the coal trains off the Forth rail bridge and will free up more paths for passenger trains within the next 18 months. More capacity is due to come through.

My view on the failure of the ferry is that it perhaps did not get enough time to prove itself. It was the same with the airport bus. The latest Scottish Executive bus route development fund has increased considerably the frequency of bus services to the Borders from Edinburgh, for example. The Executive supports those new frequencies for three years and the operator is obliged to continue them for at least another year thereafter. People do not change their travel habits for the sake of a bus that might be here today and gone tomorrow, as was the case with the airport bus; some continuity and certainty is necessary before they will switch modes.

You also mentioned the relationship of Fife to Glasgow. That raised in my mind an interesting point: people want connections from Fife not only to Edinburgh, but to West Lothian and Glasgow. As Charlie Gordon well knows, at the moment, we have only one through train a day from Fife—

Helen Eadie: There are two now.

David Spaven: Well, that is a 100 per cent improvement.

The reality is that most people who travel from Fife to Glasgow have to come into Edinburgh. Haymarket is quite a good interchange, but people who get off the train there can find that they have missed the train to Glasgow by half a minute. There is an interchange penalty, as the transport planners call it. We have the track to run more trains from Fife to Glasgow and there will be more opportunities when the coal trains come off the Forth bridge.

I return to what Chas Booth said. We should consider the many alternatives that FETA has proposed, many of which are not rocket science. If they are practical and can be delivered for a reasonable amount of money, they should be considered first.

Mark Hood: In the additional information on my petition, I said that there are a number of things that we can do in the short to medium term. We should consider them, but if we are to secure the economic future of people in Fife and all communities north of the Forth estuary, we need a sustainable long-term plan. We can listen to all the good solutions that have been suggested, but ultimately we will need a new bridge. The problem is the length of time that it will take to put that in place. A new bridge is by no means an overnight solution, so we should be considering and planning it now. In the meantime, we should put in place the short to medium-term solutions that will ease the pain of people who live north of the Forth estuary.

John Scott (Ayr) (Con): Notwithstanding the good ideas and improvements that David Spaven and Chas Booth have suggested, you argue that Fife's economy will be marginalised if current and future needs are not met. Will you develop that theme? If a new bridge is not built, what will be the consequences?

Mark Hood: As I mentioned, we do not have security. That has a big impact on Fife's economy because anybody who is looking to invest in the area wants to ensure that they have proper communications. If, for example, I was setting up a business in Fife, I would need the security of knowing that I could get my product to market. As I see it, people in Fife and places north of Fife have a distinct disadvantage because they do not have a long-term secure route to market for many of their products. That has an invisible effect on the economy. It is difficult to quantify, but it is very real to the people of Fife.

John Scott: Are you saying that there is a sort of planning blight because of concerns about the future viability of the bridge and the uncertainty about whether there will be another link?

Mark Hood: Exactly. That is why it is so important that a road map or plan be laid down so that people know what will come on line and what new transport solutions will be in place during the next 10 to 20 years.

David Spaven: The reality is that, in modern economies, transport tends to account for only a small proportion of the total cost of manufactured goods—typically, between 2 and 5 per cent. In general, Scotland has adapted to its peripheral situation quite well by going for goods that are distinctive to Scotland, such as whisky. An example in Fife is Diageo, which is doing extremely well and has diversified into non-whisky spirits. It has fair distances to cover, but it seems to be doing well up in Leven. We also have the electronics industry, in which transport costs represent a tiny proportion of the end value of the goods. Transport is not necessarily a key factor.

We might think of new road infrastructure as an economic panacea, particularly for our export industry, but we tend to forget that roads and bridges carry two-way traffic—they bring in imports as well as take them out—but that part of the argument is always lost. We are told that, somehow, we will get all the benefits with none of the costs.

John Scott: I think that you perhaps misunderstood me. I am not talking about the costs, but about the accessibility of Fife—perceived or otherwise. There is a real fear for people: if I was locating a new business in Fife, the question whether I would be able to get my product south of the Forth would concern me greatly.

10:30

David Spaven: The experience is that improving road links often makes it easier to service an area from outside that area. A classic example is the brewing industry. With the expansion of the motorway network, there is more and more centralisation of breweries. We no longer have Scottish & Newcastle in Edinburgh, because it brews elsewhere. It is a lot easier to bring products into a new area when new road infrastructure is built. Companies might wonder what the point of locating in Fife is if they can service the area from somewhere else. The relationship between transport and economics is complex. We should not automatically assume that a new bit of infrastructure will somehow create an economic bonanza for Fife. The issue is not that simple, because there will be negative as well as positive effects.

John Scott: You would concede that the economy of the area around Edinburgh is already overheating and that house prices are such that people cannot afford to buy. For Fife to catch some of the benefit, it seems reasonable that people be given every encouragement to buy houses in Fife. If a new bridge is a way of achieving that, it is not reasonable to deny them that.

David Spaven: I would rather see the development in Fife than in Edinburgh.

John Scott: That is what I am saying. To allow development to take place, suitable road and rail infrastructure must be in place so that product can be taken into and extracted from Fife.

David Spaven: The main freight routes in and out of Fife do not head toward the Forth bridge at all; they head toward the other key freight locations on the M74 that I mentioned. However, freight is a bit of a side issue. The primary issue with the Forth bridge is to do with people who commute into Edinburgh. Frankly, I would like

more jobs in Fife, so that people do not have to commute to Edinburgh.

John Scott: I rest my case.

Ms Sandra White (Glasgow) (SNP): I am pleased that Chas Booth explained exactly what PE942 is about. He is saying that we should wait for the feasibility study and not that he is definitely against a new bridge. Everyone in Fife and outwith the area knows about the problems in Fife. Certainly, during our meeting in Dunfermline, the issues were thrown up and it became obvious that the transport system needs improvement.

The two petitions are not too far away, even though they are supposedly on opposing sides of the argument. The main issue is the timescale. We have been told that it would take six years to build a new bridge and we have evidence that, if a bridge is not built before 2013, HGVs will be banned from the existing bridge. Mark Hood says that we need work to start in 2006, although the other witnesses say that we need to wait until the feasibility study is done in 2007. There does not seem to be great deal of difference between the witnesses, apart from on timescale. Is that the case?

Chas Booth: I believe that the consultants have said that if corrosion continues unchecked in the main cable, it is likely that HGVs will be banned. In fact, the point is that the load on the bridge will need to be reduced and the most likely way of doing that is to ban HGVs. That will happen some time between 2014 and 2018, although the consultants do not know exactly when. The key phrase is “if corrosion continues unchecked”. As I said, dehumidification has been introduced on suspension bridges throughout the world and it generally works. It may not necessarily stop corrosion altogether, but it at least slows it down. If that method is used, as is likely, the date of 2013, which has been bandied around a great deal, is likely to be pushed back considerably.

Another approach is to argue that it is not necessary to ban all trucks to reduce load on the bridge. FETA's consultants have estimated that one truck of the type that has what are called super single tyres does the same amount of damage to the bridge as 20,000 car journeys do, which is a substantial amount of damage. If that estimate is right, FETA could consider banning that type of truck alone from the bridge. That step has been taken for many American suspension bridges.

Mr Hood's petition calls on the Parliament to ask the Executive to “consider the need” for a second Forth road bridge. We agree. However, it is clear that ministers have considered the need and, we think, made the wrong decision.

Mark Hood: Chas Booth's position is not a million miles away from mine. It is a question of securing the future. I believe that the inevitable solution will be a second bridge.

People in Fife are annoyed that we are still waiting for the A8000 extension, which creates massive delays for people from Fife who travel across the Forth road bridge on their way to Glasgow, for example. I regularly take the train but, if I want to go to Edinburgh airport, I have to get off at Haymarket and take the bus—there is frustration about that, too. There seems to be a delay in anticipating the requirements of people in Fife. We know that a new crossing is needed, but the Scottish Executive is not moving as fast as we hoped that it would.

Ms White: Chas Booth and David Spaven are calling for a year's delay while alternative options are explored, but how would such a delay affect the people and economy of Fife?

Mark Hood: A rule of thumb that project managers use is to assume that a year's delay at the start of a project means that ultimately there will be several years' delay. I am sceptical when people say, "We'll delay this just for a few months," because the delay has an inevitable knock-on impact. The impact of the current situation is that people are not setting up businesses and homes in Fife, because they think that the area is not prospering—Helen Eadie touched on poverty in Fife—or getting the best value from its proximity to the booming city economy of Edinburgh.

Jackie Baillie (Dumbarton) (Lab): I am sorry that I missed the witnesses' opening remarks. My train was late—I was not coming from Fife. I will test the panel by pointing out an error. The bridge in Lisbon to which Mr Booth referred is the 25 de Abril bridge—25 April was the date of the revolution in Portugal. There should be no rewriting of history.

On a more serious note, no one in this room would disagree that the volume of traffic on the Forth road bridge is particularly significant. The bridge carries far more traffic than anyone anticipated that it would. It would be sensible to acknowledge the need to plan ahead for any infrastructure project. Consideration must be given to the situation 10 or 20 years down the line. Any bridge will reach a point at which the cost of repair becomes unsustainable, whether or not dehumidifiers are brought in. I think that Mr Booth acknowledged that dehumidifiers slow down but do not halt corrosion. It might well be that a second bridge is necessary. There are many factors in the melting pot.

I am slightly confused, because I understood from the committee papers that Mr Booth and Mr

Spaven, in their capacity as representatives of the ForthRight Alliance, oppose the construction of a second road bridge whatever the circumstances. I do not want to confuse matters but, by opposing a predict-and-provide model, are they positioning themselves against all road building? Would they oppose the construction of a second Forth road bridge whatever the consultants might say when they report?

Chas Booth: With respect, that is not the case. It is important to draw a distinction between a second Forth road bridge and a replacement Forth road bridge. If—that is a big "if"—it were unsustainable to continue to maintain the existing bridge, we would not oppose the construction of a replacement bridge. However, to be frank, the chances of that being the case are next to nil.

There are many different options that we can consider for keeping the current bridge. I mentioned dehumidification and there is also acoustic monitoring. The current date of 2014 to 2018 for banning HGVs from the bridge was based on a very small sample of the bridge's main cable. Acoustic modelling will give a much more accurate picture of how bad the corrosion really is and we might find that it is not nearly as bad as the consultants have said. Of course, it might be worse, but in our view it is much more likely that it will not be as bad.

Given that there are so many options for keeping the current bridge going, and that the cost of a new bridge is likely to be at least £1 billion, we believe that it is not prudent for the Executive to go down the route of building a new bridge. Today is budget day; we firmly believe that prudence should be shown not just in Westminster but in Holyrood.

Jackie Baillie: I will tease this out. You, equally, are jumping to a conclusion before what you are calling for has been done, which is for all the information to be placed before us. Do not get me wrong: interim measures to prevent the bridge from being closed for any reason and to extend its life are absolutely the prudent way to go. However, I would not want to rule out a second bridge—from your presentation, I hope that I would not hear you do that either. In Lisbon, a second bridge was built; you might be interested in travelling on it some day.

David Spaven: We are quite clearly against a second bridge, but we are not against the idea of a replacement bridge if it is needed. It is true that one could go to Lisbon and look at the second bridge. However, a few years ago, I went to San Francisco and Portland in the north-west USA, which is the centre of what is called smart growth, under which cities are developed in a way that is not the typical American suburban sprawl and city centres are regenerated. New motorways have

been knocked down in San Francisco and Portland and replaced with public transport systems. I would like Scotland to get towards the cutting edge and find the sort of solutions that are right for the 21st century. Building a second bridge—as opposed to a replacement bridge—will make our problems worse overall.

Mark Hood: We also have to take into account the fact that FETA has said that the maintenance of the current bridge is being hampered by the capacity. In effect, a second bridge would allow a more sustainable future for the current road bridge.

Chas Booth: I have a comment on Jackie Baillie's point about jumping to conclusions. She said that we had reached a conclusion prematurely. I argue that the opposite is the case. If the case can be made that the current bridge is unsustainable, we are not opposed to building a replacement bridge. Those who are currently saying that a second bridge should be built are guilty of jumping to conclusions. They are saying that none of the options on the long list of options for maintaining the existing bridge will work. Let us give them a chance.

John Scott: You have said that you are in favour of replacing the existing bridge. What would happen to the economy of Fife while the existing bridge was being knocked down and a new one was being built over several years? How comfortable would you be with what would appear to me to be an obviously detrimental effect?

Chas Booth: I firmly believe that that is a hypothetical situation that will not arise.

John Scott: But you said that you were in favour of it.

Chas Booth: We are not opposed to the building of a replacement bridge if the current bridge turns out to be completely unsustainable. As I said, the date of 2014 for banning lorries from crossing the bridge has been mentioned because of a small survey of the existing bridge cable. With dehumidification and other options, that date can be extended. It is not likely that Fife will be in the position of having no bridge whatsoever and we are not arguing that the existing bridge should be removed or knocked down. We are arguing that a second bridge would be imprudent at the moment.

10:45

Rosie Kane: Given what Jackie Baillie said about the 25 April bridge, I suggest that a revolution might be a good solution.

Jackie Baillie: In Portugal.

Rosie Kane: When a survey was done on the proposed route for the M74 extension, the

Glasgow Development Agency and/or Scottish Enterprise spoke to businesses—tin-shed businesses and so on—that might set up along the route. At the time, it was said that those businesses supported construction of the road for communication purposes—the transport of goods and so on. However, on further inspection, the survey showed that 75 per cent of the businesses said that any communication that brought goods to and from the market would do them, as long as they had good public transport, such as trains. It was put out that the only solution to moving goods was cars and trucks, but that was not what the survey asked about.

The way in which we are discussing the petitions is interesting and is a good way of doing things. Helen Eadie talked about social, economic and planning problems of Fife, which have built up over a long period. It strikes me that some of the tin-shed businesses along the M74 route are part of the reason for the blood drain from Fife and other areas. Is lobbying in a bridge not a sticking-plaster solution, as it does not deal with the social, economic and planning deficits in Fife? Would it deal with any of that?

David Spaven: As I have said, the relationship between transport and economic growth is extremely complex and tends to attract knee-jerk reactions, which are probably not appropriate. You mentioned that firms have prosaic needs. For example, they just need good public transport for their workers to get to work. Surveys often show that public transport access, not car access, is important. Businesses need access to people with the right skills and training; the right housing in the area; and a pleasant environment for people to live in.

I take your point about the M74. The reporter for the public inquiry thought that most of the claims of new jobs that would result from the new road were pretty spurious. He thought that most of the jobs would just come down the road, so a job gained in Cambuslang would be a job lost in Shotts. We need to be careful not to advocate solutions that will have a knock-on effect elsewhere that we do not consider.

Mr Gordon: I will follow up John Scott's point to Mr Booth. Mr Booth should take Mr Scott's point seriously, because we have a fairly recent practical example of such a dilemma. Before local government reorganisation in 1996, I had political responsibility for the Kingston bridge—another bridge that was maybe going to fall down one day if it was not repaired, although it is a reinforced concrete bridge rather than a steel bridge. Mr Booth should be wary of saying that his view is the most financially prudent, because the operational dislocation of building a new bridge must be considered. The problem is not the bridge

structure but the approach roads. Building a new bridge will cause much inconvenience and dislocation to existing traffic and transport systems, whether it is an additional crossing or a replacement crossing.

That is why, ultimately, my council went for the on-going repair of the Kingston bridge. We considered building a new crossing over the Clyde, adjacent to the Kingston bridge. When the repair project was analysed over a decade, it was slightly more expensive than a new crossing, but it caused far less inconvenience to the west of Scotland's traffic system than building a new crossing over the Clyde would have. I suspect that the case might be the same for the Forth.

Just to be even-handed, I take issue with what Mr Hood has said, too. He keeps referring to a second Forth bridge. I would argue that there are three bridges over the Forth: the Forth road bridge, the Kincardine road bridge and the Forth rail bridge. Is he not really arguing for a fourth Forth bridge?

Mark Hood: I agree with that. Can I go back to something that Rosie Kane picked up on? In Fife, we are ambitious about our future. We see a second bridge as an enabler to bring new jobs. It is a rather pessimistic view that one job that is lost in Fife is a job gained in Edinburgh. I see the bridge as enabling more jobs to be created in Fife, not to the detriment of anywhere in Scotland. Why should we believe that it should be to the detriment of anywhere else in Scotland if we are able to innovate and produce new manufacturing and other businesses? That is what we are trying to do.

Helen Eadie: Unusually, I am going to be non-parochial and make the point that what is being asked for is not just a Fife bridge but a bridge that will serve the whole of central east Scotland and the economy of that area. I would go further than that and say that it is a trans-European network identified key spot. We need to bear in mind the fact that the bridge would serve not just the Fife economy but the economy all the way to the north of Scotland. Given the peripherality of Scotland to central Europe, it behoves all of us to consider the proposal critically and seriously.

Mark Hood is absolutely right that we should not have a paucity of ambition; we ought to work towards making the whole of north-east Scotland a thriving economy. I include Fife in that, as well. What has not been embraced this morning is something that I was proud to be one of the leading architects of—the development of the Superfast ferries. That was all reliant on the development of freight transport, and we are glad that those ferries continue to operate. Mark Hood is right to say that we should be ambitious for yet another crossing. People are arguing for a

replacement bridge, but I am in the same camp as Mark Hood in believing that we should have another bridge.

In Fife, we have the most expensive railway fares per kilometre in the whole of Scotland, according to information that has been provided by Fife Council officials, and I am incandescent with rage that people dare to suggest that the tolls on the bridges should be maintained. Hospital workers, hospital cleaners, nurses and others have to travel from towns and villages such as Kinglassie, Cardenden, Balingry and Cowdenbeath to serve in the Edinburgh hospitals, and people want them to have to continue to pay tolls—that is dreadful.

I would have a lot more to say on the matter if time permitted, but I move to a recommendation that we seek the views of both the Forth Estuary Transport Authority and the Scottish Executive. I also remind colleagues that I have arranged a presentation at 1 o'clock, to which you are all invited, at which the bridge master will give the facts of the case.

The Convener: The recommendation is that we write to the Executive and FETA. Do members have any other recommendations?

John Scott: I suggest that we write to Fife Council.

Rosie Kane: I want to make clear what I was saying about fragmented, small-picture planning. Some of the planning activities in Glasgow and other areas have been responsible for draining the lifeblood from other areas. The tin-shed companies that are responsible then leave Glasgow, so it is very short-term economic thinking. Fife has probably been a victim of that, too. I suggest that we send the petition to Architects & Engineers for Social Responsibility. I will confirm that that is the correct name.

The Convener: If members are happy that we write to such an organisation, Rosie Kane can confirm its name with the clerks after the meeting.

Mr Gordon: We could find out the views of the local authorities on the south bank of the Forth.

Helen Eadie: And Scottish Enterprise.

The Convener: A large range of organisations has been suggested. Are members happy with the suggestions?

Members indicated agreement.

The Convener: I thank the witnesses for their co-operation. I found the discussion informative. I think that the experiment worked and allowed a debate to develop on all the issues—certainly, it has not put me off trying the idea again.

Once we collate the information from the organisations that we have agreed to write to, we will get back in touch with the petitioners and keep the dialogue going until we take the petitions as far as we can.

Rural Schools (Funding) (PE937)

The Convener: Our next petition is PE937, by Mrs Catherine MacKinnon, on behalf of Roy Bridge primary school. It calls on the Scottish Parliament to urge the Scottish Executive to recognise and promote public-community partnership funding as an alternative to public-private partnership funding as a means of securing the long-term future of rural schools.

Catherine MacKinnon, who is accompanied by Councillor Thomas MacLennan, will make a brief statement to the committee in support of her petition.

Catherine MacKinnon: Thank you for giving us the opportunity to speak. I offer you the apologies of Jim Mather MSP, who was going to join us but had to go to another meeting at 11 o'clock.

We are asking the Public Petitions Committee to urge the Scottish Executive to recognise and promote public-community partnership funding as an alternative to PPP funding and as a means to secure the long-term future of rural schools and community facilities. We would also like the Parliament to ask the Scottish Executive to provide revenue support—formerly level playing field support—for the proposed system in the same way as it does for PPP initiatives.

Rural schools are at the heart of rural communities and are essential to their social and economic activities. All the many clichés that you hear about rural schools when they are threatened are true. Not much more can be added to that on behalf of an individual school.

Rural communities have similarities, but they also have differences and unique characteristics. We propose that individual communities be fully involved in designing schools—and, possibly, other public facilities—that are tailored to the needs and aspirations of those communities.

Our school has a roll of 30 and its buildings are in a poor state of repair—that is the only problem with it. Highland Council maintains that it does not have the funds to repair the buildings. It would prefer to transfer the children to a school that is not terribly far away from us. Our school is not a priority for investment.

The cost of building a new school that Highland Council has given is excessive, and the proposed building includes facilities that the community does not need. We would prefer to come up with our own proposal for a new school that integrates the

school with existing and proposed facilities in the community. We would like to use the existing village hall for sports activities, which have previously taken place in the school, rather than having a new hall, which would duplicate the existing provision, foisted on the community.

11:00

Through the public-community partnership we could create the opportunity to provide additional affordable housing in the community by relocating the sports field to the school site, which would free up land for housing and other activities. The community would take ownership of those facilities and lease them back to the council but, outwith school hours, the community would run and use them.

Our solution is what the community wants. It has not been imposed on us from above and it would be much more cost effective than any public sector, council-delivered solution. For example, the community has a 50-year lease on the schoolhouse that adjoins the school and it raised £250,000 to refurbish it and to provide facilities for the youth group, the elderly lunch club and a pre-school Gaelic-medium nursery. We want to extend that activity in the school through the public-community partnership.

Under our proposals, the PCP would lease the site from the council, develop it in partnership with and to the specification of the council, then lease it back. The Bank of Scotland community banking unit, which has been supportive and keen to get involved in our proposal, has offered to lend money at 1.75 per cent over the base rate. That is similar to the rate that private developments get.

The terms of the lease would be negotiated. It might include the various facilities and utilities that are built in to PPP leases or it might be a straight lease back to the council. Obviously, revenue support from the Scottish Executive would enhance the proposal's attractiveness to Highland Council.

The PCP would also offer value for money. At the moment, we do not propose to build any profit element into it, but any profit that it made would be reinvested in the local community. With PPP initiatives, such profit might benefit private investors and it would not necessarily be reinvested locally.

Communities can contribute to developments by accessing grant funding that public sector bodies cannot access. Our proposal is centred on empowering communities; harnessing their latent skills and energy; tailoring solutions to community needs; taking a bottom-up, holistic approach to development; and ensuring that local communities

make a long-term commitment to developments in their area.

We want the Roy Bridge community to be able to pilot a PCP as a demonstration project with the Scottish Executive's full support. Our proposal could make Roy Bridge a model that paves the way for other communities. We hope that the public sector will take this chance to engage in a new way with the communities that it exists to serve.

Helen Eadie: The petition is interesting and thought provoking. I must apologise for missing the start of your comments. Is membership of your community based on a legal framework, for example a friendly or mutual society model? Perhaps I should declare an interest as a Co-operative Party member and as someone who is enthusiastic about such community initiatives.

Catherine MacKinnon: We have not yet formalised the legal structure, but our voluntary committee, which developed the schoolhouse project, is a constituted body with charitable status, and we are considering reconstituting it as a community company limited by guarantee with charitable status.

Helen Eadie: What professional support have you received throughout the development of this proposal?

Catherine MacKinnon: Are you talking about legal support?

Helen Eadie: I suppose that I am talking about support from Highlands and Islands Enterprise and others.

Catherine MacKinnon: We have used grant assistance from the local enterprise company and Highland Council to get an architect, quantity surveyor and structural engineer on board. We also have legal assistance waiting in the wings to set up everything else.

Ms White: Good morning, and thank you for your presentation. Your idea is excellent. I have seen a lot of PPP projects, which will cost their communities millions of pounds when their 25-year leases run out. Anything that can benefit a community, as your project could, must be welcomed.

You mentioned the schoolhouse and the 50-year lease. Will your experience in gaining that lease help you in making progress on your project for the school? You will be able to say that you have already obtained a lease.

You said that Highland Council could provide a new school. Would that be in the same area as where you wish to build a school? What will be the difference in cost?

Catherine MacKinnon: Highland Council has not said that it will provide a new school but it has given a ballpark figure for providing a school with the number of classrooms that we propose. The council's figure is twice what the community would hope to build a school for. Obviously, figures can be contentious and we are currently recosting our plans. Everyone knows that the costs of public sector projects go up and up, and that when tenders come in they are not what was expected. That could also happen with community projects, but much closer attention would be paid to detail and to tendering.

We are proposing a partnership approach with local builders—making use of our community networks and our knowledge of who knows whom. Keeping things at community level will make things easier, and we will harness the latent skills in the community. Everyone will get involved and put in their penny's worth so that we can come up with the best solution.

Our costs might be higher than we currently expect—that seems to be par for the course, and we would not claim otherwise—but we maintain that we can complete the project a lot more cheaply than Highland Council can.

By using the village hall, we would be cutting out the extras. We would not simply be saying, "This is a school for the community." We would be saying, "This is our school, for our community. This is what we want and we can build the school to meet our needs."

Ms White: Councillor MacLennan is here. Why does Highland Council not support this type of community partnership? Is it because the idea has not come from the Executive?

Councillor Thomas MacLennan (Highland Council): One reason the idea is not receiving support is that it is new. It is untested, and councillors like to use the tried and the tested.

You asked about cost. There is an island just off the mainland and the school on the island needed a major refurbishment. There was a list of building companies that could tender, but the local councillor said, "There's a building company on the island—maybe we should invite them to have a go. It's not normal practice but we should try." That company quoted something like £350,000 and the next best tender was almost double that. The situation at Roy Bridge is similar.

Ms White: That sort of thing obviously benefits the whole community.

Councillor MacLennan: Highland Council has about 180 schools: 60 are in excellent condition; 60 are in a medium condition; and 60 need a lot of money spent on them. The Roy Bridge project is an opportunity to do something that, although

untested, might save millions of pounds in the long term. If only one in 10 of the remaining 60 communities followed us down this route—if it was a success—it could save millions of pounds.

Mr Gordon: I want to be sure that I understand correctly. Highland Council is currently consulting on a scheme of primary education that covers your village.

Councillor MacLennan: Yes.

Mr Gordon: The council's proposal is to move the children to a village 3 miles away to an existing school that would have to be extended. Is that right?

Councillor MacLennan: There are three options. One is to remain as we are—

Mr Gordon: Oh, so the status quo is an option?

Councillor MacLennan: Yes, but the school needs a lot of money spent on it. It is more than 100 years old. There is another school 3.5 miles away, and the council would prefer to move us to that school. The third option is the one that we are advocating today—to give the community a chance.

Mr Gordon: But unless the Scottish Executive certifies that your project is a valid financial model, the education authority could not consult on it. That is why your petition is aimed at the Scottish Executive.

Councillor MacLennan: We hope to get as much support for our project as possible, so that—if it stacks up—it can be a pathfinder.

Mr Gordon: Is the option of educating the children at Spean Bridge educationally deficient or does it just not accord with your wider concerns about the regeneration of your village?

Councillor MacLennan: I can speak quite well on that. I live not in Roy Bridge but in Torlundy, which is a village of about 100 households. It has no shop, school, village hall or pub. The school closed 30 years ago, but the village has doubled in size—it is basically just a commuter village for Fort William. The community at Roy Bridge is out on its own and it has a crofting heritage behind it. It needs to be preserved and protected.

Mr Gordon: You are trying to do something quite tricky—use a constrained statutory consultation about a scheme of education to achieve wider regeneration objectives.

Councillor MacLennan: Yes.

Mr Gordon: It is quite an interesting idea.

Councillor MacLennan: It is not only about rebuilding a school; it is about providing additional affordable housing, additional car parking, a better all-weather playing pitch for the kids and an

additional play area. It is basically about transforming the village.

Mr Gordon: The proposal to educate the children in an extended school in Spean Bridge is not a PPP proposal, is it?

Councillor MacLennan: The school at Spean Bridge is an existing PPP school that will need an extension to accommodate the children from Roy Bridge.

Mr Gordon: So it is part of an existing PPP contract. You have correctly identified that the magic ingredient in a PPP—of which I have some experience—is level playing field money from the Scottish Executive. Am I correct in saying that you want the community trust—or whatever you call it—to lease the existing Roy Bridge village school from Highland Council?

Catherine MacKinnon: We want to lease the site.

Mr Gordon: Do you want to transfer ownership to the trust and then lease the school back to the council?

Catherine MacKinnon: We would lease the site, develop it—build a new school on it—and lease the building back to Highland Council.

Mr Gordon: You would lease the enhanced facility to the council. There obviously must be a risk assessment of a financial model. Who in the village would take the risks and stand behind the project if it were to encounter financial difficulties?

Catherine MacKinnon: Do you mean in the longer term?

Mr Gordon: Yes.

Catherine MacKinnon: That would all be built into the lease. The onus would be on Highland Council to make the repayments over whatever the term was—15, 20 or 25 years, for example—and that would be a condition of the Bank of Scotland lending the money.

Mr Gordon: So, if your trust went pear shaped, the facility would revert to the council.

Catherine MacKinnon: Yes.

Councillor MacLennan: There is a range of options. Perhaps we could find somebody who would donate a bond that could be held while the school was in existence.

Mr Gordon: As I say, I find it a fascinating idea.

John Scott: I, too, think that the idea is fascinating. I am hugely in favour of community ownership of rural schools; I have some experience of that, having been educated in such a school. However, I would like you to develop the concept a bit further. As I understand it, you are

talking about the council owning the land, the bank owning the building and the council paying the rent or the interest to the bank, but where is your community involvement? Are you providing the managerial input only?

Catherine MacKinnon: We would be enabling the borrowing. I understand that the council cannot go to the Bank of Scotland and ask for a straight loan.

John Scott: The council should be able to borrow money less expensively than at 1.75 per cent above base.

Councillor MacLennan: The council goes out and gets quotes. I have been a councillor for only three years and it is terrible to be so cynical at such a young age but, when an official says that something will cost £2 million, it never seems to come in at less than that; it is usually more expensive. The council has given us ballpark figures of £2 million or £2.5 million for a new school in Roy Bridge and we are coming back with substantially lower figures.

The community has demonstrated diligence by seeking advice from quantity surveyors and chartered surveyors and getting local builders to throw in their thruppenceworth. Test bores have been dug to ensure that the foundations hold no surprises. I believe that the final figure will be close to our estimate—it might rise a bit, because it is impossible to tell with school building projects—which is a lot less than the figure for which the council said that it could build the school. The council has trouble in accepting that we could achieve that price. The council uses a costing formula of £X per square metre, but our figure comes in at under the council's price. The Bank of Scotland has said that it will back the figure that we have produced.

11:15

Catherine MacKinnon: We would also have voluntary input, which cannot be costed. We would achieve value for money as a result of that input, which is not included in the proposed figures.

John Scott: Like Mr Gordon, I am concerned about the risk. With the best will in the world, building projects can go wrong. If something went wrong with the building in 20 or 30 years' time and it became unusable, how would the community cope? Would insurance be required against such risks? Presumably, some mechanism would be required so that the community could cope if the building became unusable before all the payments had been made and before the building's supposed design life had expired.

Catherine MacKinnon: That would be built into the agreement with Highland Council. PPP

agreements contain pretty detailed provisions on how such matters should be dealt with. For example, in the school in Spean Bridge down the road, the playing field had never been usable. The council's payments do not cover the playing field but the consortium is still liable to reinstate it. Such details would be included in the agreement. For example, in case the building developed problems, the onus would be on the community to ensure that the agreement required the building company to maintain the building as a viable school for the duration of the lease period.

John Scott: I have asked some awkward questions, but I wish you well.

Jackie Baillie: I, too, am curious about the proposed model, but I confess to wanting to take a step back so that I can understand the position of Highland Council. It would be helpful to know—I assume that the witnesses know this—whether the council's conclusion on the Roy Bridge school was arrived at because of the age and disrepair of the building or whether it was due to declining school rolls or other educational issues.

Catherine MacKinnon: The school has no educational issues. Roy Bridge school provides a high standard of education, especially in music. The children have been down to London for ceremonies and presentations. Within the local area, the school has a strong reputation for music. There are no educational problems.

The school's only problem is the state of the buildings. The community feels angry that we are in this situation. Given that Highland Council has a responsibility to maintain its school buildings, we should not come under fire because the council has neglected its duty. That may be a side issue, but we are trying to find a solution to the problem.

At the moment, the school buildings consist of two portakabins. Having been educated in Roy Bridge primary school, I recall that the portakabin for the infant classroom was brand new when I entered primary 1 some 35 years ago. The fact that nothing has been done for the school since then is the only problem.

The community wants to retain its school and is trying to find the best solution for doing that. The option of sending the children to the school in neighbouring Spean Bridge is not straightforward, because that school would need to be extended. According to Highland Council, the cost for the extension would be £183,000, but we guess that that would rise to £200,000, £300,000 or £400,000 by the time that the extension was finished. If that money is available to spend, we feel that it would be better spent on maintaining and redeveloping the school in Roy Bridge.

Our pre-school figures are healthy. We project that the current school roll of 30 will rise to about

40 in the next seven to 10 years. That is based on a head count of local children. Roy Bridge is a growth community, as it is just 15 miles from Fort William and is part of the commuter belt.

I can guarantee that if Roy Bridge had a nice new school, it would start to mushroom in the same way as neighbouring Spean Bridge has done following the building of the PPP school there. I do not have a figure for how many houses have been built in Spean Bridge, but I know that many planning applications have gone through. As a burgeoning community, Spean Bridge does not need Roy Bridge to survive. The school in Spean Bridge will be full in no time, as it has only about 20 spare places. It already has a roll of 63 and it has a capacity of 95. The Spean Bridge school will be full without the children from Roy Bridge. There will be pressures on that school anyway.

Councillor MacLennan: Lochaber has just started to review its local plan, and there are great pressures on building land in Fort William. There are few areas that we can build out into, apart from going up the Great Glen corridor to Spean Bridge and Roy Bridge. Of the 28 primary schools in Lochaber, only two were projected to have a rise in their school rolls going forward some seven or eight years; one was in Spean Bridge and the other was in the town. Only three school rolls were projected to be stable, one of which was Roy Bridge primary school. Every other school roll was forecast to fall by an average of 14 per cent, so it is an area of stability as regards school rolls. If we had a newer school at Roy Bridge, I am sure that its roll would rise in the same way as that of Spean Bridge primary school.

Jackie Baillie: I am sure that you have made those eloquent arguments to Highland Council. What has happened as a consequence? Has the council just dismissed them?

Councillor MacLennan: We have just started the consultation process, and this is when we get the chance to put forward those arguments. The community recognises that we may well need to have a plan B; so, here we are today, trying to get as much support for it as we can.

Jackie Baillie: I suppose that I am taking a step back and saying that, as a councillor, you have an opportunity to shape the consultation rather than just to participate in it. If you have made the points that you have just made to the council, I wonder what view the council has taken even before it has started the consultation on the basis of the information that you must have given it.

Councillor MacLennan: When I speak to individual councillors, they are impressed with the proposal. It is a nice, new, shiny idea that is being presented by a nice, new, shiny councillor and it has to be tested. The figures have to be tested to

see whether they stack up, but there seems to be a grain of support for the idea.

Jackie Baillie: Risk is sometimes managed by having an asset. I am interested in your suggestion that you would lease the land from the council. Would that be at no cost to you? Would it be a 99-year lease? What kind of asset is the council offering?

Catherine MacKinnon: I would not say that we are being offered it just yet.

Jackie Baillie: What would you like the council to offer you?

Catherine MacKinnon: It would be just a peppercorn lease—a means to achieving the end. At the moment, we have the schoolhouse on a 50-year lease. I think that a 20, 25 or 30-year lease would probably be more attractive to the council, as that would be in line with the PPP initiatives. A lease of 50 years is a bit long. The leasing element is a means of transferring ownership to the communities so that we can deliver the end-product, which is the school that the council would like to have.

Jackie Baillie: My final point is on the level playing field support that was referred to earlier, which has been renamed—goodness knows what it is called now. Basically, the funds to cover the charges that are associated with PPP are paid directly to Highland Council through its revenue support grant. One might perhaps assume that the council could do something creative, given the fact that it has that chunk of money, of which you would want only a tiny proportion to make the project fly. I leave that thought with the shiny councillor.

The Convener: I would like to ask a couple of questions to clarify things. You have talked a lot about the leaseback of the building. Who would employ the teaching staff, the janitorial staff and the administrative staff in your PCP school?

Catherine MacKinnon: Highland Council would. The educational provision in the school would be entirely in the realms of the council. The council would also carry out the furnishing of the school, as I believe that it does with PPP initiatives. The employment of janitorial and cleaning staff would be open to debate. For PPP initiatives, the PPP provides the janitorial and cleaning services. We could discuss whether the PCP would wish the community to take that on—which we could consider doing—or we could leave that in the hands of the council. That would be open for discussion. The educational provision and the teaching staff would be employed through the education system of Highland Council, no differently from staff in other schools.

The Convener: What if, during the consultation, the council were to conclude that Roy Bridge primary school is just not sustainable? How do you envisage convincing a local authority to continue paying for staff and a property that it has decided is unsustainable in its current situation?

Catherine MacKinnon: I do not think that the council would embark on the consultation if it felt that that was going to be the long-term situation. Does that answer your question?

The Convener: If the local authority decides that the school is not sustainable because of the on-costs of maintaining the school where it is rather than transferring the 30 pupils to a nearby school, how will you convince it to use public money to maintain the school?

Councillor MacLennan: At the moment, the figures stack up. The two schools are being managed by the same head teacher, because someone is on sabbatical, and the costs might not be as great as the costs of running two totally separate schools. The two communities are relatively comfortable with the joint headship and I see no reason why it could not continue into the future at some point.

Catherine MacKinnon: The issue is the capital investment cost. The buildings are in such a state that, whether this year or next year, there will be serious health and safety issues and something will have to be done. A quick fix will not solve the problem. At the moment, the council is strapped for capital to put into schools and Roy Bridge primary school is not a priority. It is looking for a solution to that. The on-going revenue cost is not the issue.

Councillor MacLennan: Spean Bridge primary school could just about swallow up Roy Bridge primary school at the moment. We worked out that there would be two spare seats left in the school. Spean Bridge is an area of growth, where a lot of house building is going on, and virtually all the land that was designated for building has been exhausted. The school needs an extension, which will cost the best part of £200,000. That money would go a long way towards building our school if it was redirected towards the building of a new school in Roy Bridge.

The additional cost of transporting 30 kids backwards and forwards every day must also be taken into account. That cost would have to be picked up, and who knows what the cost of transport will be if oil prices go up?

Catherine MacKinnon: That would also have an environmental impact.

The Convener: It sounds as though you have a few arguments on your side.

I ask members for suggestions on what to do with the petition.

Ms White: Perhaps we should notify the Convention of Scottish Local Authorities of the petition, although it has not bothered to reply to other petitions. I would also like Highland Council to be informed of the petition.

Rosie Kane: I welcome what has been said, which has been very interesting. I wish that we had been able to grill some of the companies that were involved in the PPP in Glasgow on everything from there being no space to having secret cameras in the classrooms—but we will not go there. It has been an interesting debate. I wonder whether we should seek the views of the Scottish Trades Union Congress on the petition. It has been campaigning on the issue, and there are implications for workers, and so on.

Mr Gordon: The idea has general merits as a financial model, and not just in Roy Bridge, but I am disconcerted to learn that Highland Council is consulting on changing a scheme of education for primary school children apparently for purely financial reasons. There is an educationally viable school, but Highland Council does not want to renovate the dilapidated building.

The Convener: We can ask Highland Council some specific questions. That is a valid suggestion.

John Farquhar Munro (Ross, Skye and Inverness West) (LD): I am sorry that I missed the presentation. I had to go to another committee.

I visited Roy Bridge last week and can confirm the state and the quality of the buildings there, which certainly need renovation. As you probably heard from the presentation, the community there has taken a great interest in the school and has already renovated quite a bit of the building, which is proving to be well used and a good community resource. I am pleased to see that the rest of the committee is supportive of the initiative.

The Highlands region does not have a particularly good record in private finance initiatives. This scheme is being presented by a local community for the advantage of that community and a much better deal for the council's education committee. I suggest that we promote the proposal as diligently as we can, and I agree that we should put the matter to COSLA and other committees of the Parliament.

The Convener: Yes. We will pass the petition on to other committees when we receive responses back. We will write to the Executive, COSLA, the local authority and the STUC, to get their perspective on the proposal and to see what support is out there for this innovative way of trying to protect a viable local school. The

proposal has a lot of merit and deserves further consideration.

We will write to those organisations and, when we get responses back from them, we will contact you. In the meantime, good luck with the consultation.

Councillor MacLennan: Thank you.

Catherine MacKinnon: Thank you very much.

Planning (Engagement and Consultation) (PE946)

11:30

The Convener: Our next new petition is PE946 by Andrew Watt, on behalf of the Old Musselburgh Club, which calls on the Scottish Parliament to consider and debate the process of local engagement and consultation in local planning issues.

Andrew Watt will make a statement to the committee in support of his petition. He is accompanied by John Caldwell of Musselburgh and Inveresk community council and Neil Hynd, who is the chair of Musselburgh Conservation Society. Welcome to the committee. After you have made your statement, we will discuss your petition.

Andrew Watt: Thank you for hearing us on this matter. As indicated by the information submitted with the petition, we are concerned about a development to extend Musselburgh racecourse. We believe that what has happened in Musselburgh in the past few months should not happen in communities in Scotland in the 21st century. There has been a failure by Musselburgh joint racing committee, which operates the racecourse and is a joint venture between East Lothian Council and Lothian racing syndicate, to engage with and consult local people.

We have no reservations about improvement and extension of the racecourse, but our organisations are concerned about the inclusion of an artificial, all-weather racetrack with floodlighting. The development raises serious concerns about how it will impact on the area. At the moment, the land is a picturesque eastern gateway to the town. When the development is completed, the common good land of Musselburgh links will resemble an industrial site. It would have been sensible to involve and consult the community at large on the development because of its sensitivity and its impact on the environment, our heritage and a much-used leisure area.

There has been a failure by Musselburgh joint racing committee and East Lothian Council to do that. The refusal to involve the wider community in the planning of the development and to engage

with people's concerns and views is contrary to East Lothian Council's objectives and national Government recommendations. The impression that has been given by the joint racing committee and councillors alike is that the development is a fait accompli and that we as a community will just have to accept it.

The development has created a lack of trust in the local government process, not only in relation to the lack of meaningful consultation but with regard to how elected representatives' conflicts of interest seem to restrict dialogue with their constituents.

Musselburgh joint racing committee has consulted only selective groups in the community. That is not best practice in any sensitive local issue. We hope that the Parliament will consider means to reduce such difficulties for other communities in the future. In a democracy, the system has to be fair, partial and transparent.

Since the petition was submitted, East Lothian Council's planning committee has met to discuss the matter. The meeting was open to the public and more than 400 people attended. Thirty local people spoke against the planning application and only three people—who were not local residents—spoke in favour of it. The planning committee indicated that it was minded to pass the application and to pass it to the Scottish Executive for ratification. The vote went very much along party lines. The way in which the application was dealt with at the planning committee stage did not help to dispel concerns in the community about justice and transparency.

The Convener: We are joined by Susan Deacon for this petition. I will allow committee members to ask questions before I give Susan an opportunity to ask questions or make points at the end.

Jackie Baillie: Increasingly, consultation is an emerging theme in planning and I accept your example. I have two questions, just for my benefit. Did I pick you up right that the joint racing committee is a joint venture between the council and somebody else?

Andrew Watt: That is correct.

Jackie Baillie: Okay. On that basis, the planning application will be referred to ministers.

Andrew Watt: It has been referred.

Jackie Baillie: Is the development on common good land?

Andrew Watt: It is.

Jackie Baillie: Was the land gifted to the people of Musselburgh? If it was, by whom and for what purpose was it gifted? Conditions may be attached

to the usage of common good land. Have you investigated that?

Andrew Watt: Yes. It was gifted by a 1674 charter. Since that time, local people have tried to defend their rights to use the common good land and have raised interdicts in the courts to do that, some of which are in force. One of the interdicts allows the people of Musselburgh to play golf on the links, unhindered. As the committee can imagine, we believe that the developer's artificial all-weather track is contrary to the terms of that interdict.

Jackie Baillie: Notwithstanding the consultation on the planning application, was there a separate consultation on the proposed use of the common good land?

Andrew Watt: No; that is one of our main objections. There has been no consultation with the community on the use of the common good land. East Lothian Council has a statutory responsibility to administer the land in the interests of the people. For that reason, there should have been more consultation with the people. In 1985, the former East Lothian District Council raised legislation to enable it to govern this piece of land. That legislation says that nothing shall prejudice the rights of the inhabitants of Musselburgh to play golf on the links. As far as we are concerned, the inhabitants of Musselburgh have not been consulted.

Mr Gordon: Would it be fair to say that your concerns relate not to the consultation that was done within the strict confines of the planning laws—you are not suggesting that the planning consultation was deficient in some way—but to wider community engagement issues about the use of common good land and so on?

Andrew Watt: That is correct. There was proper statutory consultation, but our concerns go more widely than that. In terms of the guidelines, councils have to consult communities. In this case, given the sensitive nature of the area in question, greater consultation should have been undertaken.

Mr Gordon: You said that the vote at the planning committee went very much along party lines. Surely you are not suggesting that councillors were whipped on a planning application? As you know, that would be a breach of ethical standards.

Andrew Watt: I am well aware of that. One group on the council is promoting the issue and that group also sits on the planning committee. With the best will in the world and within the current rules, it is very difficult for people not to be influenced by those around them. I am not suggesting in any way that there was a lack of probity, simply that it is human nature for

individuals to be influenced by what their own people want to do.

Mr Gordon: My colleague Jackie Baillie emphasised that the decision of the planning committee was referred to the Scottish Executive. As I am sure you are aware, when a council has an interest in a proposal—in this case, a financial interest—the application is referred to ministers as a safeguard.

Andrew Watt: We are well aware of that.

Mr Gordon: Is it not therefore conceivable that your concerns may well be addressed by ministers, albeit that that would happen within the strict confines of the planning process?

Andrew Watt: Yes, they will be. However, irrespective of what happens in that process, that does not get over the fact that we should have been consulted an awful lot more and been enabled to make a greater input into the application than has been the case until now.

Mr Gordon: As I said, you are concerned about wider issues of community engagement by the council on the future use of common good land.

Andrew Watt: Yes.

Ms White: Having read through the petition, I am very concerned about the situation. The lack of statutory consultation is one thing, but your petition clearly shows that there was a lack of meaningful consultation. That is something that we come across continually when we deal with petitions on planning issues.

Am I correct to say that the same councillors who sit on the planning committee are also members of the Musselburgh joint racing committee?

Andrew Watt: That is correct. In this issue, the conflict of interest is complex; indeed, there is a multiple conflict of interest. They are councillors and they have to represent their constituents, but they are also members of the commercial enterprise. They have a statutory duty to administer the common good properly and, over and above that, they are members of the planning committee. We feel that their position has detracted from proper consultation. They do not want to consult us on the matter; at no time have they come to the community and tried to consult.

Ms White: I note from your petition that the councillors did not attend a meeting that you held that was attended by 300 local people. We know that because of the conflict of interest the application has been pulled in by the Scottish Executive. Do you want the Executive to hold a public inquiry on the issue?

Andrew Watt: Both my colleagues would agree that the community feels that such an inquiry

would be a great deal fairer and more impartial than what has happened so far.

Ms White: The project will get an interest-free loan from the Horserace Betting Levy Board, provided that an all-weather track is included, and East Lothian Council is giving a £9 million low-interest loan. The HBLB has said that it will give its loan if the council's loan is forthcoming. The council's offer of funding comes despite the fact that, as you said, local people were not consulted or involved in any of the decision making.

Andrew Watt: They were not consulted beyond the statutory consultation requirements under the planning laws. When the information about the £9 million loan was made available to the community, it was looked on with horror. The planning application had not been decided and, given the sensitivity of the issue, the provision of such funding was not considered to be a reasonable approach to take.

An economic argument has been made that the development will benefit the town, but there is a contrary economic argument that it will not do so. Where will the £9 million come from? Who will stand the loss if the venture does not succeed? The council tax payers—and we are very unhappy about that. No proper business plan has been put forward and the matter has caused a great deal of concern in the community.

Ms White: If councillors who are willing to go forward with a loan are also members of the joint organisation, that is a concern. I will leave it at that, because other members want to raise issues.

John Scott: I declare an interest, as I am a member at Ayr racecourse. A similar project is going ahead at Ayr, but there is huge community buy-in. I think that everyone is in favour of the project at Ayr.

I hear your side of the argument, but those who are promoting the project must have some good reasons for doing so. Perhaps it is not incumbent on you to give us those reasons, but I presume that there must be a benefit to the local economy in going from 26 days' racing up to between 80 and 100 days. Is that the key argument?

Andrew Watt: Yes. The promoters claim that there will be a benefit to the local economy.

John Scott: I presume that you dispute that.

Andrew Watt: Yes. We question the benefit that 60 all-weather racetrack meetings a year will bring to the local economy. The only benefit will be to the betting industry. All-weather tracks do not attract a lot of people for winter race meetings, but the races are televised in betting shops so that people can bet on Thursday, Friday and Saturday nights when they have finished work. Our research shows that all-weather tracks in England are

sometimes lucky if 500 people turn up on an evening.

People who attend the race meetings come to the town by car. They go to the racecourse, where refreshment amenities are available: there is a restaurant and a bar. We question where the economic benefit is for the town. People go to the racecourse, then they leave and go home. They do not go into town to spend a lot of money.

Perhaps my colleague would like to comment.

Neil Hynd (Musselburgh Conservation Society): All the shops and retail facilities will be closed when evening racing takes place under the floodlights.

John Scott: I perhaps did not catch properly what you said. Is there a suggestion that the councillors who are on the planning committee might gain financially from the project? I hope that that is not the case, but I want you to clear that up.

11:45

Andrew Watt: At no point did I say that. The councillors who sit on the planning committee and who are also involved with Musselburgh joint racing committee disqualified themselves at the planning stage. What I said was that if a majority party decides to progress a project, it is only human nature that people will be influenced by others with whom they work. That is equally true here in Parliament. I am not saying that there is a lack of probity, but the matter causes great concern in the community because the perception is that the ruling party, whose members are the decision makers in the matter, wants to progress the matter. It may not be true, but that is the perception that people have.

Rosie Kane: Thank you for all the information that you have brought to us; you definitely know your stuff. I share your concerns about the statutory elements of consultation and the obligations that are, or are not, attached to that.

What consultation took place, how were people invited to be involved and what information was sent out to the community?

John Caldwell (Musselburgh and Inveresk Community Council): The consultation process, aside from the statutory aspects, mostly involved sending free tickets for the racecourse to residents of the area adjacent to the development. The developers addressed members of the local golf club, who use the golf course itself, although they have only 44 per cent use of the course. The only other consultation was a public meeting that was held by the community council in the Brunton hall, which was filled to capacity, and which was unanimously against the development. At that meeting, the manager of the racecourse came

along with his experts on the development. They were very ill prepared and could not properly answer the questions. His comments on the benefits to the economy of the town were based purely on speculation and were not founded on any investigation of the town's current economy. That was the sum of the consultation outwith statutory procedures.

Andrew Watt: There is an artisan golf club whose members play on the links. As John Caldwell said, they play about 44 per cent of the golf on the links. The club's management committee comes largely from outside the town; they are not local people. There are statutory obligations to allow the people of Musselburgh to golf on the links and they have rights on the common good land, but that golf club was the only consultee on what was to happen to what is an historic golf course on which the playing of golf can be dated to before 1672. We feel that there should have been consultation of other people who golf on the links and of the people of the town.

The golf club brought in a championship golf course architect. He has done away with a green that pre-dates 1832—no one can say that any such green on a golf course is not an historic green—because those were his instructions from the Musselburgh joint racing committee and from the golf club. We feel that other people should have been consulted, particularly other golf course architects who are experts on preserving historic golf courses, but that has never been done.

John Caldwell: I can give you an example of another consultation situation. Queen Margaret University College will shortly move to Musselburgh. From the very start, before planning applications were submitted, that institution has made big efforts to get the community involved and to explain what would happen when it came to Musselburgh. Representatives have come regularly to various local organisations and to community council meetings to give us updates. There is now a forum that started about a year ago; it is attended by members of different community organisations and information on the plans that the college has submitted are fed in to it. The college has taken on board all the issues and has developed its plans accordingly, making changes to accommodate the needs of the community. Much of that has been done without council help. I offer it as a different example of a development on a scale that affects the whole town.

Susan Deacon (Edinburgh East and Musselburgh) (Lab): I welcome the opportunity to make a few points. This issue has been difficult for the community and for everyone involved. I think that the committee has had a taste of that today.

Musselburgh has been very proud of its racecourse. A couple of years ago, I secured a members' business debate during which we celebrated the achievements of racecourses such as Musselburgh, and the convener and deputy convener of this committee took part and offered insights from their own areas. Musselburgh racecourse has been a positive feature of the town. The sad thing is that we now have a proposal that has not gone with the grain of local opinion and has led to a lot of ill feeling.

The situation has been difficult for local politicians. I live in Musselburgh right next to the racecourse, so it has been difficult for me to judge how best to deal with the views and concerns that have been expressed to me as the local MSP. I have tried to be transparent throughout. Fairly late in the day, I decided to comment on what was still, at that stage, a local planning matter. MSPs comment only very selectively on local planning matters, and I did so for the reasons that the petitioners have explained.

We have five local councillors in the town—six, if you count the wider area—three of whom are members of the joint racing committee, including the council leader. The convener of the joint racing committee is the provost of East Lothian Council, but he is not a Musselburgh councillor. Of those six local councillors, three are on the joint racing committee and two of them are members of the planning committee. Under the code of conduct, those two could not express any views.

An interesting issue therefore arises to do with how local views can be channelled and ventilated in such circumstances. The situation led me to judge that it was right for me to express the concerns that members of the community had expressed to me. It was difficult for people to channel their views through the council for the reasons that I have described; that was simply a matter of circumstances, rather than anything untoward.

I have considered this issue as the local MSP, but I also have a sense of the issues that may concern Parliament. The main question is how we can make a reality of effective community engagement early in the process. That is the direction of travel of the Planning etc (Scotland) Bill and it is the aspiration of much community planning guidance. It was interesting that Mr Caldwell, the chairman of the community council, described a recent example of very good practice as well as an example of not-so-good practice, if I can put it that way. We have a big challenge, nationally and locally, to make good practice universal.

It was said earlier in response to a question from a committee member that no consultation of the community had taken place on use of common

good land. A few years ago, the council held a public meeting on the first draft of a master plan for the links and lagoons area. However, the proposal for an all-weather racetrack was introduced later.

I hope that I have offered some useful background comments for the committee.

The Convener: That has been very helpful. We have to consider the general issue of how decisions are arrived at in the planning system. Although I understand fully the petitioners' concerns, we cannot consider the specifics of the case because it is before the Executive and there is due process to go through.

However, given that we have had a number of petitions about the process of planning decisions, it might be appropriate to refer the petition to the Communities Committee, which is considering the Planning etc (Scotland) Bill. It will be able to see from the *Official Report* all the points that have been made about protection of common good land and conservation areas. People have raised issues, but do not seem to have had their views listened to. It is important for the Communities Committee to take on board those views in considering the bill.

Ms White: That is important. I would also like us to seek the views of East Lothian Council and perhaps the Musselburgh joint racing committee, rather than just send the petition to the Communities Committee, because I do not know when it will be able to consider the matter.

The Convener: If we send the petition to the Communities Committee while it is taking evidence at stage 1 of the bill, it might be appropriate for it to seek information from local authorities about specific issues that we bring to its attention. I do not think that we can do both the things that Sandra White mentioned. If we want to retain possession of the petition and pursue specific questions, we will have to write to East Lothian Council. We would be unable to send the petition to the Communities Committee until we had received a reply from the council. If we send the petition to the Communities Committee, we have to trust it to pursue the points that we have raised in our discussion this morning.

Ms White: I have concerns about the timescale. The Communities Committee has a number of issues to consider in relation to the third-party right of appeal. I do not think that it will have time to write to individual councils for information.

The Convener: I guarantee that if we wait for a response from East Lothian Council, we will have missed the opportunity to send the petition to the Communities Committee while it is dealing with the bill at stage 1.

Jackie Baillie: I agree. There is a window of opportunity for us to ask the Communities Committee to consider the petition during its consideration of an appropriate bill. Given the broader issues that the petition raises, it should go to the Communities Committee. I confess that normally I want the other side to have an input but, in this case, I suspect that the decision is made, so all we would get from East Lothian Council is a revisiting of its decision. I am conscious that if we send the petition to another committee we should not be writing letters elsewhere. Could we perhaps send it to the minister for information only?

The Convener: Yes.

Jackie Baillie: Excellent. I suggest that we do that.

The Convener: Are there any other suggestions?

Ms White: I accept Jackie Baillie's suggestion. If the petition is discussed when I am at the Communities Committee, I will suggest that that committee write to the council.

The Convener: That is the way to do it. Are members happy for us to take forward the petition in that way?

John Caldwell: It is important that we have confidence that this sort of thing will not happen again. A number of major developments in Musselburgh are due shortly. We would like to feel confident that there will be proper consultation on them.

The Convener: All the points that you have raised will be recorded in the *Official Report*, which we will send to the Communities Committee, which is considering the Planning etc (Scotland) Bill. As Sandra White said, the MSPs on that committee will have the opportunity to pursue the points that have been raised as they see fit. Thank you for coming to the committee.

Fish Farms (Protection of Rivers, Streams and Lochs) (PE941)

The Convener: Our next new petition is PE941, by Frank M Buckley, on behalf of the Society for the Protection of Salmon and Sea Trout, which calls on the Scottish Parliament to urge the Scottish Executive to ensure greater protection of the rivers, streams and lochs of Scotland, such as Loch Broom and the River Gruinard, from fish farm developments. The petitioner is concerned about the impact of salmon farms on sea trout and salmon stocks, and the consequent impact on tourism and the wider economy.

Helen Eadie: It might be appropriate to seek the views of the Scottish Salmon Producers Organisation, the Scottish Anglers National

Association, the Fisheries Research Services, the Scottish Association for Marine Science, the institute of aquaculture at the University of Stirling and the Scottish Executive.

12:00

John Scott: I thank Helen Eadie for those recommendations, with which I agree.

I am concerned about two issues. The first is the level of escapes. We need to consider how that problem could and should be dealt with. When the Transport and the Environment Committee in the previous session of Parliament discussed the issue, I wondered whether tagging fish might help to reduce the problem, because people could then be held responsible for escaped fish that were found in rivers, which would concentrate people's minds. However, I do not know whether that is practical.

The second issue that concerns me hugely is the level of sea lice. I would be grateful if the bodies that respond to us would discuss that. There is unquestionably a huge problem with falling numbers of salmon and sea trout. If something can be done to restore stock levels in rivers, we ought to do it.

John Farquhar Munro: I agree that there has been a tremendous reduction in the wild fishery up and down the west coast of Scotland. There are many possible reasons for that, some of which we can confirm and others that we cannot. As John Scott said, the high incidence of sea lice is a big problem. Several suggestions have been made as to why we have that high incidence, one of which is that the sea lice come from caged fish up and down the coast. However, the caged-fish farmers say that the sea lice are a natural problem over which they have no control. A lot of research is being done on that. The recommendations in our briefing are sufficient—we should solicit information from the various agencies that have been suggested.

The Convener: Are members happy to write to those agencies?

Members *indicated agreement.*

Family Law (PE944)

The Convener: Our next petition is PE944, by Gary Strachan, which calls on the Scottish Parliament to urge the Scottish Executive to investigate why Scottish law has no presumption of equal access to, or residence with, both parents for children after separation; why bias exists against fathers as equal parents in the Scottish court system; why contact orders are not enforced; and why parental responsibilities and rights are ignored by the medical, welfare and governmental

institutions to the detriment of children. The petitioner considers that the Family Law (Scotland) Act 2006 has failed in its policy objectives of promoting the involvement of fathers in their children's lives.

Before being formally lodged, the petition was hosted on the e-petition site where, in the period from 24 January to 7 March, it gathered 194 signatures. A further 385 signatures were submitted in hard copy. The usual e-petition briefing was sent to members.

Jackie Baillie: In considering the Family Law (Scotland) Bill, the Justice 1 Committee struggled for a considerable time debating the issues. It recommended: a presumption in favour of joint parenting; the issuing of guidance to welfare, medical and other institutions; and the enforcement of contact orders, all of which matters are in the territory of the petition. Despite the Justice 1 Committee's recommendations, the measures did not emerge in the bill at stage 3, although the Executive made several commitments. Rather than dismiss the petition, could we write to the Executive to ask what it is doing on those commitments? One commitment was to undertake research, the second was to launch and then to evaluate pilot schemes to inform future policy development on contact orders, and the third was to provide additional funding of about £300,000. That money has not yet been allocated—I think that the Executive has involved the Justice 1 Committee in the allocation. I am keen for us to write to the Executive and, if the money has not been allocated, to consider an approach to the Justice 1 Committee.

John Scott: That is a sound suggestion. I would be unhappy if we were to disregard the petition. None of the Justice 1 Committee's recommendations was taken into account, despite the fact that several amendments were lodged at various stages of the Family Law (Scotland) Bill. I am very much aware that the most upset constituents who have attended my surgeries have been fathers who have, for one reason or another, been denied access to their children. They feel that the law is hugely imbalanced against them. Jackie Baillie's proposals are worthy of pursuit.

The Convener: Are members happy with that?

John Farquhar Munro: Quite a number of people have come to my surgeries over the years to complain about the issue. It is difficult to understand why an order that is made in court for a contractual arrangement is not enforced. Parents say that social work services will not take that work on and that the police will not back it, although such orders are enforceable in court. That is strange and causes considerable distress, as members know.

The Convener: Are we happy to write to the Executive to ask the proposed questions? I hope that we will receive answers that address the concerns that John Farquhar Munro expressed.

Members indicated agreement.

Dunblane Primary School (PE933, PE940 and PE948)

The Convener: Petition PE933, which is by Doreen Hagger, calls on the Scottish Parliament to urge the Scottish Executive to instruct HM inspectorate of constabulary for Scotland to investigate Central Scotland police's dealings with Thomas Hamilton from 1975 to 1996 and to examine the 1,655 witness statements that were taken during the investigation into the shootings at Dunblane primary school on 13 March 1996.

Petitions PE940 and PE948 also seek new inquiries into the shootings at Dunblane primary school. Does the committee therefore agree to link PE933 with PE940 and PE948?

Members indicated agreement.

The Convener: Petition PE940, which is by Sandra Uttley, calls on the Scottish Parliament to urge the Scottish Executive to establish a new public inquiry into the shootings at Dunblane primary school on 13 March 1996. Petition PE948, which is by William Burns, also calls on the Scottish Parliament to urge the Scottish Executive to establish a new public inquiry into the shootings at Dunblane primary school on 13 March 1996 to reinvestigate whether Thomas Hamilton led a "charmed life", who his associates were and to determine whether the original public inquiry failed to consider crucial available evidence.

Before committee members comment, I will give my perspective. There is absolutely nothing wrong with the petitions, which were lodged to coincide with the 10th anniversary of the Dunblane massacre. That focused my mind on what the petitioners are looking for and on what the parents of the Dunblane victims would say on the 10th anniversary. In discussions in the wake of the 10th anniversary, at no time did the parents seek to reopen investigations, which is what the petitions ask for. I became increasingly concerned that the petitions were not helpful to the parents. Do committee members feel the same way?

We will have a discussion and I am more than happy to hear what members have to say, but we have considered the issue and the petitions call for nothing new. The committee previously took the matter to the Lord Advocate and received an explanation of why a new inquiry will not be established. Unless someone else can tell me otherwise, no parent or anyone who was directly connected to the massacre 10 years ago has

asked for support for the petitions, so I wonder whether we should support them.

Ms White: The initial concern not just of petitioners, but of other people, was the 100-year rule. Subsequent petitions have mostly been from the same people and have been signed by just one petitioner. We wrote to the Lord Advocate and had some success in dealing with the 100-year rule. Some information is unavailable simply for reasons of privacy—I think that it concerns matters such as children's names.

I agree with the convener that at no time whatever have the parents contacted the committee to ask for the inquiry to be reopened. They want not so much closure as a bit of dignity. Such petitions are continually lodged on the anniversary of the massacre, as the convener said.

We have done what we could. Given that we have had some success regarding the 100-year rule, I think that we should close the petitions.

Helen Eadie: I strongly support the convener's views. Sandra White alluded to the fact that every single document has been published on the website by the Lord Advocate, except for what has been redacted. It is significant that all that information is in the public domain. For the reasons that were mentioned—inquiries have been held elsewhere and the matter has been explored—it would be inappropriate for the committee to take further action. I agree that we should note the petitions and close them on the basis that they do not come from the families concerned. If there were any specifics, that would be a different matter, but for the moment I am not persuaded that we should take any further action.

John Scott: On Helen Eadie's point about specifics, is any new information available? Has the information that we have in front of us today been seen before or has it only just come to light? It is perhaps up to the Lord Advocate or the Minister for Justice to tell us why they think the evidence should not be examined further. Obviously, I take on board the comments about the parents and I do not want to reopen old wounds. If there is no new evidence, I do not see the point of pursuing the matter, but if there is—

The Convener: I looked at the e-mail from William Burns yesterday and I did not see anything new in what he is claiming. There are some specifics and more accusations, but I do not see any new evidence. However, if members think that there is new information, they can argue the point. I did not find anything remotely new in the information that was submitted—just different ways of arguing the point that has been put to us before.

Rosie Kane: I agree with the convener about not in any way harming the families who were involved in the Dunblane massacre, or the community. If people have noticed holes or uninvestigated areas, we must consider them as sensitively as we can, given the circumstances. I understand from Sandra Uttley's evidence that the Scottish information commissioner seems to be making further inquiries into some of the stuff under the Freedom of Information Act (Scotland) 2002. Should we notify Kevin Dunion and seek his views on the matter?

The Convener: It seems to me that Sandra Uttley has already taken the information to the appropriate person. We could write to Kevin Dunion and get the same response as Sandra Uttley, but—

Rosie Kane: We now have three petitions on the matter rather than just one. I do not know—I am aware of the sensitivities of the matter, but some of the stuff jumps out at me and I have to ask questions. I do not want any of us to look back and say, "If only..." because we missed an opportunity to look at the matter properly.

The Convener: As I said, the petitioner has made an FOI request. I do not think that it is appropriate for the committee to make inquiries about an FOI request that has been submitted. If the petitioner discovers something new from her request and it highlights another issue, she is entitled to lodge another petition. However, she has not actually uncovered anything—she has just made an FOI request, which does not add to the information that we have already considered. If the FOI request uncovers something new, that would take us into a different area, but at the moment all we are being told is that more information is being sought. That does not mean that more information has been discovered. You can disagree with me, Rosie, but—

Rosie Kane: I am just seeking guidance, really. I have concerns.

12:15

The Convener: As I said, if new information came up and a new petition was lodged that addressed it, the Public Petitions Committee would be more than willing to take that forward. My view is that the call for an inquiry is based, again, on people's suspicions rather than on information.

Helen Eadie: Such calls must be evidence based.

The Convener: If we allowed these petitions to be taken forward, we might not be acting in the best interests of those who are affected, but in the interests of those who have a theory that there

might have been something untoward, but who have yet to uncover anything to substantiate that theory. Are members happy that we just close the petitions on that basis?

Members indicated agreement.

Current Petitions

Seagulls (Health and Safety Hazards) (PE616)

12:16

The Convener: The first current petition is PE616, by John Boyd on behalf of Wellpark Action Group, calling on the Scottish Parliament to investigate and assess the health and safety hazards caused by seagulls in urban areas.

At its meeting on 5 October 2005, the committee agreed to write to the Minister for Environment and Rural Development. Yesterday, I received a response from the Deputy Minister for Environment and Rural Development, Rhona Brankin, copies of which have been circulated. In her response, she requests

“that the patience shown by your Committee be continued until the outstanding work has been completed and I will aim to offer the report, its findings and my blueprint for action to you upon the Parliament’s return from Easter Recess.”

Are members happy with that?

Helen Eadie: I think that that is a reasonable position. If we are to have a response from the minister when we return after Easter, that is fine. We should just accept that.

Ms White: We really need a response. I would like to find out how the problem has been successfully tackled in Kilmarnock. Certainly, seagulls are starting to come into the centre of Glasgow and breed again and attack folk. However, the issue is wider than just getting rid of the gulls; it is about educating people not to drop litter. I look forward to the minister’s reply, but I am just sorry that it is not here now, as we are suffering the gull problem in Glasgow and I thought that we might have had a solution by now.

The Convener: You will have to wait until after Easter to see whether anything comes up.

Ms White: I will just have to do that.

John Scott: We have no choice but to wait until after Easter and to welcome the minister’s letter and the tone of it. Obviously, we should respond in kind to it. However, if the weather warms up, the nesting season will be upon us and another season will soon have gone past for those affected by the seagull problem. PE616 was lodged in June 2003 and I feel that we have not raced on with it.

The Convener: Having waited that length of time, perhaps another two or three weeks will not make much difference to the petitioners.

John Scott: I concede that point.

The Convener: Do we agree to wait until after Easter for the promised response?

Members *indicated agreement.*

Judicial Proceedings (PE759)

The Convener: The next petition is PE759, by Robbie the Pict, on behalf of the Scottish Peoples Mission, calling on the Scottish Parliament to take the necessary steps to ensure that the names of judges serving on a judicial bench are displayed and that a full tape recording or shorthand record is kept of court proceedings and made available to any party involved.

At its meeting on 5 October 2005, the committee agreed to write to the Minister for Justice. A response has been received, copies of which have been circulated to members. Are members happy that we write back to Robbie the Pict to ask him for his views on the response?

Members *indicated agreement.*

John Scott: We hope that he will at least be content with half a victory at the outset.

The Convener: We will wait to see what he says, but it will be interesting.

Roads, Pavements and Footpaths (Maintenance) (PE855)

The Convener: The next petition is PE855, by Leslie Morrison, on behalf of Kirkside area residents, calling on the Scottish Parliament to urge the Scottish Executive to review the performance of all local authorities in Scotland in maintaining and repairing roads, pavements and footpaths.

At its meeting on 22 June 2005, the committee agreed to write to the Scottish Executive, the Society of Chief Officers of Transportation in Scotland and COSLA. Responses have been received from the Scottish Executive and SCOTS. Councillor Val MacIver of Highland Council has also provided a submission in which she addresses the specific issue of road and pavement conditions in Kirkside. Copies of those responses have been circulated to members.

Helen Eadie: Shall we seek the petitioner’s views again?

The Convener: Yes.

John Scott: I wonder whether we should write to COSLA again to hear its words of wisdom and whether it is prepared to embark on—

The Convener: I think that Sandra White made the point earlier that COSLA does not have a good record of replying to us when we ask it for information. We will try again.

Disabled People (Local Transport) (PE695)

The Convener: The next petition is PE695, by Jan Goodall, on behalf of the Dundee accessible transport action group, calling on the Scottish Parliament to ensure that local authorities make affordable, accessible local transport available to disabled people who cannot use public transport and to provide ring-fenced funding to allow local authority and/or community groups to provide dial-a-ride projects for that purpose.

At its meeting on 26 October 2005, the committee agreed to write to the Minister for Transport and Telecommunications. The minister's response has been received. Do members have any views about what to do with the petition?

Helen Eadie: The minister's response is quite helpful. The pilot that is under way will be interesting. Perhaps it would be helpful to ask the minister to keep the committee updated on the Executive's work on the matter.

John Scott: We will have to wait and see what the Executive's report on improved transport for disabled people says and how it is implemented.

The Convener: We will get the Executive to tell us. Are members happy with that?

Members indicated agreement.

Helen Eadie: We might also want to keep the petitioners updated.

The Convener: Yes, there is no harm in doing that.

Methadone Prescriptions (PE789)

The Convener: The next petition is PE789, by Eric Brown, calling on the Scottish Parliament to take a view regarding the need for regulation to ensure that methadone prescriptions are taken by the patient while supervised by a suitably qualified medical practitioner.

At its meeting on 26 October 2005, the committee agreed to write to Lothian NHS Board and Greater Glasgow NHS Board. Responses have been received. Unfortunately, the issue has become even more topical than it was at the outset, when the circumstances were already bad enough. I would be interested to hear what members think.

Ms White: We all know about the tragic death of Derek Doran; I do not particularly want to go into that. As I mentioned when we discussed the petition previously, I visited some pharmacies in Glasgow to see exactly how the methadone programme is carried out. From the letter from NHS Greater Glasgow, it seems to me that it has a much better programme than NHS Lothian has. NHS Lothian is still saying that its monitoring and

advisory group meets every six months—that is twice a year, which is not good enough. We should write to the Minister for Health and Community Care for his views on the responses from NHS Lothian and NHS Greater Glasgow. If supervised dispensing can be done in one area, it should be carried out in every area after the tragic death of the young boy.

The Convener: I would certainly like to hear what the minister has to say in light of the First Minister's position.

John Scott: We need to write to the minister and ask what his further plans are in light of the recent tragic death of Derek Doran. I also wonder whether the guidelines are sufficient. Apparently, the solution that NHS Greater Glasgow offers works better than NHS Lothian's. I presume that NHS Lothian is following the same guidelines and coming to different conclusions but, if people are suffering as a result, that is less than satisfactory. That is perhaps the best way of putting it.

Helen Eadie: I do not disagree. When we write to the minister, we might want to ask him to monitor the scenario throughout Scotland. We have an example of best practice in Glasgow and we, as parliamentarians, would want to be assured that that best practice is being replicated throughout Scotland. We have a duty in that regard.

The tragic death of Derek Doran raises a child protection issue, as well as issues to do with the dispensing of methadone. We ought to ask ourselves what interaction the child protection officers in every local authority have had with the health board about the potential impact of parents being on methadone. We would want to be reassured that child protection officers are involved whenever a child is affected. It seems that Glasgow has a good team of people who work in partnership on the issue and I want to be assured that, in every instance of a child being around adults who are on methadone, a social worker is around to have an eye on the protection of the child.

Ms White: That was not always the case in Glasgow, unfortunately. There were problems not just to do with the involvement of children but when people received their methadone supply for the Christmas and new year holiday and then sold it on the streets. The situation was rectified in the early 1990s, when NHS Greater Glasgow took on board what was happening.

NHS Lothian is following guidelines, as is NHS Greater Glasgow, but NHS Lothian's group meets only twice a year to decide whether the board needs to change its methods. That seems ridiculous in the light of such tragedies. The problems that Glasgow had in the early 1990s

could still be an issue in Lothian. Helen Eadie is right. The health board should adhere to the guidelines and not act on an ad hoc basis. There should not be two meetings a year to consider what is happening.

John Scott: I am not sure that we want ministers to impose the same solutions on different health boards, although I appreciate Helen Eadie's comments and agree that best practice should be adopted. Perhaps the guidelines are too loose and need to be redrawn.

The Convener: Shall we ask the Minister for Health and Community Care to set out his position in the light of current developments and in response to the letters from NHS Lothian and NHS Greater Glasgow?

Members indicated agreement.

Swords (Ban on Sale or Possession) (PE893)

The Convener: PE893, which was brought by Paul Macdonald on behalf of the save our swords campaign, calls on the Scottish Parliament to oppose the introduction of a ban on the sale or possession in Scotland of swords that are used for legitimate historical, cultural, artistic, sporting, economic or religious purposes.

At its meeting on 26 October 2005, the committee agreed to write to the Scottish Executive and to Strathclyde police's violence reduction unit. Responses have been circulated to members. Do members agree to send copies of the responses to the petitioner and to ask him to comment on them?

Members indicated agreement.

Institutional Child Abuse (PE888 and PE535)

The Convener: PE888, by Chris Daly, calls on the Scottish Parliament to urge the Scottish Executive, in the interests of people who suffered institutional child abuse, to reform Court of Session rules to allow fast-track court hearings in personal injury cases; to review the implementation of the Prescription and Limitation (Scotland) Act 1973; and to implement the recommendations of the report by the Scottish Law Commission on the limitation of actions.

At its meeting on 5 October 2005, the committee agreed to write to the Scottish Executive and the Scottish Law Commission. Responses have been received and circulated to members.

PE535 is related to PE888. Do members agree to link consideration of the two petitions?

Members indicated agreement.

The Convener: Petition PE535, also by Chris Daly, calls on the Scottish Parliament to urge the Scottish Executive to hold an inquiry into past institutional child abuse, in particular of children who were in the care of the state under the supervision of religious orders, to make unreserved apology for such state bodies and to urge the religious orders to apologise unconditionally.

At its meeting on 25 May 2005, the committee agreed to write to the Minister for Education and Young People. Since then, the minister has provided a number of letters to update the committee on progress made by the Executive since the debate in Parliament on 1 December 2004. Do members have suggestions on how we take forward the matters that the petitioner raises?

John Scott: We should seek the petitioner's view on the responses that we received.

The Convener: Are members happy to do that?

Members indicated agreement.

Food for Good (PE704)

The Convener: PE704 calls on the Scottish Parliament to urge the Scottish Executive to support the terms of Unison Scotland's NHS food for good charter.

At its meeting on 8 September 2005, the committee agreed to invite the views of the petitioner on the responses that it had received. Although we sent a reminder, no response was received from the petitioner. Do members have suggestions about how we deal with the petition?

Helen Eadie: We have had no response from the petitioner, despite repeated attempts to elicit one. In the circumstances, the committee has no alternative but to close the petition.

The Convener: Do members agree to close the petition?

Members indicated agreement.

Proposed Petition

12:29

The Convener: The committee is invited to consider the admissibility of a proposed petition from James Duff, which relates to an alleged failure to comply with the Bankruptcy (Scotland) Act 1913. A copy of the proposed petition was circulated to members. The clerks do all that they can do to help petitioners to bring petitions in a way that allows the committee to consider them. However, in the case that we are discussing, the petitioner insists that only his wording would be acceptable, which means that the committee would be asked to consider his specific case and only that case. The Public Petitions Committee does not have the remit to do that. We must decide whether the proposed petition is inadmissible.

John Scott: I know that the clerks are helpful in trying to ensure that people's petitions are relevant to the national picture. However, if the petitioner is determined that his petition should consider only his legal case, then obviously it is not a matter for the committee. That might be regrettable but, if there is no national or regional issue at stake, we cannot address the petition.

The Convener: Yes. If the petitioner asked us to consider the relevant legislation, we could do so. However, he is asking us to examine the judge's decision.

Rosie Kane: I know that the petitioner will have had that fully explained to him and that he will know that we have to say what we are saying today. Therefore, I assume that it was important to him that his words should be a matter of record. I can only assume that that is his angle.

The Convener: That is possibly the case. However, it does not help us that the petitioner will not allow the petition to be amended to enable us to address it.

Helen Eadie: I agree with John Scott that it is vital to get the fact over to the public that our committee clerks are extremely helpful and that, if the advice of the clerks is not listened to, our hands are tied. Perhaps the clerks could say to the petitioner that, having heard the views of the committee, he now has the right to submit a petition on a more general issue.

The Convener: Do members agree to rule the petition inadmissible?

Members indicated agreement.

Submission of Petitions (Guidance)

12:32

The Convener: Item 5 concerns the guidance on the submission of public petitions, which has been revised to reflect the changes to the standing orders on the admissibility of petitions, which were agreed by the Parliament on 23 November 2005. The guidance has also been revised to provide clearer details of the administrative arrangements for the processing of petitions.

Once the text has been finalised, the guidance will be published in a style that is consistent with other parliamentary public information publications. As with existing guidance, the guidance will be available in a variety of languages and formats.

Do members approve the revised guidance?

Members indicated agreement.

Research Proposal

12:32

The Convener: Our last item concerns a research proposal. It is anticipated that the 1,000th public petition will be lodged within the next six months. That significant milestone provides an opportunity to commission an independent review to assess the operation of the petitions system. The review will consider how well the petitions process works, take into account the views of petitioners on how their petition was handled and consider the impact of the petitions system as a means of engagement with the democratic process. The outcome of the review will help to inform the way in which the Public Petitions Committee and the subject committees deal with public petitions.

Do members have any comments on the suggestion that the Scottish Parliament information centre consider this matter?

John Scott: I am happy to support that. I am amazed that we have dealt with that many petitions. However, I would like to know whether we have any indication of what the project will cost and whether that will represent value for money.

The Convener: The clerks can answer that.

Jim Johnston (Clerk): The research proposal would go out to tender, so we would not want to pre-empt that process.

John Scott: Assuming that the cost is reasonable, I would be happy to agree to the suggestion.

Jim Johnston: Other research projects of a similar size cost around £25,000 to £30,000.

John Scott: Goodness.

Rosie Kane: It is not as much as it will cost to replace the bolt to fix the roof, John.

The Convener: We get a lot of requests from the media and other organisations asking us to show that the petitions system is working. At the moment, we can argue from our perspective, but this proposal gives us an opportunity to get someone external to the Parliament to examine how the system has developed, what the outcomes have been, whether the petitions have been as successful as we would want them to be and what the experience of those who have come before us has been, which is as important an aspect as any.

Helen Eadie: In this regard, while we are making comparisons, we should all bear in mind that Paul Hutcheon of the *Sunday Herald* cost us nearly a quarter of a million pounds in freedom of

information requests. Beside that, the cost of this piece of research is insignificant.

The Convener: I am not going to challenge your information, Helen. That is an interesting way of putting the cost into context.

Do members agree that we should ask the Conveners Group to consider this proposal?

Members indicated agreement.

Meeting closed at 12:35.

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